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 2nd day of April, 1984 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Theodore DeFedericis, Police Chief; James Kirisits, Town Attorney; Earl Loder, Disaster Preparedness Coordinator; Ronald Marten, Building Inspector; Michael Miecznikowski, Director of Recreation; Al Thrun, representative of Cheektowaga Traffic Safety Commission; Patricia Wojcik, Recreation Supervisor, Senior Citizens; and Ronald Zoeller, Foreman, Sanitation Department.

NO. 7

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

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

ARTICLE X

Parking, Standing and Stopping

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

B. No Parking Anytime

MARYVALE DRIVE	South side	from the west curbline of Cayuga Road to the east curbline of Union Road.
MARYVALE DRIVE	North side	from the west curbline of Union Road to terminus at Kensington Expressway-New York State Thruway
MARYVALE DRIVE	West side	from the north curb to south curbline of Maryvale Drive

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

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

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the "Park Ordinance" of the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendments being as follows:

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

That Section 14A, which relates to the prohibition against snowmobiles, ski-doos and ski-daddlers, shall be amended to read:

Section 14 A The following vehicles shall not be allowed in any part of the parks, driveways of the parks and/or park approaches:

1.) Snowmobiles, ski-doos, ski-daddlers or any such mechanized motor-driven sled or vehicle on runners.

2.) All Terrain Vehicles or any such one (1), two (2) or more passenger vehicles equipped with between two (2) to six (6) high flotation or similar type tires per vehicle designed for operation primarily on off-highway trails or in off-highway competitions and only incidentally operated on public highways.

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

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 Jaworowicz, seconded by Councilman Johnson

WHEREAS, Harvey Schiller and Irving Sultz have petitioned for the rezoning from R-Residential District to C-Retail Business District of property owned by them and located at 1246 Cleveland Drive, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 6th day of September, 1983 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the application of Harvey Schiller and Irving Sultz for the rezoning from R-Residential District to C-Retail Business District of the property specified in the attached legal description, and otherwise referenced as sublot 5, be and the same is hereby granted, subject to the condition that the Town Engineer review and approve drainage plans for sublot 5, and adjoining sublots 2, 3 and 4 inclusive, which shall govern the development and insure that drainage of other properties is not adversely affected, and

BE IT FURTHER RESOLVED that, upon approval of the drainage plans, as specified above, by the Town Engineer, the Zoning Map and Ordinance be amended in accordance with the above.

*SEE LEGAL DESCRIPTION ON NEXT PAGE.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628, is known and distinguished as Subdivision Lot No. 5, being situate at the intersection of the northerly line of Cleveland Drive with the easterly line of Union Road, as shown on said map.

Item No. 4 Cont'd.

Upon roll call.....

AYES:	Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

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

Ann F. Mika, 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 April 5, 1984; last publication April 5, 1984; and that no more than six days intervened between publications.

Ann F. Mika

Sworn to before me this 6th day of April, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town oard of the Town of heektowaga, Erie County, New ork held at the Town Hall, corner f Broadway and Union Roads, in aid Town on the 2nd day of April, 984 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:
Daniel E. Weber

Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Johnson

WHEREAS, Harvey Schiller and Irving Sultz have petitioned for the rezoning from R-Residential District to C-Retail Business District of property owned by them and located at 1246 Cleveland Drive, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 6th day of September, 1983 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

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

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

NOW, THEREFORE, BE IT RESOLVED THAT the application of Harvey Schiller and Irving Sultz for the rezoning from R-Residential District to C-Retail Business District of the property specified in the attached legal description, and otherwise referenced as sublot 5, be and the same is hereby granted, subject to the condition that the Town Engineer review and approve drainage plans for sublot 5, and adjoining sublots 2, 3 and 4 inclusive, which shall govern the development and insure that drainage of other properties is not adversely affected, and

BE IT FURTHER RESOLVED that, upon approval of the drainage plans, as specified above, by the Town Engineer, the Zoning Map and Ordinance be amended in accordance with the above.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628, is known and distinguished as Subdivision Lot No. 5, being situate at the intersection of the northerly line of Cleveland Drive with the easterly line of Union Road, as shown on said map.

Upon roll call...

Supervisor Weber	Voting	AYE
Councilman:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
K o w a l		
	Voting	AYE
Gabryszak	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 2, 1984, 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 2nd day of April, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 5, 1984

Item No. 5 Motion by Councilman Johnson, seconded by Councilman Kowal

WHEREAS, this Town Board, pursuant to Section 459 of the Real Property Tax Law of the State of New York, is empowered, by local law, to authorize exemptions to the extent of any increase in assessed value for improvements to residences which facilitate the use by a resident who is physically disabled, and

WHEREAS, this Town Board, by resolution dated March 2, 1984, duly called a public hearing to consider the advisability of adopting Local Law No. 1 of the Year 1984, entitled "A Local Law Relating to the Exemption from Real Property Taxes of Particular Improvements to Property Owned by Certain Physically Disabled Persons" and gave due notice thereof as required by law, and

WHEREAS, a public hearing on said proposed Local Law was duly held by the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 19th day of March, 1984 at 7:00 o'clock P.M., at which time all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, the construction of a ramp, etc. to make a home accessible by a physically disabled person may be an important consideration in a disabled individual's decision to remain in his or her own home and thus to live an independent and productive lifestyle, and

WHEREAS, the aforementioned exemption will remove the property tax disincentive with which disabled individuals are faced when they undertake to make the type of improvements to their home which will enable them to lead independent and self-sufficient lives, and

WHEREAS, it is in the public interest to enact the following Local Law, as set forth below, NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 1 of the Year 1984, entitled "A Local Law Relating to the Exemption from Real Property Taxes of Particular Improvements to Property Owned by Certain Physically Disabled Persons," be and the same is hereby enacted as follows:

LOCAL LAW NO. 1 OF THE YEAR 1984

A LOCAL LAW RELATING TO THE EXEMPTION FROM REAL PROPERTY TAXES OF PARTICULAR IMPROVEMENTS TO PROPERTY OWNED BY CERTAIN PHYSICALLY DISABLED PERSONS

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA as follows:

Section 1. The purpose of this local law is to exempt from real property taxes particular improvements to property owned by certain physically disabled persons, as authorized by section four hundred fifty-nine of the Real Property Tax Law.

Section 2. An improvement to any real property used solely for residential purposes as a one, two or three family residence shall be exempt from taxation to the extent of any increase in value attributable to such improvement if such improvement is used for the purpose of facilitating and accommodating the use and accessibility of such real property by (a) a resident owner of the real property who is physically disabled, or (b) a member of the resident owner's household who is physically disabled, if such member resides in the real property.

Section 3. Any such real property tax exemption will apply to improvements constructed prior to the effective date of this local law.

Section 4. This local law shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after June 1, 1984.

Section 5. This local law shall take effect immediately upon its filing with the Secretary of State.

and BE IT FURTHER

Item No. 5 Cont'd.

RESOLVED, that, within five (5) days of its adoption, the Town Clerk will file one (1) certified copy of this Local Law in his office, one (1) certified copy with the State Comptroller, and four (4) certified copies with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Attorney certify that the text of the law is correct and that all legally required steps have been taken in passing the law, and BE IT FURTHER

RESOLVED, that this Local Law No. 1 of the Year 1984 shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

Upon roll call.....

AYES:	Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 6 Motion by Councilman Jaworowicz, seconded by Councilman J. V. Rogowski

WHEREAS, the Chief of Police of the Town of Cheektowaga has recommended that certain provisions of the Air Guns and Rifles Ordinance (Ordinance No. 25A) of the Town of Cheektowaga New York be amended or repealed, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the Air Guns and Rifles Ordinance of the Town of Cheektowaga 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 19th day of March, 1984 at 7:00 o'clock P.M.; at such 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 Air Guns and Rifles Ordinance of the Town of Cheektowaga as hereinafter set forth, NOW, THEREFORE, BE IT

RESOLVED, that the Air Guns and Rifles Ordinance of the Town of Cheektowaga, New York be and the same is hereby amended and changed as follows:

1. RESOLVED, that paragraph number one, which relates to the unlawful discharge of certain weapons within the Town of Cheektowaga, shall be amended by substituting the words "rifle, shotgun or any other firearm" in place of the words "or any rifle", 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 April 2, 1984; 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 publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED, that the aforementioned amendments to the Air Guns and Rifles Ordinance of the Town of Cheektowaga 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 Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

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

Ann F. Mika, 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 April 5, 1984; last publication April 5, 1984; and that no more than six days intervened between publications.

Ann F. Mika

Sworn to before me this 6th
day of April, 19 84
Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of April, 1984 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:
Daniel E. Weber

Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, the Chief of Police of the Town of Cheektowaga has recommended that certain provisions of the Air Guns and Rifles Ordinance (Ordinance No. No. 25A) of the Town of Cheektowaga New York be amended or repealed, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the Air Guns and Rifles Ordinance of the Town of Cheektowaga 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 19th day of March, 1984 at 7:00 o'clock P.M.; at such 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 Air Guns and Rifles Ordinance of the Town of Cheektowaga as hereinafter set forth, NOW, THEREFORE, BE IT

RESOLVED, that the Air Guns and Rifles Ordinance of the Town of Cheektowaga, New York be and the same is hereby amended and changed as follows:

1. RESOLVED, that paragraph number one, which relates to the unlawful discharge of certain weapons within the Town of Cheektowaga, shall be amended by substituting the words "rifle, shotgun or any other firearm" in place of the words "or any rifle", 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 April 2, 1984; 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 publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED, that the aforementioned amendments to the Air Guns and Rifles Ordinance of the Town of Cheektowaga 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 Weber	Voting	AYE
Councilman:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 2, 1984, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 6, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 2nd day of April, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 5, 1984

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

WHEREAS, this Town Board duly held a public hearing on the 19th day of March, 1984 at 7:00 P.M. Eastern Standard Time 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

Street	Direction	Entrance Street	Traffic Stops	Sign Location
HUTH ROAD	East-west	ONTARIO DRIVE	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

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

B. No parking anytime

WILSHIRE ROAD	West side	from the north curbline of Cleveland Drive to a point 115± feet north of the north curbline of Cleveland Drive.

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 Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

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

Anna E. Mika, 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 April 5, 1984; last publication April 5, 1984; and that no more than six days intervened between publications.

Anna E. Mika

Sworn to before me this 6th day of April, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of April, 1984 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor:
Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz
Seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 19th day of March, 1984 at 7:00 P.M. Eastern Standard Time 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

Street: HUTH ROAD; Direction: East-west; Entrance Street: ONTARIO DRIVE; Traffic Stops: Southbound; Sign Location: N.W. Corner

ARTICLE X
Parking, Standing and Stopping

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

B. No parking anytime

WILSHIRE ROAD, West side, from the north curbline of Cleveland Drive to a point 115± feet north of the north curbline of Cleveland Drive

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...

Supervisor Weber	Voting	AYE
Councilman:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 2, 1984, 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. 7, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 2nd day of April, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 5, 1984

Item No. 8 Motion by Councilman Jaworowicz, seconded by Councilman J. V. Rogowski

WHEREAS, a public hearing will be held on April 16, 1984 at 7:00 o'clock Eastern Standard Time, at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to determine whether Local Law No. 2 of the Year 1984, entitled "A Local Law Relating to Sewer Use" shall be adopted; and

WHEREAS, at such hearing all parties in interest and citizens shall have an oportunity to be heard; and

WHEREAS, the Petitions Committee of the Town of Cheektowaga has recommended that certain provisions of A Local Law Relating to Sewer Use be changed or deleted prior to public hearing;

WHEREAS, it is in the public interest to make such changes as hereinafter set forth so that all citizens in interest may be fully informed as to the substance of A Local Law Relating to Sewer Use, NOW, THEREFORE, BE IT

RESOLVED that the proposed Local Law Relating to Sewer Use be changed as follows:

1. RESOLVED that Article V, Section 1 (b) which relates to permit fees, shall be deleted and the following substituted:

(b) there shall be the following Sewer Tap-In Connection Fee Schedule:

Residence:	
Mobile Home	$125
1 Bedroom	200
2 - 3 Bedrooms	200
4 + Bedrooms	200
Double House	300
Apartment	
Base	200
Plus for Each Additional Unit	100
Commercial:	
1" Water Line	500
1½" Water Line	1,000
2" Water Line	2,000
2" or More Water Line	Set by Town Engineer

and

2. RESOLVED, that Article V, Section 9 which relates to connection inspection, shall be changed as follows:

SECTION 9 CONNECTION INSPECTION

The applicant for a building sewer connection permit shall notify the Town when such sewer is ready for connection to the Town's POTW. Such connection and testing as deemed necessary by the Town shall be made by the Town;

and

3. RESOLVED, that Article V, Section 8 shall be deleted and Section 9 shall be renumbered Section 8, Section 10 shall be renumbered Section 9, Section 11 shall be renumbered Section 10 and Section 12 shall be renumbered Section 11; and

4. RESOLVED, that the Publicly Owned Treatment Works Connection Permit be changed by deleting from the first paragraph the words "and connect a" and deleting from the second section "3. To have a master plumber licensed in the Town of Cheektowaga to make the connection;" and renumber No. 4 in the second section No. 3; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be on file in the Town Clerk's Office as substitution for the aforementioned sections in a Local Law Relating to Sewer Use.

Item No. 8 Cont'd.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

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

WHEREAS, as a result of advertisement, bids were received on March 7, 1984 for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 29, 1984, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga be awarded to Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14059 for submission of the lowest bid meeting the requirements of the specifications as per the unit bid prices of:

Item I - Hydraulic Backhoe	$480.00 per 8 hour day
Item 2 - Tractor with front end loader	$320.00 per 8 hour day
Item 3 - Dozer	$280.00 per 8 hour day
Item 4 - Dozer	$400.00 per 8 hour day
Item 5 - Dozer	$400.00 per 8 hour day
Item 6 - Tandem Dump Truck	$240.00 per 8 hour day
Item 7 - Landscape Type Tractor	$ 10.00 per 8 hour day
Item 8 - Hydraulic Backhoe	$224.00 per 8 hour day
Item 9 - Laborers	$135.00 per 8 hour day
Item 10 - Hydraulic Backhoe	$480.00 per 8 hour day

AND, BE IT FURTHER

RESOLVED, that payment for said equipment and operators for public works projects is to be chargeable to the Erosion Control and Drainage Budget, Account #8540-4-04571-001.

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER CONTAINING 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

March 29, 1984

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Furnishing of Equipment
and Operators for
Public Works Projects

Gentlemen:

Bids were received and opened March 7, 1984 for the furnishing of equipment and operators for public works projects. There were three (3) bids submitted and their totals are as follows

BIDDERS	ITEMS 1-10
1) Tom Greenauer Development, Inc.	$2,969.00
2) N.A.I. Construction Co., Inc.	$2,998.00
3) Custom Topsoil, Inc.	$5,000.00

The bid totals were reviewed in order to provide a basis for bid award. Based on these totals, it is recommended that the bid be awarded to Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14059 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Item No. 9 Cont'd.

Upon roll call.....

AYES:	Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 10 Motion by Councilman W. P. Rogowski, seconded by Councilman Johnson

WHEREAS, the Town Insurance Committee has reviewed the Town's general insurance program, accepted proposals from various insurers for the insurance, and has agreed upon and recommended replacement of insurance effective March 30, 1984, AND

WHEREAS, the Town's Insurance Consultant and Finance Committee have reviewed the recommended placement of the insurance as proposed by the Committee and concur with its recommendations, AND

WHEREAS, it was necessary for Supervisor Weber and the Town's Consultant to effect such insurance on March 30, 1984 and April 1, 1984 to avoid a lapse in coverage, NOW, THEREFORE, BE IT

RESOLVED that above action is hereby ratified and the following awards of insurance are approved:

1. Multi-Peril Coverages (Property and Liability) at an annual advance premium of $62,751, Automobile Coverages at an annual advance premium of $42,626, Owners Protective Liability an an annual premium of $200, and Workers Compensation for the Job Training Partnership Act Summer Youth Employees Program at an annual advance premium of $2,832, to Joseph J. Naples & Associates and U.S. Fidelity & Guaranty Companies.

2. The Umbrella Liability at an annual premium of $20,000 to Joseph J. Naples & Associates and Pacific Employers Insurance Company.

3. Crime Coverages and Public Employees Blanket Bond at an annual premium of $2,787 to Joseph J. Naples & Associates and Peerless Insurance Company.

4. Boiler and Machinery Insurance at an annual premium of $2,285 to Ben Hoey Agency and Lumbermen's Mutual Casualty Company.

5. Contractors Equipment Coverage at an annual advance premium of $2,386 to Ben Hoey Agency and Lumbermen's Mutual Casualty Company.

Upon roll call.....

AYES:	Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

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

WHEREAS, a vacancy exists in the Town Clerk's Office for the position of Senior Clerk-Typist, and

WHEREAS, this vacancy has been properly posted, for a period of ten (10) days, in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, Sharon A. Styborski, of 66 Sherry Drive, currently serving as a Clerk-Stenographer in the Town Clerk's Office, appears first on the Town Senior Clerk-Typist Permanent Promotion Civil Service List from the Erie County Department of Personnel, NOW, THEREFORE, BE IT

Item No. 11 Cont'd.

RESOLVED that Sharon A. Styborski be and hereby is promoted to the position of Senior Clerk-Typist in the Town Clerk's Office, at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, effective immediately.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 12a Motion by Councilman J. V. Rogowski, seconded by Councilman Kowal

WHEREAS, a vacancy exists in the Justice Department for a Clerk-Typist, hours being 9:00 AM to 4:30 PM due to the transfer of BERNADETTE ZUBEK from the Justice Department to the Police Department, and

WHEREAS, this position having been properly posted in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, NANCY SCARAFIA of , Cheektowaga, New York, recently appointed as Clerk-Typist by the Town of Cheektowaga, her hours having been 2:00 PM to 9:30 PM, Monday through Friday, having bid on the above vacancy, BE IT

RESOLVED, that NANCY SCARAFIA, be and hereby is appointed to the above vacancy, her hours to be 9:00 AM to 4:30 PM Monday through Friday.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 12b Motion by Councilman Rogowski, seconded by Councilman Kowal

WHEREAS, a vacancy exists in the Justice Department for the position of Clerk-Typist, hours being 2:00 PM to 9:30 pm. Monday through Friday, and

WHEREAS, JUDITH FAULKNER of S. Cheektowaga, New York appears on the current list of eligibles from the Erie County Department of Personnel as a result of a recent Clerk-Typist examination, NOW, THEREFORE, BE IT

RESOLVED that JUDITH FAULKNER having bid on the above position, be and hereby is appointed to the position of Clerk-Typist in the Justice Department, at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment being effective April 4, 1984.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 12c Motion by Councilman Johnson, seconded by Councilman Gabryszak

WHEREAS, a vacancy exists on the Cheektowaga Traffic Safety Commission, and

Item No. 12 c Cont'd.

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended to the Town Board that Arthur J. Blachowski of be appointed to the Commission, NOW, THEREFORE, BE IT

RESOLVED that Arthur J. Blachowski be and hereby is appointed to serve on the Cheektowaga Traffic Safety Commission, said appointment to be effective immediately and shall expire on December 31, 1984.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 12d Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

WHEREAS, the Town Board of the Town of Cheektowaga has previously created a corporation known as the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development within the Town, and

WHEREAS, by resolution dated February 7, 1983, this Town Board approved the proposed By-Laws of the Cheektowaga Economic Development Corporation, and

WHEREAS, the aforesaid By-Laws provide that the directors of the Cheektowaga Economic Development Corporation shall be appointed by resolution of the Town Board of the Town of Cheektowaga, and

WHEREAS, the Board of Directors of the Cheektowaga Economic Development Corporation have recommended the appointment of individuals as hereinafter listed to the Board of Directors of said Corporation, and

WHEREAS, this Town Board is in agreement with the recommendations of the Directors of the Cheektowaga Economic Development Corporation, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are named to the Board of Directors of the Cheektowaga Economic Development Corporation effective immediately and expiring on the following dates:

DIRECTOR	TERM EXPIRES
Amedeo Duke	April 1, 1987
Joseph Lipowski	" " "
Richard Fitzgerald	" " "
Joseph Donofrio	" " "
Joseph Ball	" " "
Charles B. Barcelona	" " "

and BE IT FURTHER

RESOLVED that, pursuant to the recommendation of the Board of Directors of said Corporation, the Mayors of the Village of Depew and the Village of Sloan, or their designee, be and hereby are appointed as Ex-Officio members of the Board of Directors of the Cheektowaga Economic Development Corporation.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman Kowal, seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the various Departments as listed:

SEWER MAINTENANCE DEPARTMENT - EFFECTIVE APRIL 4, 1984

John Fenske
Mike Haas
Paul Hockwater
Richard Majtyka
Richard Pagano
Eugene Pierce

COUNCIL OFFICE - EFFECTIVE 3/23/84

Kathleen Orr

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman W. P. Rogowski, seconded by Councilman Johnson

BE IT RESOLVED that the below listed individual be hired as a Clerk for the Cheektowaga Youth Bureau's Administrative Intern Program (7310.1804), at a salary rate of $3.35 per hour, effective immediately

Susan Batycki

Cheektowaga, New York 14225

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15a Motion by Councilman W. P. Rogowski, seconded by Councilman Kowal

BE IT RESOLVED that Juliana M. Sisti of be and hereby is hired as a Seasonal Employee in the Council Office at a rate of $3.75 per hour retroactive to March 26, 1984.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15b Motion by Councilman W. P. Rogowski, seconded by Councilman Johnson

RESOLVED that the following individuals are hereby hired in the Cheektowaga Facilities Department, Parks Division effective immediately:

Seasonal Employees @ $3.10 per hour, Account #01-007110-1-0-1491-001

Name	Address	Telephone Number
John Bratek		
Dale Matecki		
Arthur Holakowski		

Item No. 15b Cont'd.

NAME	ADDRESS	TELEPHONE NUMBER

Mark Zogaria
William Dillemuth
Michael Falter
John Slomba
Robert Edmonson
Ken Jeffords
Richard Tomporowski
Jim Brudek
Jerome Czajka
Jimmy Kujawski
John Zyla
Kenneth Stoller
Francis Keefe
David Mejak
Donald Gallmeyer
Stephen Malicki, Jr.
Joseph A. Olday
Daniel Kroll
John Wiercioch
Daryl Dunkowski
Ronald Lynch
Thomas Chirico
Michael Haas
Mark Dolekowski
Paul Koronowski

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Kowal, seconded by Councilman Jaworowicz

WHEREAS, the need exists in the Police Department for promotional position of "Senior Clerk-Typist", AND

WHEREAS, the necessary PO-17 forms have been sent to the Erie County Department of Personnel, and upon review and consideration will be approved for the creation of this position, NOW, THEREFORE, BE IT

RESOLVED, that the promotional position of Senior Clerk-Typist in the Police Department be and hereby is created, AND, BE IT FURTHER

RESOLVED, that in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, this new position be posted for a period of ten days.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 17 Acceptance of proposal for preparation of plans and specifications for construction of a sewer maintenance garage.
This item was withdrawn.

Item No. 18 Motion by Councilman Johnson, seconded by Councilman Gabryszak

WHEREAS, the Town, in its program for improvements in the Cedargrove Heights area, desires to construct a storm sewer system along the south boundary of Cedargrove Heights on property bordering on Holy Sepulchre Cemetery, AND

WHEREAS, the Diocese of Buffalo, owner of said Holy Sepulchre Cemetery, is engaging in improving and enlarging said Holy Sepulchre Cemetery by constructing a roadway and a drainage system on said property, AND

WHEREAS, it would be advantageous to the Town of Cheektowaga and the Diocese of Buffalo to cooperate in the construction of a drainage system, which system would receive storm waters from Cedargrove Heights and conduct said waters through the cemetery and to the drainage ditch along the south side of Holy Sepulchre Cemetery, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby expresses its willingness to enter into an agreement with the Diocese of Buffalo, which agreement will involve the construction by the Diocese of Buffalo of a north-south drainage system thru cemetery property with an easement to be dedicated to the Town along the route of said storm sewer system; and, as part of the agreement, the Town will construct a storm sewer system from the Glenwood Place ditch running easterly, and which outlet drainage system will also include waters from the Holy Sepulchre Cemetery, AND, BE IT FURTHER

RESOLVED, that the Town Attorney and the Town Engineer enter into negotiations with the attorneys of the Diocese of Buffalo to prepare the necessary agreement, AND, BE IT FURTHER

RESOLVED, that the agreement so negotiated be provided to this Town Board for its approval.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Johnson, seconded by Councilman Gabryszak

WHEREAS, in order to proceed with a drainage improvement project in Cedargrove Heights this Town Board, by resolution dated October 17, 1983, directed and authorized the consulting firm of Nussbaumer & Clarke, Inc. to prepare thirteen (13) easement maps and descriptions, AND

WHEREAS, the Town Engineer was advised that said easement maps and descriptions are completed, AND

WHEREAS, the homeowners expressed their willingness to convey an easement interest in their property to the Town of Cheektowaga for the aforementioned drainage improvement project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney and the Town Engineer draft the appropriate easement agreements and secure the signatures of the appropriate property owners.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to connect 3 - 5200 lumen post-top high pressure sodium fixtures (Standards 7, 8 & 9) on Martinique and 1 - 5200 lumen post-top high pressure sodium fixture (Standard #2) on LeHavre Drive, in the Town of Cheektowaga, at an annual increase in the Town's General Lighting District of $127.60, AND BE IT FURTHER

Item No. 20 Cont'd.

RESOLVED that the fixtures, 18-foot standards and conductors which have been supplied and installed by the developer, shall be owned and maintained by the Town of Cheektowaga; and the connections, energy, relamping and photo control replacement shall be suppled, owned and maintained by New York State Electric & Gas Corporation, AND BE IT FURTHER

RESOLVED that said authorization shall be in accordance with the attached proposal which is hereby made a part of this Resolution.

*SEE NEXT TWO (2) PAGES FOR COPY OF PROPOSAL.

December 13, 1983

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
MARTINIQUE HEIGHTS SUBDIVISION PHASE IV

Martinique Drive (Std. 7,8,9)
LeHavre Drive (Std. 2)

Connect 4 - 5200 lumen post top high pressure sodium fixtures

Energy & lamp bulb rate @ $31.90 ea. ---------- $ 127.60

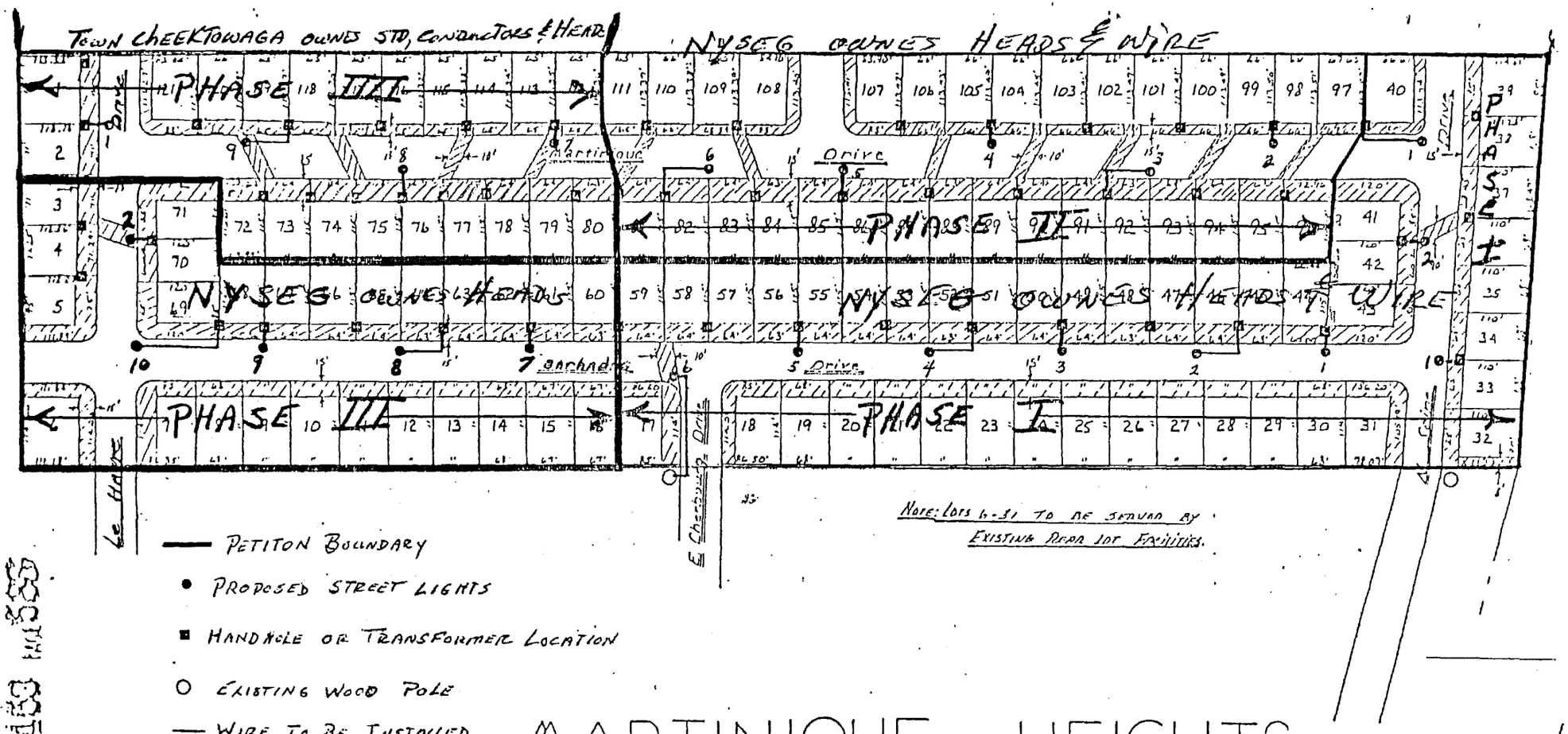
(see attached sketch)

ANNUAL INCREASE --- $ 127.60

Fixtures, 18-ft. standards and conductors to be supplied and installed by developer; owned and maintained by the Town of Cheektowaga

Connections, energy, relamping and photo control replacement to be supplied, and maintained by New York State Electric & Gas Corp.

NEW YORK STATE ELECTRIC & GAS CORP.



MARTINIQUE HEIGHTS

NEW YORK STATE ELEC & GAS CORP.

STREET LIGHTING LAYOUT

Item No. 20 Cont'd.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman W. P. Rogowski, seconded by Councilman Johnson

WHEREAS, through prior Town Board Resolution, permission has been granted to the Kennel Club of Buffalo, Inc. to conduct a "Dog Show" at John C. Stiglmeier Park on June 10, 1984 between the hours of 10:00 a.m. and 6:00 p.m., AND

WHEREAS, the code of the Town of Cheektowaga, Article 48-8, "Domestic Animals Prohibited From Parks and Park Approaches", states "No domestic animals shall be permitted in a park or park approach", AND

WHEREAS, only duly authorized Kennel Club of Buffalo, Inc. members and registered entrants shall be allowed to occupy the grounds of the John C. Stiglmeier Park during such times as stated said resolution, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board permit a waiver of Article 48-8 of the Code of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that said waiver be extended to the Kennel Club of Buffalo, Inc., its membership and registrants on June 10, 1984 between the hours of 10:00 a.m. and 6:00 p.m., AND BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, Inc., its membership and registrants shall comply with the Code of the Town of Cheektowaga, Chapter 21, amended in its entirety on February 2, 1976 and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, Inc., its membership and registrants shall comply with the Code of the Town of Cheektowaga, Article 21-1. Applicability; Article 21-2. Seizure of Unleashed Dogs Off Owner's Premises; Article 21-3. Muzzling or Fastening of Dogs on Owner's Premises; Article 21-4. Noise by Dogs; and Article 21-5. Penalties for Offenses, AND BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Chief of Police, the Town Dog Control Officer, the Town Attorney and the Director of the Facilities Department of the Town of Cheektowaga and the Director of Recreation of the Town of Cheektowaga.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman W. P. Rogowski, seconded by Councilman Johnson

WHEREAS, the Kennel Club of Buffalo, Inc. has requested permission from the Cheektowaga Recreation Department to utilize John C. Stiglmeier Park located on Losson Road, Cheektowaga, New York to conduct a professional "Dog Show", AND

WHEREAS, the Kennel Club of Buffalo, Inc. has requested the date of June 10, 1984, AND

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

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

Item No. 22 Cont'd.

WHEREAS, the Kennel Club of Buffalo, Inc. has submitted a Certificate of Insurance from the agency of Gerstman & Gerstman, 235 North Street, Buffalo, New York agent for the Zurich Insurance Company, to insure: General Liability to include Bodily Injury Liability in the amount of $500,000 each occurrence and Property Liability in the amount of $100,000 each occurrence, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grants to the Kennel Club of Buffalo, Inc. exclusive use of the area known as Diamond Number One (1), Two (2) and Three (3); the Losson Community Center at John C. Stiglmeier Park on June 10, 1984 between the hours of 10:00 a.m. and 6:00 p.m. under the guidelines set forth within said resolution, and BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Chief of Police, the Town Dog Control Officer, the Town Attorney and the Director of the Facilities Department of the Town of Cheektowaga and the Director of Recreation of the Town of Cheektowaga.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Kowal, seconded by Councilman Gabryszak

WHEREAS, Pack 618 of the Cub Scouts of America will hold their annual Family Picnic at John C. Stiglmeier Park on Sunday, August 26, 1984, AND

WHEREAS, Cub Scout Pack 618 has requested permission of the Town to utilize Stiglmeier Park for their Father-Son overnight campout from Saturday, August 25 to Sunday, August 26, AND

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed," NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board permits a waiver of Article 48-12 of the Code of the Town of Cheektowaga, said waiver extended to Pack 618 of the Cub Scouts of America for the use of Stiglmeier Park only on August 25, 1984, AND BE IT

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief of Police.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Supervisor Weber, seconded by Councilman Johnson

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

GENERAL FUND

From:	2701.000	(Revenue-Refund Prior Years Expense)	$57.26
To:	7310.4001	(Youth-Office Supplies)	$57.26

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Supervisor Weber, seconded by Councilman Johnson

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 2, 1984 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$ 67,648.61
SPECIAL DISTRICTS FUND	22,668.61
HIGHWAY FUND	25,204.77
PART TOWN FUND	133.25
CAPITAL PROJECTS FUND	3,890.70
COMMUNITY DEVELOPMENT FUND	745.12
	$120,291.06

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Building Permits.
Received and filed.

Item No. 27 Supervisor's Statement of Funds for months of October, November and December.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 28 Copy of resolution from Village of Depew & Town of Boston regarding amount of reimbursement for alcohol-related matters handled by local courts.
Copies of these resolutions were sent to: Supervisor Weber, Karen McAuley, Council Secretary; Justice Court and Town Attorneys Office.
Received and filed.

Item No. 29 Copies of resolutions from Towns of Grand Island, Collins and Colden memorializing Erie County to appropriate funds for completion of Erie County Real Property Information System Project.
Received and filed.

Item No. 30a Notice of Claim: Home Indemnity Co. for Alice L. Beyer vs. Town of Cheektowaga.
Copies of this Notice were sent to: Supervisor Daniel E. Weber; E. T. Clauss, Town's Insurance Carrier; James Kirisits, Town Attorney; Thomas M. Johnson, Councilman and Alfred Wnek, Highway Superintendent.
Received and filed.

Item No. 30b Notice of Claim: Charlet Mays vs. Town of Cheektowaga.
Copies of this Notice were sent to: Supervisor Daniel E. Weber; Joseph J. Naples Co., and E. T. Clauss, Town's Insurance Carriers; James Kirisits, Town Attorney; Thomas M. Johnson, Councilman; and Alfred Wnek, Highway Superintendent.
Received and filed.

Item No. 30c Notice of Claim: John F. Walkowiak vs. Town of Cheektowaga. Copies of this Notice were sent to: Supervisor Daniel E. Weber; James Kirisits, Town Attorney; E. T. Clauss & Co., Town's Insurance Carrier; Thomas Johnson, Councilman; and Alfred Wnek, Highway Superintendent.
Received and filed.

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

Motion by Councilman J. V. Rogowski, seconded by Councilman Kowal to suspend the rules to include the following two items:

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

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

V. SUSPENSION OF RULES

Item No. 31 Authorize Fire & Housing Inspectors to prepare analysis comparing Town Fire & House Code with State Uniform Code.

Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has previously petitioned the State Division of Housing and Community Renewal to retain our Local Fire and Housing Code, and

WHEREAS, the Town has been notified by the Commissioner of the State Division of Housing and Community Renewal that a section by section analysis comparing the more restrictive sections of the Town Fire and Housing Codes with the State Uniform Code is required before a determination can be made, and

WHEREAS, a timely response to the State on this matter is important and considerable savings to the Town can be realized by having the Town Fire and Housing Inspectors prepare this analysis as opposed to hiring a consulting firm, NOW, THEREFORE, BE IT

RESOLVED, that the Town Fire and Housing Inspectors are hereby authorized to prepare this analysis, after regular working hours if necessary, at a cost not to exceed $650.00 for the Fire Code and at a cost not to exceed $250.00 for the Housing Code, said monies to be paid out of the Fire Inspector budget line item and the Community Development Block Grant Fund respectively.

Upon roll call.....

AYES: Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 32 Authorize Supervisor to submit application for financial aid for construction of municipal solid waste management project.

Motion by Councilman Gabryszak, seconded by Councilman Kowal

WHEREAS, Chapter 659 of the Laws of 1972 provides financial aid for the construction of municipal solid waste management projects, and

WHEREAS, the Town of Cheektowaga desires to make application to the State of New York under Chapter 659 of the Laws of 1972, and

Item No. 32 Cont'd.

WHEREAS, to obtain said financial aid, it is necessary that an application be completed by the Town and submitted to the State Department of Environmental Conservation, and

WHEREAS, said application has been completed by Mr. Ronald C. Zoeller, Foreman, Sanitation Department, and

WHEREAS, this Board approves the application for financial aid and wishes same to be executed and forwarded to the State Department of Environmental Conservation, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to sign, on behalf of the Town, the application for a State Grant-In-Aid, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is also authorized and directed to provide the State such information, data and documents pertaining to the application for a grant as may be required, and to otherwise act as the authorized representative of the Town in connection with said application, and to sign the resulting contract and all other necessary documents if said application is approved by the State, and BE IT FURTHER

RESOLVED, that the Town agrees that if a Federal grant or grants and State assistance for the Solid Waste Management project are made pursuant to Laws of 1972, or any Federal Law or program, the Town of Cheektowaga will pay the remaining costs of the approved project, and BE IT FURTHER

RESOLVED, that four (4) certified copies of this resolution be forwarded to the New York State Department of Environmental Conservation, Albany, New York 12205, together with the attached application.

*SEE NEXT SIX (6) PAGES FOR COPY OF APPLICATION.

-57 (12/72) NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

FOR STATE USE ONLY
BOND ACT PROJECT NO. -0
DATE RECEIVED

APPLICATION FOR STATE ASSISTANCE
PURSUANT TO THE ENVIRONMENTAL QUALITY BOND ACT OF 1972

1. NAME OF APPLICANT (Municipality): Town of Cheektowaga
2. GOVERNING BODY: Town Board
3. COUNTY: Erie
4. ADDRESS (Post Office Box No. or Street, Post Office, State and Zip Code): Broadway & Union Rds., Cheektowaga, New York 14227

TYPE OF PROJECT (Check only one block)
☐ Water Quality Improvement ☐ Air Quality Improvement ☒ Solid Waste Recovery and Management ☐ Wetlands Restoration

6. PROJECT TITLE: Cheektowaga Recycling Program
7. FEDERAL NO. (If any):

8. PROJECT DESCRIPTION (Purpose, Nature and Size of Project and other pertinent descriptive facts)

Initiate Voluntary Newsprint Recycling Program.

Remove newsprint from solid waste stream allowing Town to sell newsprint to Paper Market(s).

9. ESTIMATED REASONABLE COST OF PROJECT

BOND ACT FUNDS	$ 2300.00
OTHER STATE FUNDS	$ 0.00
FEDERAL FUNDS	$ 0.00
MUNICIPAL FUNDS	$ 2300.00
TOTAL	$ 4600.00

10. ANTICIPATED STARTING AND COMPLETION DATE: From: Sept. 1983 To: ongoing
11. FISCAL YEAR OF APPLICANT: From: January 1 To: December 31
12. Amount of Bond Act funds required during current State fiscal year: $2100.00

13. PROJECT LOCATION (City, Town, Village, Road, Latitude and Longitude, and other identifiable geographic features)
Cheektowaga Sanitation Department - Broadway (State Route #20) and Union Road (State Route #277). 42°54'15' + 78°45'15'.

	Yes	No
14. Have you ever applied for, plan to apply for, or received any financial assistance from any State agency in connection with or for this project? If "Yes", provide details with this application.		X
15. Does Project require clearinghouse notification in accordance with Federal Office of Management and Budget Circular A-95?		X
16. Has an environmental assessment been made for this Project or for a comprehensive plan which includes this Project?		X
17. Has an environmental impact statement been made for this Project or for a Class of Projects including this Project? If "Yes", indicate Federal agency and date below.		X

18. FEDERAL AGENCY: N/A
19. DATE:
20. Is the Project covered by a current Federally approved plan? — No: X

21. Have submissions of this Project been made to any Federal agency? If "Yes", provide details with this application. Attach copy of Federal application.		X
22. Has a comprehensive Solid Waste Management Plan been approved for the area in which the Municipality is located? Erie County Solid Waste Management Plan	X	

23. NAME AND TITLE OF INDIVIDUAL AUTHORIZED BY RESOLUTION TO SIGN APPLICATION (Please type)
Supervisor Daniel E. Weber

ADDRESS (Post Office Box No. or Street, Post Office, State and Zip Code): Broadway & Union Rds., Cheektowaga, New York 14227
PHONE NO. (Include area code): 716-686-3465

24. TITLE OF OFFICIAL OR NAME OF AGENCY TO WHOM CHECKS ARE TO BE MAILED
Cheektowaga Sanitation Department

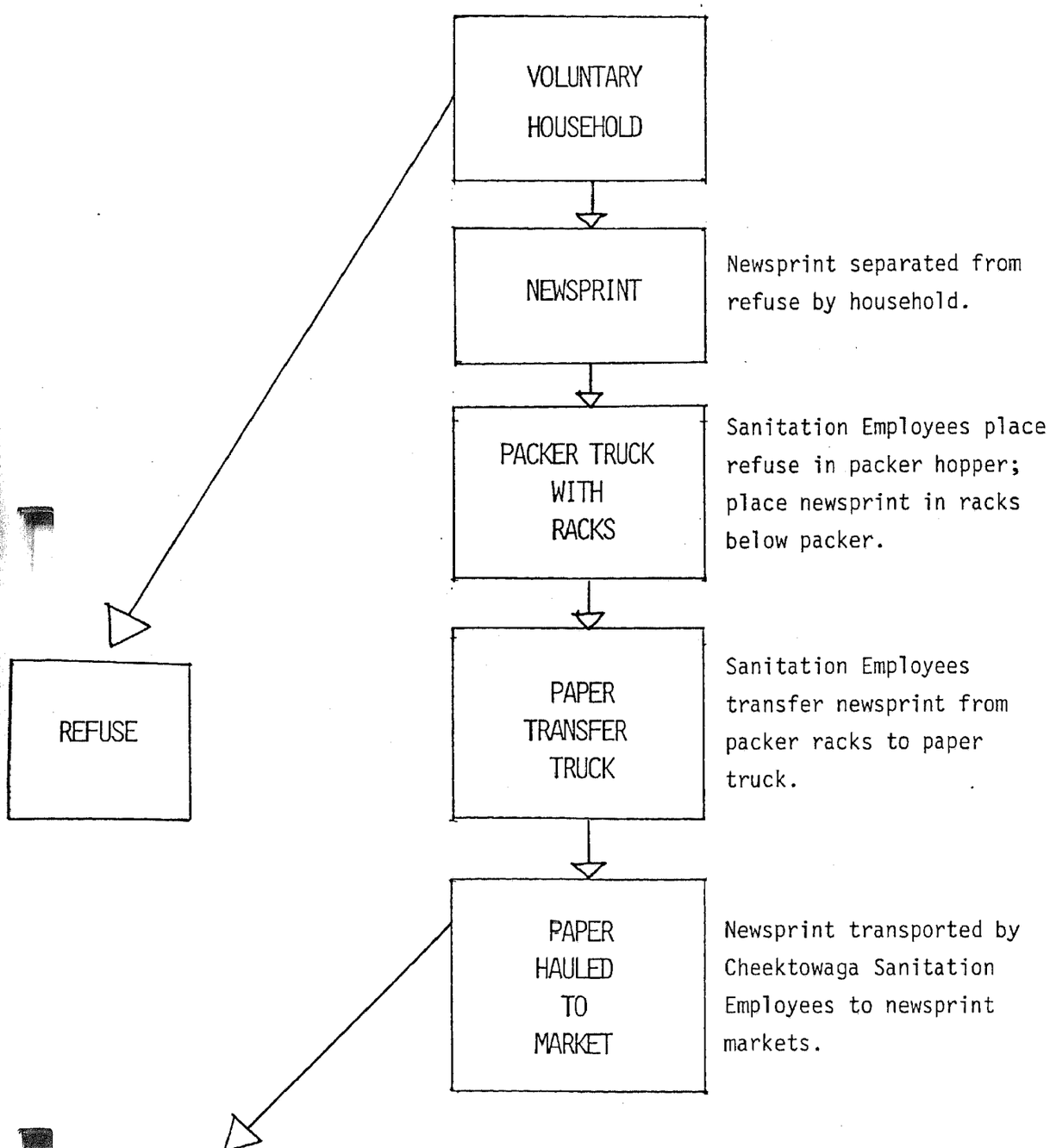
ADDRESS (Street, City, State, and Zip Code)
Broadway & Union Rds., Cheektowaga, New York 14227

25. CERTIFICATION: The undersigned does hereby certify that the information in this application and in the attached certified copy of resolution(s), other statements and exhibits is true, correct and complete to the best of his knowledge and belief, and further that any and all statements, data and supporting documents which have heretofore been made for the purpose of receiving State or Federal assistance for the project described herein are attached hereto in full.

4/2/84
Date

X Daniel E. Weber
Signature of individual authorized by resolution to sign application

NEWSPRINT FLOW - CHEEKTOWAGA RECYCLING PROGRAM



PURPOSE

RE-INSTITUTE PROGRAM

PAPER RECYCLING - WHY, HOW, AND AT WHAT COST?

After several years of operating a successful voluntary recycling program, the Town of Cheektowaga plans to re-institute a voluntary newspaper recycling program with improved procedures.

Since passage of federal legislation and implementation of state rules and regulations, the cost of dumping at landfills has increased dramatically and the future capabilities of landfills has decreased alarmingly. During this time, energy costs have increased tremendously, making recyclable products more economically attractive.

In order to cut down on refuse being landfilled (and its costs), the Town has developed a plan for institution of the current program in order to:

1. Reduce amount of wastes to be landfilled
2. Bring an economic return
3. Save energy
4. Provide an ecologically better alternative to landfill

The existing recycling program is based on low technology and source separation. With the addition of racks for paper storage, the present building and site suffices for the handling of paper recyclables. Source separation means sorting refuse at home into separate containers of newspaper and garbage. The success of the program depends on the cooperation and participation of all the homeowners involved.

Basic Method:

PAPER — Newsprint should be stacked and either tied, bundled or put in a box or bag for pick up.

PURPOSE

PROPOSED PROGRAM

PURPOSE OF PROPOSED NEWSPAPER RECYCLING PROGRAM IS TO ADD NEWSPRINT COLLECTION AND DISPOSAL TO THE EXISTING REFUSE COLLECTION SYSTEM. THE NEWSPRINT WILL BE PLACED AT THE CURB WITH RESIDENTS NORMAL SEPARATED REFUSE ON THEIR REGULARLY SCHEDULED PICKUP DAY, THUS ELIMINATING NEWSPRINT FROM THE TOWN SOLID WASTE STREAM.

PROCESSING: THE NEWSPRINT WILL BE PICKED UP AND PLACED IN SEPARATE RACK(S) ADDED TO PACKER TRUCKS USED FOR THE EXISTING REFUSE COLLECTION PROGRAM. THIS NEWSPRINT WILL BE TRANSFERRED TO A PAPER TRUCK FOR ULTIMATE TRANSPORT TO A PAPER MARKET.

DISPOSAL: CONTRACT WITH A NEWSPRINT BUYER WHO WILL RECEIVE THE PAPER ON AN AS PROVIDED SCHEDULE BASIS TO BE HAULED AWAY TO A PROCESSING PLANT.

INITIAL START UP COST

	TOTAL	NEW YORK STATE AIDED
BUILDING IMPROVEMENTS	(NONE REQUIRED)	
EQUIPMENT REQUIREMENTS		
EQUIPMENT MODIFICATIONS - ADD RACKS TO EXISTING PACKERS (30)	$4100	$2050
TRACTOR TO DUMP FOR TRANSFER NEWSPRINT	500	250

ABOUT $2225 IN COST COULD BE STATE AIDED RESULTING IN ULTIMATE COST TO TOWN OF $2300.

MARKETING GUIDELINES

RECOVERABLE TONS PER YEAR

BASED ON SURVEYS OF TOWN RESIDENTS AND PRIOR EXPERIENCE, THE TOWN MAY REALIZE 600 TONS RECOVERED FROM THE WASTE STREAM.

MATERIAL ESTIMATED COST PER TON

COLLECTION	REVENUE
NEWSPRINT	$20/TON

NEWSPRINT REVENUE PROJECTION

	TON	$/TON	REVENUE
LOW	$400	$20	$ 8,000
HIGH	800	20	16,000

NOTE: NO ADDITIONAL OPERATING COSTS ARE ANTICIPATED.

DISPOSAL SAVINGS

NEWSPRINT MATERIAL DISPOSAL COST = $13.18/TON

	TON	$/TON	SAVINGS $/YEAR
LOW	$400	$13.18	$5,270
HIGH	800	13.18	10,540

Item No. 32 Cont'd.

Upon roll call.....

AYES:	Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 33 Motion by Councilman Jaworowicz, seconded by Councilman Kowal to adjourn the meeting in memory of Willard Allis, Editor of the Cheektowaga Times, and also in memory of Daniel Buczynski, former Superintendent of State Office Buildings.

4/2/84

Richard M. Moleski
Town Clerk

MEETING NO. 8

CHEEKTOWAGA, NEW YORK
April 16, 1984

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 16th day of April, 1984 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: Councilman William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Attorney; Al Thrun, Cheektowaga Traffic Safety Commission; Andrew Schwenk, Sole Assessor; Ron Marten, Building and Plumbing Inspector; Florian Majchrzycki, Working Foreman-Sanitation; Barney Wojtkowiak, Deputy Supervisor; Peter Rybka, Zoning Board of Appeals; Sal LaGreca,Employment and Training Services Director II; Theodore DeFedericis, Chief of Police; Pat Wojcik, Recreation Supervisor-Senior Citizens.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed enactment of Local Law No. 2 of the Year 1984, entitled "A Local Law Relating to Sewer Use", hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. A brief description on the contents of Local Law No. 2 of the year 1984 is as follows:

Town of Cheektowaga

Local Law No. 2 of the Year 1984

A local law regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of water and wastes into the public sewer system(s) and providing penalties for violations thereof.

A copy of the complete text of "Local Law No. 2 of the Year 1984" shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

FURTHER NOTICE IS HEREBY GIVEN THAT, at the aforementioned hearing, consideration will be given to repealing the Sewer Use Ordinance (Ordinance No.42) of the Town of Cheektowaga, which was enacted on February 20, 1967.

* *

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

II. RESOLUTIONS

Item No. 3 Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, this Town Board duly held a public hearing on the 2nd day of April, 1984 at 7:00 o'clock P.M., Eastern Standard Time, 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

Item No. 3 cont'd

in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE X

Parking, Standing and Stopping

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

B. No Parking Anytime

MARYVALE DRIVE	South side	from the west curbline of Cayuga Road to the east curbline of Union Road
MARYVALE DRIVE	North side	from the west curbline of Union Road to terminus at Kensington Expressway-New York State Thruway
MARYVALE DRIVE	West side	from the north curb to south curbline of Maryvale Drive

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 Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

AFFIDAVIT - NEXT PAGE

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

Anna E. Mika, 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 April 19, 1984; last publication April 19, 1984; and that no more than six days intervened between publications.

Anna E. Mika

Sworn to before me this 20th day of April, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

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 16th day of April, 1984 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:
Daniel E. Weber

Councilmen:
Thomas M. Johnson, Jr.
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: Councilman William P. Rogowski

Motion by Councilman Johnson
Seconded by Councilman Jaworowicz

WHEREAS, this Town Board duly held a public hearing on the 2nd day of April, 1984 at 7:00 P.M. Eastern Standard Time to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE X

Parking, Standing and Stopping

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

B. No Parking Anytime

MARYVALE DRIVE, South side, from the west curbline of Cayuga Road to the east curbline of Union Road

MARYVALE DRIVE, North side, from the west curbline of Union Road to terminus at Kensington Expressway-New York State Thruway

MARYVALE DRIVE, West side, from the north curb to south curbline of Maryvale Drive

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...

Supervisor Weber	Voting AYE
Councilman:	
Johnson	Voting AYE
W.P. Rogowski	Voting ABSENT
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	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 April 16, 1984, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of April, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 19, 1984

Item No. 4a Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, the Chief of Police and the Fire Alarm Committee of the Town of Cheektowaga have recommended that the Town of Cheektowaga adopt an AMBULANCE ORDINANCE, and

WHEREAS, provisions of the Town Law and the General Municipal Law of the State of New York give sufficient authority to the Town Board to regulate ambulance service within the Town in order to promote the health, safety and general welfare of the Town and its inhabitants, 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 7th day of May, 1984 at 6:30 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 an AMBULANCE ORDINANCE shall be enacted, and BE IT FURTHER

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

* *

NOTICE OF HEARING ON PROPOSAL

TO ENACT

AMBULANCE 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 16th day of April, 1984, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of May, 1984 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an "AMBULANCE ORDINANCE" shall be adopted and enacted, which ordinance provides for the licensing and regulation of ambulance services, the creation of an Emergency Medical Services Board and the establishment of minimum equipment and communications standards for emergency medical services within the Town of Cheektowaga. A copy of the proposed "AMBULANCE ORDINANCE" is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

Dated: April 16, 1984

RICHARD M. MOLESKI
Town Clerk

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

AFFIDAVIT - NEXT PAGE

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

.....Anne F. Mika....., 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 ..... April 26, 1984 ..... ; last publication ..... April 26, 1984 ..... ; and that no more than six days intervened between publications.

.....Anne F. Mika.....

Sworn to before me this .....27th.....

day of .....April....., 19 84.

.....Dorothy J. Turner.....

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

LEGAL NOTICE
NOTICE OF HEARING ON PROPOSAL TO ENACT AMBULANCE 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 16th day of April, 1984, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of May, 1984 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an "AMBULANCE ORDINANCE" shall be adopted and enacted, which ordinance provides for the licensing and regulation of ambulance services, the creation of an Emergency Medical Services Board and the establishment of minimum equipment and communications standards for emergency medical services within the Town of Cheektowaga. A copy of the proposed "AMBULANCE ORDINANCE" is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 16, 1984
PUBLISH: April 26, 1984

Item No. 4b Motion by Councilman Jaworowicz, seconded by Councilman Johnson

WHEREAS, the Town Board, in conjunction with and with the cooperation of the Chamber of Commerce, Planning Board, and Traffic Safety Commission has considered certain revisions to the Zoning Ordinance of the Town of Cheektowaga to provide for a uniform system of regulation of signs erected, constructed and maintained within the Town of Cheektowaga.

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 7th day of May, 1984 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 amendments to the Zoning Ordinance of the Town of Cheektowaga, pertaining to the regulation of signs, shall be adopted 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 such 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 16th day of April, 1984, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of May, 1984 at 7:00 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an amendment to the ZONING ORDINANCE pertaining to signs shall be adopted and enacted, which ordinace provides for the definition of signs (and exemptions therefrom), the regulation of signs and the creation of an area within the Town exempt from the provisions pertaining to flashing signs. A copy of the proposed amendments to the ZONING ORDINANCE is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 16, 1984

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

AFFIDAVIT - NEXT PAGE

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

Anne E. Mika, 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 April 19, 1984; last publication April 19, 1984; and that no more than six days intervened between publications.

Anne E. Mika

Sworn to before me this 20th day of April, 1984.

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE
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 16th day of April, 1984, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of May, 1984 at 7:00 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an amendment to the ZONING ORDINANCE pertaining to signs shall be adopted and enacted, which ordinance provides for the definition of signs (and exemptions therefrom), the regulation of signs and the creation of an area within the Town exempt from the provisions pertaining to flashing signs. A copy of the proposed amendments to the ZONING ORDINANCE is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 16, 1984
PUBLISH: April 19, 1984

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

.....Anne T. Mika....., 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 ....April 26, 1984.....; last publication ....April 26, 1984.....; and that no more than six days intervened between publications.

.....Anne T. Mika.....

Sworn to before me this ....27th.....

day of .....April....., 19.84...

.....Dorothy J. Turner.....

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE
NOTICE OF CANCELLATION
OF PUBLIC HEARING
ON AMENDMENT TO
ZONING ORDINANCE

Please be advised that the Public Hearing scheduled to be held on May 7th, 1984 relative to an amendment to the Zoning Ordinance (regulation of signs) is cancelled and will be rescheduled at a later date.

RICHARD M. MOLESKI
Town Clerk

DATE: April 24, 1984
PUBLISH: April 26, 1984

Item No. 5 Motion by Councilman Johnson, seconded by Supervisor Weber

WHEREAS, the Town Insurance Committee has reviewed the Town's general insurance program, accepted proposals from various insurers for the insurance, and has agreed upon and recommended replacement of the insurance effective March 30, 1984, and

WHEREAS, the Town's Insurance Consultant and Finance Committee have reviewed the recommended replacement of the insurance as proposed by the Committee and concur with its recommendations, and

WHEREAS, it was necessary for Supervisor Weber and the Town's Consultant to effect such insurance on March 30, 1984 and April 1, 1984 to avoid a lapse in coverage, and

WHEREAS, by resolution dated April 2, 1984, this Town Board approved various awards of insurance, NOW, THEREFORE, BE IT

RESOLVED that the above action is hereby ratified and the following award of insurance is approved, effective as of March 30, 1984:

Police Personal Injury Liability Coverage at an annual premium of $20,950 to Schmitt & Kraft and City Insurance Company.

and BE IT FURTHER

RESOLVED that the "Resolved" clause, Paragraph numbered one, of the aforementioned resolution dated April 2, 1984 be and hereby is amended by inserting therein the amount of $46,626 in place of $42,626, said amount representing the annual premium to be paid to Joseph J. Naples & Associates and U.S. Fidelity & Guaranty Companies for Automobile Coverages.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 6 Motion by Councilman Gabryszak, seconded by Councilman Kowal

WHEREAS, bids were duly received by this Town Board at a public bid opening held on March 19, 1984, at the Town Hall, for the purchase of road materials 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 bids be awarded to those bidders stated in the letter and tabulations from the Superintendent of Highways attached hereto and made a part hereof; said bidders being the lowest responsible bidders meeting specifications.

* See next three (3) pages for tabulation and report

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 686-3450

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

April 11, 1984

RECEIVED

APR 11 1984

TOWN ATTORNEY

HONORABLE DANIEL E. WEBER, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA NY 14227

Re: Award of Bids for Topsoil, Concrete and Cement Blocks

Gentlemen:

Bids for road materials were received by the Honorable Body on March 19th, 1984, and after reviewing same, I recommend that the following bids be awarded:

Topsoil - Custom Topsoil Inc., 320 Losson Road, Cheektowaga, New York

Concrete Blocks - Buffalo Block Inc., 242 Hopkins Rd., Buffalo, New York

Concrete Mix - Frey Concrete Inc., 561 Pavement Road, Lancaster, New York

Attached hereto is a tabulation of bids submitted by the above companies (encircled to indicate the lowest bidder) and their competitors as listing each bid would be too lengthy, I trust the above will meet with your approval.

Very truly yours,-
TOWN OF CHEEKTOWAGA HIGHWAY DEPT.

Alfred F. Wnek, Superintendent

AFW:erp

cc: Members, Town Board
Town Clerk
Town Attorney
Engineering Dept.

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

Concrete Blocks - per cube	Paul Riefler Inc. 5690 Camp Road Hamburg NY 14075	Buffalo Block Inc. 242 Hopkins St. Buffalo NY 14220	Frey Concrete Inc. 561 Pavement Rd. Lancaster 14086	Pine Hill Concrete P.O. Box 11120 Buffalo NY 14211	Custom Topsoil Inc. 320 Losson Rd. Cheektowaga NY	Leo Brennan Topsoil 254 Ton. Creek Rd. N. Tonawanda 14120
6"standard, hollow 100/cube	90/cu. .47ea $42.30	115/cu.46ea.$52.90				
6" ½block, hollow 200/cube	160½/15reg ~~200/cube~~ .26 $48.65	200/cu.28ea.$56.00				
8" standard,hollow 90/cube	75/cu. .63ea.$47.25	90/cu..63ea.$56.70				
8" ½block,hollow 140/cube	150/cu. .33ea.$49.50	120/cu.36ea.$43.20				
10"standard, hollow 65/cu	60/cube .77ea.$46.20	67/cu..77ea.$51.59				
10"½block, hollow 120/cu	120/cu .40ea.$48.00	134/cu.43ea.$57.62				
Concrete brick stan.784/cu	726/cu $160/M$116.16	720/cu.139.50M $100.44				
Fine Aggregate for Concrete				$5.00T. F.O.B. Pavement Rd.		
Portland Cement Mortar	$4.80 Bag $4.00 Bag	$4.80 Bag $4.05 Bag				
Concrete Mix 1-2-3			6 Bag $48.00 $47.00 Mix Heated $5.00	6 Bag $49.95 $48.00 Mix Heated $5.00		
1-2-3 Mix w/calcium			$47.00 Plus	$48.00 Plus		
Calcium			½% .55cy 1% 1.10 1½%1.65 2% 2.20	½%.08Bag 1% .15 1½%.23 2% .30		
Top Soil :Regular						Deliv. 10.50 c.y. Pickup 9.00 c.y.
" " :Shredded					$10.00 cu. yd. Picked up	Deliv. 13.00 c.y. Pickup 10.00 c.y.

Trucking Charges for these two companies attached

Trucking Charges:

Frey Concrete

5 c/y & up - no charge

4 to 4 3/4 c/y- $10.00 load

3 to 3 3/4 c/y- $20.00 load

2 to 2 3/4 c/y- $30.00 load

1 to 1 3/4 c/y- $40.00 load

Less than 1 c/y $50.00 load

Waiting time - 5 min. c/y free time allowed, afterwards $.80 per minute charged.

Pine Hill Concrete

1/4	47.50
1/2	45.00
3/4	42.50
1	40.00
1 1/4	37.50
1 1/2	35.00
1 3/4	32.50
2	30.00
2 1/4	27.50
2 1/2	25.00
2 3/4	22.50
3	20.00
3 1/4	17.50
3 1/2	15.00
3 3/4	12.50
4	10.00
4 1/4	7.50
4 1/2	5.00
4 3/4	2.50
5 up	no charge

Item No. 6 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

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

WHEREAS, through previous resolution, the Town Board retained the firm of Stuart Alexander and Associates to prepare plans, specifications and supervise the John C. Stiglmeier Park Paving project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk hereby be directed to publish a Notice to Bidders for "John C. Stiglmeier Park Paving Project", and BE IT FURTHER

RESOLVED that the Project Manual including Specifications and Drawings, may be examined and copies thereof may be obtained for $20.00 refundable upon the return of the plans and specifications within thirty (30) days, at the office of Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York, 14209, and BE IT FURTHER

RESOLVED that sealed bid proposals will be received at the Cheektowaga Town Hall, Broadway and Union Roads, Council Chambers on Monday, May 7, 1984 at 11:00 A.M., Local Time.

* *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 7th day of May, 1984 until 11:00 A.M., Local Time, in the Council Room of the Town Hall, Broadway and Union Road Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the paving of Stiglmeier Park Road, Storage Area and Parking Lots with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded $20.00. Non-bidders will not receive a deposit refund.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Stiglmeier Park Paving".

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney. A security bond by a company satisfactory to the Town Board and in the amount or not less than 100% of the Contract price, will be required of the successful bidder.

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

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

Town of Cheektowaga, New York
RICHARD M. MOLESKI, Town Clerk

DATED: April 16, 1984

Item No. 7 cont'd

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	Councilman W.P. Rogowski

AFFIDAVIT - NEXT PAGE

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

Ann E. Mika, 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 April 19, 1984; last publication April 19, 1984; and that no more than six days intervened between publications.

Ann E. Mika

Sworn to before me this 20th

day of April, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

LEGAL NOTICE
NOTICE TO BIDDERS

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Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10 percent) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board and in the amount of not less than 100 percent of the Contract price, will be required of the successful bidder.

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

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

Town of Cheektowaga, New York
RICHARD M. MOLESKI
Town Clerk

DATED: April 16, 1984
PUBLISH: April 19, 1984

Item No. 8 Motion by Councilman Johnson, seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga and Villages of Sloan, Depew and Williamsville are eligible to receive $836,000 in Community Development Block Grant funds for fiscal year 1984-85, and

WHEREAS, a public hearing regarding use of said funds was held on February 6, 1984 where the concensus expressed was that said Community Development funds be utilized for basic community needs, those including continued neighborhood and housing improvements, economic development to spur new employment opportunities and flood relief projects in the Town's and Villages' designated neighborhood improvement areas, and

WHEREAS, such use of Community Development Block Grant funds, as proposed in the Town's 1984-85 Community Development Block Grant Application, will serve to principally benefit low and moderate income persons pursuant to the goals and objectives of the Housing and Community Development Act and its governing rules and regulations, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to submit to the U.S. Department of Housing and Urban Development the Town's 1984-85 Community Development Block Grant Application, said application incorporating the attached project allocations of Community Development Block Grant funds.

* See next page for list of project allocations

TOWN OF CHEEKTOWAGA

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

1984-85

Cedargrove Heights	$ 230,000
Economic Development	200,000
Housing Rehabilitation (includes Villages of Sloan & Depew)	90,000
Code Enforcement	40,500
Walden Avenue	30,000
Village of Depew	71,625
Village of Sloan	24,360
Administration	70,000
Supplemental Programs *	21,800
Planning Services	40,000
Contingency	17,715
TOTAL	$ 836,000

* In-Home Support of W.N.Y., Housing Assistance Center, weatherization

Item No. 8 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 9 Authorization for Supervisor to sign agreement with Donald Maharan Associates regarding construction of Sewer Maintenance Garage
This item was withdrawn.

Item No. 10 Motion by Supervisor Weber, seconded by Councilman Kowal

WHEREAS, the Town currently owns six (6) voting machines which are obsolete and unusable by the Town and have no market value, and

WHEREAS, the Undergraduate Student Association of the State University of New York at Buffalo has offered to purchase said voting machines for a price of $50.00 each ($300.00 total), and

WHEREAS, by selling said voting machines to the aforesaid Undergraduate Student Association, the Town could thus dispose of such property in the manner most advantageous to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby agrees to dispose of the following designated voting machines by selling them to the Undergraduate Student Association of the State University of New York at Buffalo for a price of $50.00 each ($300.00 total):

Voting Machine Number

64747
64748
64749
64750
64752
64791

and BE IT FURTHER

RESOLVED that all moneys received by the Town on the sale of such voting machines be deposited in the Town Clerk's budget under Board of Elections, Equipment Repair, line item number 1450.4431.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 11 Motion by Councilman Johnson, seconded by Supervisor Weber

WHEREAS, the Town of Cheektowga has operated and managed and currently operates and manages Water Districts No. 9 and No. 10 which are located entirely within the Town of Cheektowaga, and

WHEREAS, it would be in the Town's best interest to transfer responsibility for the operation and maintenance of the water lines and systems in Water Districts No. 9 and No. 10 to the Erie County Water Authority, and subsequently dissolve Water Districts No. 9 and No. 10; NOW, THEREFORE, BE IT

RESOLVED that the Town Law Department and Town Engineer are hereby authorized and directed to initiate discussions with the Erie County Water Authority to negotiate the transfer of responsibility for the operation and maintenance of the water lines and systems in Water Districts No. 9 and No. 10 from the Town of Cheektowaga to the Erie County Water Authority.

Item No. 11 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

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

WHEREAS, the Williamstowne Senior Citizens will be holding their annual Polish-American Fun Festival on June 9 and 10, 1984, and

WHEREAS, the Williamstowne Senior Citizens, as part of their celebration, will be sponsoring a parade commencing at 9:00 A.M. on Saturday, June 9, 1984, and

WHEREAS, the parade route will begin at the parking lot of the Como Mall Bells Market, proceed west on Como Park Boulevard to Union Road, continue south on Union Road to William Street, turn west on William Street, and end at the Williamstowne Apartment Complex, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law by providing conspicuous detour signs to prevent traffic delay on Union Road.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

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

WHEREAS, Norman Castine, the Developer of Phase IV of the Martinique Heights Subdivision, submitted a certified check in the amount of $3,500.00 on June 16, 1983 to the Town Clerk, said funds being held in escrow in lieu of a Performance Bond as security for the installation of the subdivision street lighting system, and

WHEREAS, the street lighting system consisting of four (4) 5200 lumen post top high pressure sodium fixtures, three (3) on Martinique Drive (Std. No.'s 7, 8 & 9) and one (1) on Leharve Drive (Std. No. 2), including 18 foot standards, conduit and conductors have been installed in accordance with Town specifications and have been energized by the New York State Electric & Gas Corporation and are recommended for acceptance as outlined in a letter from the Town Engineer dated April 12, 1984 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that the above mentioned lighting installations are accepted and that the fixtures, 18 foot standards and conductors installed by the developer are to be owned and maintained by the Town of Cheektowaga, and the connections, energy and lamp bulb replacements are to be supplied, owned and maintained by the New York State Electric & Gas Corporation, and BE IT FURTHER

RESOLVED that this security deposit in the amount of $3,500.00 be released.

* See next page for letter from the Town Engineer

Town of Cheektowaga

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

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

April 12, 1984

TO SUPERVISOR DANIEL E. WEBER
AND HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Street Lighting
Martinique Heights
Subdivision, Phase IV

Gentlemen:

The street lighting system for the above referenced subdivision consisting of four (4) 5200 lumen post top high pressure sodium fixtures, three (3) on Martinique Drive (Stds. No. 7, 8 & 9) and one (1) on Leharve Drive (Std. No. 2) including standards, conduit and conductors has been installed in accordance with Town specifications. Said fixtures have been energized by the New York State Electric & Gas Corporation and are functioning properly and are, therefore, recommended for acceptance.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

William R. Pugh

BY: William R. Pugh
Junior Engineer

CLB:WRP:dms

Item No. 13 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 14 Create position of Budget Director
This item was withdrawn.

Item No. 15 Motion by Councilman Jaworowicz, seconded by Councilman J.V. Rogowski

WHEREAS, the term of Edward Tokasz as member of the Cheektowaga Zoning Board of Appeals is scheduled to expire on April 21, 1984, and

WHEREAS, this Board is desirous of reappointing Edward Tokasz to the Zoning Board of Appeals due to his experience and exemplary performance on such Board, NOW, THEREFORE, BE IT

RESOLVED that Edward Tokasz, Cheektowaga New York 14206, be and hereby is reappointed to the Cheektowaga Zoning Board of Appeals, effective April 21, 1984, for a term of five years, to expire April 21, 1989.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 16a Motion by Supervisor Weber, seconded by Councilman Kowal

WHEREAS, a vacancy exists in the Town Clerk's Office for the position of Clerk Stenographer, and

WHEREAS, this vacancy has been properly posted, for a period of ten (10) days, in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, Susan Mulcahy, of , Cheektowaga, New York, currently serving as a Clerk-Typist in the Justice Department, appears on the current list of eligibles from the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED that Susan J. Mulcahy, having bid on the above position, be and hereby is appointed to the position of Clerk Stenographer in the Town Clerk's Office, at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, effective immediately.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 16b Motion by Councilman Gabryszak, seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga Department of Sanitation has a vacancy in the Motor Equipment Operator (Class B) Classification, and

WHEREAS, said vacancy has been duly posted for bid in the various Town Departments as per Collective Bargaining Agreement, NOW, THEREFORE, BE IT

RESOLVED that Frederick Bakowski, is hereby appointed to the position of Motor Equipment Operator (Class B) in the Sanitation Department at a salary in accordance with the Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said

Item No. 16b cont'd

appointment effective: April 17, 1984.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 16c Motion by Councilman Gabryszak, seconded by Councilman Kowal

WHEREAS, a vacancy exists in the Town of Cheektowaga Department of Sanitation for the position of Laborer, and

WHEREAS, this vacancy has been properly posted in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, Richard Gierlach, Cheektowaga, N.Y., is currently serving as a Laborer in the Highway Department, NOW, THEREFORE, BE IT

RESOLVED that Richard Gerlach, having properly bid on the above mentioned vacancy, be and hereby is appointed to the position of Laborer in the Sanitation Department, at a salary in accordance with the bargaining agreements between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment effective: April 17, 1984.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 16d Motion by Councilman Gabryszak, seconded by Councilman Kowal

WHEREAS, a vacancy exists in the Town of Cheektowaga Department of Sanitation for the position of Laborer, and

WHEREAS, this vacancy has been properly posted in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, Kevin Glascott, Depew, N.Y. is currently serving as a laborer in the Highway Department, NOW, THEREFORE, BE IT

RESOLVED that Kevin Glascott, having properly bid on the above mentioned vacancy, be and hereby is appointed to the position of Laborer in the Sanitation Department, at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment effective: April 17, 1984.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: W.P. Rogowski

Item No. 17a Motion by Councilman Gabryszak, seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the various Departments as listed:

SANITATION DEPARTMENT

James Birkbeck
(effective 4/4/84)

Item No. 17a cont'd

Fran Keefe
(effective 5/4/84)

Kimberly Ring
(effective 5/4/84)

FACILITIES DEPARTMENT

Jerome Czajka

James Kujawski
(effective 4/2/84)

SEWER MAINTENANCE DEPARTMENT

Kenneth Klimczak
(effective 4/10/84)

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 17b Motion by Councilman Kowal, seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals employed as seasonal trainees at the Wastewater Treatment Plant #5 are hereby terminated:

David Gallmeyer

Cheektowaga, New York
Effective: April 20, 1984

Russell Azzarello

Cheektowaga, New York
Effective: April 28, 1984

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 18 Motion by Councilman Gabryszak, seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the various Departments at a rate of $3.10 per hour, effective as stated:

SANITATION DEPARTMENT

Stephen Fialkowski
Richard Cycon
Gerald Daminski
(above hired retroactive to 4/11/84)
John Sczepanik
(effective immediately)
Douglas Champagne
(effective immediately)

FACILITIES DEPARTMENT

David Lease
(effective immediately)
James Kurek
(effective immediately)

Item No. 18 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: W.P. Rogowski

Item No. 19 Motion by Councilman Gabryszak, seconded by Councilman Johnson

WHEREAS, Mr. Lawrence Kowal, meployed 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 of May 11, 1984 through May 26, 1984 at Fort Drum, Watertown, New York, and

WHEREAS, Mr. Kowal's orders were submitted to the Facilities Department, 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 for the period of May 11, 1984 through May 26, 1984.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: W.P. Rogowski

Item No. 20 Motion by Councilman Johnson, seconded by Councilman Gabryszak

WHEREAS, the need exists to pave John C. Stiglmeier Park Road, Storage Areas and Parking Lots, and

WHEREAS, Stuart Alexander and Associates has submitted a proposal to prepare plans, specifications and supervise said Paving Project at a fee of $4,550.00, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby retains the firm of Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209 at a fee not to exceed $4,550.00 for the preparation of plans, specifications and supervision of the John C. Stiglmeier Park Paving Project.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: W.P. Rogowski

Item No. 21 Motion by Supervisor Weber, seconded by Councilman Johnson

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

GENERAL FUND

From:	2701.000	(Revenue-Refund Prior Years Expense)	$ 57.26
	9010.8101	(Employees' Retirement)	385.00
	1910.4711	(Contingency)	9,116.00
	1450.4431	(Board of Elections-Equipment Repairs)	839.80
To:	7310.4001	(Youth-Office Supplies)	57.26
	7270.4385	(Cultural Groups-Garden Club)	385.00
	1220.1310	(Supervisor-Budget Director)	9,116.00
	1625.1203	(Facilities-Working Foreman)	241.25
	1625.1491	(Facilities-One Bldg. Mtce. Man)	208.46
	1625.1431	(Facilities-One Mtce. Man)	197.50
	1625.1422	(Facilities-One General Mechanic)	192.59

Item No. 21 cont'd

PART TOWN FUND

From:	4010.1115 (Board of Health-Health Officer)	$17,241.36
To:	4010.4508 (Board of Health-Outside Health Officer)	$17,241.36

COMMUNITY DEVELOPMENT

From:	1983-84 Depew Jobs Bill	$15,000.00
To:	1983-84 Depew Jobs Bill Fire Door Replacement	$15,000.00
From:	1983-84 Depew Jobs Bill	$ 9,000.00
To:	1983-84 Depew Jobs Bill Heating System Replacement	$ 9,000.00

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

and said amendment was adopted as attached hereto:

Motion by Councilman Johnson, seconded by Councilman Jaworowicz

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

GENERAL FUND

From:	2701.000	(Revenue-Refund Prior Years Expense)	$ 57.26
	9010.8101	(Employees' Retirement)	385.00
	1450.4431	(Board of Elections-Equipment Repairs)	839.80
To:	7310.4001	(Youth-Office Supplies)	57.26
	7270.4385	(Cultural Groups-Garden Club)	385.00
	1625.1203	(Facilities-Working Foreman)	241.25
	1625.1491	(One Bldg. Mtce. Man)	208.46
	1625.1431	(Facilities-One Mtce. Man)	197.50
	1625.1422	(Facilities-one General Mechanic)	192.59

PART TOWN FUND

From:	4010.1115	(Board of Health-Health Officer)	$17,241.36
To:		(General Fund)	$17,241.36

COMMUNITY DEVELOPMENT

From:	1983-84 Depew Jobs Bill	$15,000.00
To:	1983-84 Depew Jobs Bill Fire Door Replacement	$15,000.00
From:	1983-84 Depew Jobs Bill	$ 9,000.00
To:	1983-84 Depew Jobs Bill Heating System Replacement	$ 9,000.00

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 22 Motion by Supervisor Weber, seconded by Councilman Johnson

BE IT RESOLVED that the following voucher and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 16, 1984 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$ 66,500.11
SPECIAL DISTRICTS FUND	21,437.34
HIGHWAY FUND	25,703.14
TRUST & AGENCY FUND	808.09
PART TOWN FUND	870.98
HUD-CDBG FUND	54,076.26
CAPITAL PROJECTS FUND	150.00
	$169,545.92

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

III. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Cheektowaga Public Library Board - Minutes of meeting of March
Received and Filed.

Item No. 24 Quarterly report of Office of Disaster Preparedness
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 25 E.C. Dept. of Public Works - Designation of Restricted Highway-Como Park Blvd.
Copies were sent to: Chester Bryan, Town Engineer.
Received and Filed.

Item No. 26 NOTICE OF INTENTION TO FILE A CLAIM - John W. Galbraith vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; James Burst, Sewer Maintenance Department; Ernie Holfoth, CPCU, ARM; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 27a NOTICE OF CLAIM - Helen Schweitzer vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 27b NOTICE OF CLAIM - Jerry E. & Carolyn Garasz as guardians for Kevin Garasz, infant vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 27c NOTICE OF CLAIM - Lawrence Bell vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 27d NOTICE OF CLAIM - Shirley Juston vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Johnson, seconded by Councilman Kowal to suspend the rules to include the following items.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 28a Motion by Councilman Jaworowicz, seconded by Councilman J.V. Rogowski

WHEREAS, James L. Busshart has made application and requested the rezoning of property located at 2804 Union Road from C-Retail Business District to CM-General Commercial District and has also requested a Special Use Permit on the above mentioned property for an Automotive Lubrication Center, 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 May 7, 1984 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 Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

AFFIDAVITS - NEXT PAGE

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

.....Ann E. Mika....., 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.....April 19, 1984.....; last publication.....April 19, 1984.....; and that no more than six days intervened between publications.

.....Ann E. Mika.....

Sworn to before me this .....20th.....

day of .....April....., 19.84.

.....Dorothy J. Turner.....

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19.85

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 7th day of May 1984, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of James L. Busshart 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.

Part of Lot 15, Township 11, Range 7 of a Holland Land Company Survey bounded and described as follows: Beginning at East line of said Lot 15, East line being also the center line of Union Road, East 634.56 feet Northerly from Southeast corner of said lot 15, thence Northerly along East line of lot 15, 175 feet to South line of land deeded by Christiana Lenz to Ernest J. Buchwald and Marion, his wife by deed recorded in Erie County Clerk's Office Liber 5702, Deed page 13, dated February 24, 1955, thence Westerly along South line to land deeded to Ernest J. Buchwald And Marion, his wife, 233.03 feet to a point distant 200 feet, proceed as measured along said South line, Westerly along West line of Union Road, proceed at a road 66 feet wide, proceed thus Southerly parallel with East line of lot 15, 175 feet then Easterly parallel with South line of land deeded to Ernest J. Buchwald and Marion, his wife as foresaid 233.03 feet to the East line of lot 15 at the point of beginning, being the same property as deeded to Bi Lo Stations Inc. May 9, 1969, recorded Liber 7237 Page 165 in Erie County Clerk's Office, 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 Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 19, 1984

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

Anne E. Mika, 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 April 19 1984; last publication April 19 1984; and that no more than six days intervened between publications.

Anne E. Mika

Sworn to before me this 20th

day of April, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that 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 7th day of May 1984, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of James Busshart for a Special Permit to operate an Automotive Lubrication Center on property located at 2776 Union Road (2804 Union Road) pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

RICHARD M. MOLESKI
Town Clerk

*See Legal Notice for Public hearing for rezoning for description of property

PUBLISH: April 19, 1984

Item No. 28b Motion by Councilman Jaworowicz, seconded by Councilman J.V. Rogowski

WHEREAS, Dolores Lund has made application and requested the rezoning of property located at 207 Youngs Road from Ml-Light Manufacturing District to CM-General Commercial District and has also requested a Special Use Permit on the above mentioned property for a Patio and volleyball court, 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 May 7, 1984 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 Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

AFFIDAVITS - NEXT PAGE

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

Anne E. Mike, 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 April 19, 1984; last publication April 19, 1984; and that no more than six days intervened between publications.

Anne E. Mike

Sworn to before me this 20th

day of April, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 7th day of May 1984, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Dolores Lund to Rezone from M1-Light Manufacturing District to CM-General Commercial District on property located at 207 Youngs 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. 580984

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 Lot Number eighty-two (82), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Youngs Road (sixty-six [66] feet wide), formerly Amherst Villa Road, distant four hundred thirty-nine and nine tenths (439.9) feet northerly from the southwest corner of said Lot Number eighty-two (82) as measured along said center line; running thence northeasterly at an interior angle of 43 degrees 35' with said centerline of Youngs Road, five hundred six and fifty-eight hundredths (506.58) feet; thence northwesterly at right angles with the last-described course one hundred (100) feet; thence northeasterly at right angles with the last-described course two hundred seven and thirty-three hundredths (207.33) feet; thence northerly and forming an interior angle of 135 degrees 17 feet with the last-described course twenty-eight and ninety-six hundredths (28.96) feet; thence westerly and forming an interior angle of 93 degrees 06' 37" with the last-described course three hundred eighty-one and twenty hundredths (381.20) feet to the east line of lands taken by the State of New York designated Parcel Number 795, Map Number 795 on Notice of Appropriation recorded in Erie County Clerk's Office in Liber 5292 of Deeds at page 444; thence southerly and forming an interior angle of 92 degrees 16' 23" with the last-described course seventy (70) feet to the east line of Youngs Road; thence westerly at right angles with the east line of Youngs Road, thirty-three (33) feet to the center line of said road; thence southerly along said center line five hundred fifty-eight and thirty-seven hundredths (558.37) feet to the point of beginning.

EXCEPTING from the above-described property that part taken by the State of New York designated Parcel Number 795, Map Number 795 on Notice of Appropriation recorded in Erie County Clerk's Office in Liber 5292 of Deeds at page 444.

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 Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak
RICHARD M. MOLESKI
Town Clerk
PUBLISH: April 19, 1984

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

Anna T. Mike, 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 April 19, 1984; last publication April 19, 1984; and that no more than six days intervened between publications.

Anna T. Mike

Sworn to before me this 20th day of April, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that 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 7th day of May 1984, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Dolores Lund for a Special Permit for an outdoor patio bar and volleyball court on property located at 207 Youngs Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

RICHARD M. MOLESKI
Town Clerk

*See Legal Notice for Public hearing for rezoning for description of property

PUBLISH: April 19, 1984

Item No. 29 Motion by Councilman Johnson, seconded by Supervisor Weber

WHEREAS, the Town of Cheektowaga S.E.Q.R. (State Environmental Quality Review) Advisory Committee has reviewed the application of Dynamic Enterprises, Inc., for the construction of a Days Inn and Restaurant at 4325 Genesee Street, Cheektowaga, New York, and

WHEREAS, said Advisory Committee, pursuant to the Environmental Review Ordinance, has rendered a determination of nonsignificance regarding this project, and

WHEREAS, this project would be extremely beneficial to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED That the Cheektowaga Town Board hereby affirms the declaration of environmental nonsignificance.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 30 Motion by Councilman J.V. Rogowski, seconded by Councilman Kowal

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1984 to the Erie County Board of Elections by May 1, 1984, and

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly voters, provided, however, that this requirement may be waived in writing by the County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, and

WHEREAS, the Town of Cheektowaga includes 111 Election Districts, 104 of which provide proper accessibility and 7 of which do not, and

WHEREAS, the Town of Cheektowaga is a fully developed community and has within its environs very few or recently constructed buildings which provide the required accessibility and are also available for use as polling places, and

WHEREAS, conversion of current inaccessible polling places, whether privately or publicly owned, is neither economically feasible nor cost effective at this time, and

WHEREAS, the Town is cognizant of this situation and continues to seek accessible locations to replace inaccessible locations, and, when financially and otherwise practicable, will convert present inaccessible locations to provide accessibility, NOW, THEREFORE, BE IT

RESOLVED that the attached list of Town of Cheektowaga polling places for 1984 be approved for submittal to the Erie County Board of Elections, and BE IT FURTHER

RESOLVED that the Town Board herewith requests a waiver in writing from the Erie County Board of Elections for inaccessible polling places, as designated on same attached list which is made part of this resolution.

* See next ten (10) pages for list of polling places.

PLEASE FILL OUT THIS FORMAT FOR ALL ELECTION DISTRICTS IN YOUR TOWN/CITY

Cheektowaga

ECTION STRICT	POLL ADDRESS	ACCESSIBLE YES/NO	IF NOT, IS THERE ALTERNATE DISTRICT ACCESSIBLE TO HAND
1	St. Mary's Orthodox Greek Catholic Church, 940 Losson Road	Yes	
2	Bellevue Fire Station, Como Park Boulevard and Bennett Road	Yes	
3	Village of Depew, DPW Building, Rutherford Place	Yes	
4	Forks Fire Hall No. 2, Nagel Drive and South Creek Drive	Yes	
5	Maryvale Community Center, 3409 Genesee Street	Yes	
6	Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.	Yes	
7	Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.	Yes	
8	U-Crest Fire Hall, 255 Clover Place	Yes	
9	Maryvale Elementary School, 777 Maryvale Drive	Yes	
10	Maryvale Elementary School, 777 Maryvale Drive	Yes	
11	Maryvale Elementary School, 777 Maryvale Drive	Yes	
12	Infant of Prague School Hall, 921 Cleveland Drive	Yes	

OTE: This format must be accompanied by a resolution adopted by your Town/City Board designating po
the Erie County Board of Elections to waive the requirement of accessibility of polling places

	Cleveland Drive	Yes	
15	St. Aloysius School, 157 Cleveland Drive	No	No other suitable site in area
16	St. Aloysius School, 157 Cleveland Drive	No	No other suitable site in area
17	St. Aloysius School, 157 Cleveland Drive	No	No other suitable site in area
18	St. Aloysius School, 157 Cleveland Drive	No	No other suitable site in area
19	St. Aloysius School, 157 Cleveland Drive	No	No other suitable site in area
20	Cleveland Hill High School, Mapleview Drive	Yes	
21	Cleveland Hill High School, Mapleview Drive	Yes	
22	Cleveland Hill High School, Mapleview Drive	Yes	
23	Infant of Prague School Hall, 921 Cleveland Drive	Yes	
24	Maryvale Elementary School, 777 Maryvale Drive	Yes	

)TE: This format must be accompanied by a resolution adopted by your Town/City Board designating po
the Erie County Board of Elections to waive the requirement of accessibility of polling places

		YES/NO	DISTRICT ACCESSIBLE TO HAND
25	Maryvale Elementary School, 777 Maryvale Drive	Yes	
26	Maryvale Community Center, 3409 Genesee Street	Yes	
27	Mother of Divine Grace Gym, 500 Maryvale Drive	Yes	
28	Mother of Divine Grace Gym, 500 Maryvale Drive	Yes	
29	Cleveland Hill Primary School, 7 Community Drive	Yes	
30	Cleveland Hill Primary School, 7 Community Drive	Yes	
31	Pine Hill Elementary School, 1635 East Delavan	Yes	
32	Pine Hill Elementary School, 1635 East Delavan	Yes	
33	Pine Hill Fire Hall, 2435 Genesee Street	Yes	
34	Pine Hill Fire Hall, 2435 Genesee Street	Yes	
35	Cheektowaga Recreation Center, Town Park, Harlem Road	Yes	
36	Queen of Martyrs School, 180 George Urban Boulevard	Yes	

TE: This format must be accompanied by a resolution adopted by your Town/City Board designating pol
the Erie County Board of Elections to waive the requirement of accessibility of polling places

		YES/NO	DISTRICT ACCESSIBLE TO HAND
37	Maryvale Community Center, 3409 Genesee Street	Yes	
38	U-Crest Fire Hall, 255 Clover Place	Yes	
39	U-Crest Fire Hall, 255 Clover Place	Yes	
40	Anna M. Reinstein Memorial Library, 2580 Harlem Road	Yes	
41	Anna M. Reinstein Memorial Library, 2580 Harlem Road	Yes	
42	St. John Gualbert Gym, 120 Alexander Avenue	Yes	
43	St. John Gualbert Gym, 120 Alexander Avenue	Yes	
44	Rescue Fire Hall, 20 Pine Ridge Road	Yes	
45	Rescue Fire Hall, 20 Pine Ridge Road	Yes	
46	Sloan Fire Hall, 55 Gates Street	Yes	
47	Sloan Fire Hall, 55 Gates Street	Yes	
48	Sloan Fire Hall, 55 Gates Street	Yes	

)TE: This format must be accompanied by a resolution adopted by your Town/City Board designating po
the Erie County Board of Elections to waive the requirement of accessibility of polling places

PLEASE FILL OUT THIS FORMAT FOR ALL ELECTION DISTRICTS IN YOUR TOWN/CITY

Cheektowaga

ECTION STRICT	POLL ADDRESS	ACCESSIBLE YES/NO	IF NOT, IS THERE ALTERNATE DISTRICT ACCESSIBLE TO HANC
49	Sloan Fire Hall, 55 Gates Street	Yes	
50	Sloan Fire Hall, 55 Gates Street	Yes	
51	Theodore Roosevelt School, 2495 William Street	Yes	
52	Theodore Roosevelt School, 2495 William Street	Yes	
53	Ukrainian Holy Trinity Orthodox Hall, 200 Como Park Boulevard	Yes	
54	Theodore Roosevelt School, 2495 William Street	Yes	
55	Doyle Fire Hall No. 1, William and Alaska Streets	Yes	
56	Grover Cleveland School, Rossler and Dingens Streets	Yes	
57	Doyle Fire Hall No. 2, Willowlawn and Griswold Street	Yes	
58	South Branch Library, 2660 William Street	Yes	
59	Alys Drive Elementary School, 86 Alys Drive, Depew	Yes	
60	Alys Drive Elementary School, 86 Alys Drive, Depew	Yes	

OTE: This format must be accompanied by a resolution adopted by your Town/City Board designating pc
the Erie County Board of Elections to waive the requirement of accessibility of polling places

61	Forks Fire Hall No. 2, Nagel and South Creek Drive	Yes	
62	Hy-View Fire Hall, 8 Airport Drive	Yes	
63	Hy-View Fire Hall, 8 Airport Drive	Yes	
64	Forks Fire Hall (Memorial Hall), 3340 Broadway	Yes	
65	St. Barnabas School, 2099 George Urban Boulevard	Yes	
66	Union U-Crest Elementary School, 1 Nagel Drive	Yes	
67	John F. Kennedy High School, 305 Cayuga Creek Road	Yes	
68	West End Hose Co. No. 6, 2325 George Urban Boulevard	Yes	
69	Queen of Martyrs School, 180 George Urban Boulevard	Yes	
70	Cheektowaga Recreation Center, Town Park, Harlem Road	Yes	
71	Cleveland Hill High School, Mapleview Drive	Yes	
72	Cleveland Hill Fire Hall, 440 Cleveland Drive	Yes	

TE: This format must be accompanied by a resolution adopted by your Town/City Board designating pol
the Erie County Board of Elections to waive the requirement of accessibility of polling places

PLEASE FILL OUT THIS FORMAT FOR ALL ELECTION DISTRICTS IN YOUR TOWN/CITY

Cheektowaga

CTION TRICT	POLL ADDRESS	ACCESSIBLE YES/NO	IF NOT, IS THERE ALTERNATE S DISTRICT ACCESSIBLE TO HANDI
73	Cleveland Heights Christian Church, 4774 Union Road	Yes	
74	Forty & Eight Voiture Hall, 810 Rein Road	Yes	
75	Maryvale Elementary School, 777 Maryvale Drive	Yes	
76	Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.	Yes	
77	Ukrainian Holy Trinity Orthodox Church Hall, 200 Como Park Blvd.	Yes	
78	Doyle Fire Hall No. 1, William and Alaska Streets	Yes	
79	Southline Fire Hall, 1049 French Road	Yes	
80	Garden Village Apartments, Rec. Center, 70 Garden Village Drive	Yes	
81	Southline Fire Hall, 1049 French Road	Yes	
82	St. Mary's Orthodox Greek Catholic Church, 940 Losson Road	Yes	
83	Dartwood Community Center, 222 Autumnwood Drive	Yes	
84	Dartwood Community Center, 222 Autumnwood Drive	Yes	

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the Erie County Board of Elections to waive the requirement of accessibi[redacted]f polling places

PLEASE FILL OUT THIS FORMAT FOR ALL ELECTION DISTRICTS IN YOUR TOWN/CITY

Cheektowaga

TION RICT	POLL ADDRESS	ACCESSIBLE YES/NO	IF NOT, IS THERE ALTERNATE DISTRICT ACCESSIBLE TO HAND
85	Bellevue Fire Hall, Como Park and Bennett Road	Yes	
86	Village of Depew, DPW Building, Rutherford Place	Yes	
87	St. Barnabas School, 2099 George Urban Boulevard	Yes	
88	West End Hose Co. No. 6, 2325 George Urban Blvd.	Yes	
89	Hy-View Fire Hall, 8 Airport Drive	Yes	
90	Infant of Praque School Hall, 921 Cleveland Drive	Yes	
91	Hy-View Fire Hall, 8 Airport Drive	Yes	
92	Union U-Crest Elementary School, One Nagel Drive	Yes	
93	U-Crest Fire Hall, 255 Clover Place	Yes	
94	Williamstowne Apartments, Recreation Center, William Street	No	No other suitable site in area
95	Doyle Fire Hall No. 1, William and Alaska Streets	Yes	
96	Union U-Crest Elementary School, One Nagel Drive	Yes	

: This format must be accompanied by a resolution adopted by your Town/City Board designating pc

the Erie County Board of Elections to waive the requirement of accessibility of polling places

PLEASE FILL OUT THIS FORMAT FOR ALL ELECTION DISTRICTS IN YOUR TOWN/CITY

Cheektowaga

CTION TRICT	POLL ADDRESS	ACCESSIBLE YES/NO	IF NOT, IS THERE ALTERNATE S DISTRICT ACCESSIBLE TO HANDI
97	South Branch Library, 2660 William Street	Yes	
98	Forks Fire Hall No. 2, Nagel and South Creek Drives	Yes	
99	Cleveland Heights Christian Church 4774 Union Road	Yes	
100	Maryvale Elementary School, 777 Maryvale Drive	Yes	
101	Queen of Martyrs School, 180 George Urban Boulevard	Yes	
102	Forty & Eight Voiture Hall, 810 Rein Road	Yes	
103	Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.	Yes	
104	Williamstowne Apartments, Recreation Center, William Street	No	No other suitable site in area.
105	John F. Kennedy School, 305 Cayuga Creek Road	Yes	
106	Garden Village Apartments, Recreation Center, 70 Garden Village Drive	Yes	
107	Garden Village Apartments, Recreation Center, 70 Garden Village Drive	Yes	
108	Dartwood Community Center, 222 Autumnwood Drive	Yes	

TE: This format must be accompanied by a resolution adopted by your Town/City Board designating pol
the Erie County Board of Elections to waive the requirement of accessibil[redacted]f polling places

PLEASE FILL OUT THIS FORMAT FOR ALL ELECTION DISTRICTS IN YOUR TOWN/CITY

Cheektowaga

ECTION STRICT	POLL ADDRESS	ACCESSIBLE YES/NO	IF NOT, IS THERE ALTERNATE S DISTRICT ACCESSIBLE TO HANDI
109	Dartwood Community Center, 222 Autumnwood Drive	Yes	
110	Southline Fire Hall, 1049 French Road	Yes	
111	Southline Fire Hall, 1049 French Road	Yes	

)TE: This format must be accompanied by a resolution adopted by your Town/City Board designating po
the Erie County Board of Elections to waive the requirement of accessibili[redacted]of polling places

Item No. 30 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 31 Motion by Supervisor Weber, seconded by Councilman Kowal

WHEREAS, not-for-profit homes for the elderly in the Western New York area have historically provided a caring environment of unsurpassed excellence for the aged residents they serve; and

WHEREAS, this community salutes the legacy of foresight and creativity so generously passed on to us by our older citizens; and

WHEREAS, by way of testimony to this great legacy we declare, on their behalf, that "Aging is Life's Fulfillment;" NOW, THEREFORE, BE IT

RESOLVED it is with humble gratification that we honor the elderly residents both in the community at large and within homes for the aging throughout the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: Councilman W.P. Rogowski

Item No. 32 Motion by Councilman J.V. Rogowski, seconded by Councilman Kowal to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

MEETING NO.9

CHEEKTOWAGA, NEW YORK
May 7, 1984

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of May, 1984 at 7:00 o'clock P.M., Easter Daylight Saving Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; Ernest Holfoth, Insurance Consultant; James Kirisits, Town Attorney; Sal LaGreca, Employment & Training Director II' Brian Lewandowski, Deputy Town Attorney; Earl Loder, Disaster Coordinator; Ronald Marten, Building Inspector; Michael Miecznikowski, Director of Recreation; Richard Slisz, Chairman of Erie County Legislature; Al Thrun, Representative of Cheektowaga Traffic Safety Commission; Ronald Zoeller, Working Foreman-Sanitation Department.

I. PUBLIC HEARING

Item No. 2 * This Public Hearing was held at 6:30 P.M.

This being the time and place advertised for a public hearing to consider the advisability of adopting an Ambulance Ordinance for the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The TownClerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said ordinance is as follows:

*SEE NEXT SIX (6) PAGES FOR COPY OF AMBULANCE ORDINANCE.

AMBULANCE SERVICE

*A-1 Declaration of Policy and Statement of Purpose.

The provision of medical assistance in emergency situations is a matter of vital concern affecting the public health, safety and welfare. It is the purpose of this Article to promote the health, safety and welfare of the residents of the Town of Cheektowaga by providing for the registration and licensing of ambulance services operating within the Town of Cheektowaga, the creation of an Emergency Medical Services Board and the establishment of minimum equipment and communications standards for emergency medical services.

A-2 Definitions.

(a) "Ambulance" means any vehicle equipped for the care of and used in the transportation of, the wounded, sick, injured, ill or infirmed people.

(b) "EMS Board" means the Cheektowaga Emergency Medical Services Board created hereunder.

(c) "Dispatcher" shall mean an employee of the Fire Alarm Committee, Cheektowaga Police Department or any other entity designated, from time to time, to dispatch ambulance services by the Board.

(d) "Person" means any individual, firm, partnership, association, corporation, company, or any organization of any kind.

A-3 Exemptions. The provisions of this ordinance shall not apply to the following:

(a) Ambulances owned and/or exclusively operated by any federal, state, county or other governmental agency.

(b) Private vehicles utilized, on an infrequent basis, in the transportation of a convalescent from a hospital to his/her home or from his/her home to an outpatient clinic or hospital.

(c) Private vehicles used in the transportation of the infirm or crippled to and from places for rehabilitory therapy.

(d) A physician, resident intern or registered nurse.

(e) Any ambulance operated by a duly organized volunteer fire company organized and existing under Article 11 of the Town Law.

A-4 License Required. No person shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated.

*Permanent Code Section to be assigned later.

A-5 Procedure.

(a) An application for an ambulance license shall be made by the owner of the ambulance to the Town Clerk on forms provided by him from time to time. Such application shall state the designated stations, hospital or such other place or places from which it is intended or desired to operate such ambulance on a twenty-four (24) hour basis, together with a description of the ambulance, including state identification number, and such other information as the Town Clerk and EMS Board shall find reasonably necessary.

(b) Within thirty (30) days after a license application is received, the EMS Board shall cause an investigation to be made of each applicant to determine whether the applicant meets the requirements of this ordinance and pertinent state, county and/or local laws and whether the applicant is capable of servicing the needs of the Town of Cheektowaga. The EMS Board may consider any other criteria which it deems reasonable and necessary, and shall make a recommendation in writing to the Town Board concerning the approval or denial of each application. The EMS Board shall set forth the reasons for its recommendations.

(c) The Town Board shall, within thirty (30) days of the receipt of the EMS Board's recommendations, either grant or deny the application.

(d) In the event the Town Board issues a license to a carrier for a specific ambulance, such carrier shall, prior to the issuance of said license, enter into an agreement with the Town of Cheektowaga concerning the provision of service within the Town. Such agreement shall incorporate by reference the rules and regulations of the EMS Board, as amended from time to time.

A-6 Application for Driver's/Attendant's License.

Application for licenses for a driver/attendant shall be made upon forms to be provided by the Town Clerk and shall contain such information as the Town Clerk and EMS Board shall deem reasonably necessary, in addition to meeting the following requirements and qualifications:

(1) Each applicant for a license as a driver/attendant shall submit a letter of approval from the Cheektowaga Chief of Police, and shall

(a) Submit satisfactory proof of completion of the minimum requirements imposed by the State of New York; and

(b) Submit a current certificate of completion of an EMT course to the EMS Board.

(c) With respect to advanced life support ambulances, in addition to the above, an applicant must be a trained and certified level four (4) technician in advanced life support as required by the State of New York.

(2) Upon being satisfied that driver/attendant meets the requirements of this ordinance, the EMS Board to whom the application shall be referred shall recommend approval of such application.

A-7 Emergency Medical Service Board: Creation and Powers.

(a) There is hereby created an Emergency Medical Service Board which shall consist of twelve (12) members who shall serve for a term of one (1) year without compensation. Each volunteer fire district and the Village of Sloan Fire Company duly organized and existing in the Town of Cheektowaga shall be entitled to designate one (1) member to serve on the EMS Board. In addition, one member who shall serve as Chairman, shall be designated by the Town Board and the Chief of Police or his designee shall serve on the EMS Board. In addition, in the event any volunteer fire district or the Village of Sloan Fire Company shall fail to designate a member, the Town Board shall designate a member from such volunteer fire district.

(b) The EMS Board shall act as an agent of the Town Board in all matters set forth in this Ordinance and in addition to the powers and duties set forth in Section A-5 and A-6 above, the Board shall have the following powers and duties:

1. Meet on the first Tuesday of each month or at such other time as may be designated by the Chairman of the Board.

2. Advise, consult with and recommend to the Town Board all matters concerning ambulance service, administration of this Ordinance and any amendments thereto, which it may deem necessary and advisable.

3. Examine and determine the fitness and qualifications of applicants for licenses using as criteria therefor the information contained in the application and such other or additional proof attached thereto together with such proof or evidence as the EMS Board may acquire by its own study, examination or investigation and thereafter, in its certification, recommend to the director of licenses and permits whether or not a license shall be issued to the applicant.

4. Hear and determine, on its own motion, any and all matters relating to the revocation or suspension of licenses and make its findings and recommendations to the Town Board, which shall either approve or reject such recommendations.

5. Adopt such rules and regulations as may be necessary to carry out the purposes of this ordinance and for the conduct of its duties including but not limited to:

(a) Establishing the manner in which ambulance service should be dispatched to best serve the needs of Town residents.

(b) Coordinating uniform ambulance charges by requiring ambulance owners to submit with the application for a license, the rates to be charged for said service in the Town and the rates charged for said service when rendered outside the boundaries of the Town.

(c) Developing and implementing a procedure to receive, monitor and investigate complaints received concerning ambulance service in the Town of Cheektowaga; and

(d) Requiring the owner of ambulances to maintain a daily record and submit such records monthly to the EMS Board, which shall retain such records for a period of one (1) year, after which time they may be destroyed.

A-8 License Fees. The Town Board shall determine the license fees to be assessed from time to time by resolution.

A-9 Insurance Coverage. All persons who shall operate a licensed ambulance in the Town of Cheektowaga, shall procure a public liability policy to be issued by an insurance company authorized to do business in the State of New York, to provide liability coverage of at least one million dollars ($1,000,000) for the injury or death of any one person and three million dollars ($3,000,000) for the injury or death of any number of persons in any one accident, with a coverage of at least one million dollars ($1,000,000) for property damage in any one accident. Such policy, or a duly certified copy thereof, shall be delivered to the Town Clerk before or at the time of issuance of a license. No ambulance shall be operated within the Town of Cheektowaga, unless such public liability insurance policy continues in good standing. In the event of any material alteration or cancellation of any policy, at least ten (10) days notice thereof shall be given to the following address:

Town of Cheektowaga
Town Hall
Broadway and Union Roads
Cheektowaga, New York 14227
Att'n: Town Clerk

A-10 Duties of Licensed Ambulance Owners. The owner of an ambulance to whom a license has been issued under the provisions hereof shall be under duty and obligation to, and, by accepting such license shall be deemed to consent to the following obligations:

(a) Designate base station for ambulance service where such service can be reached at all times.

(b) Give prior notice to the Dispatcher when and why an ambulance is out of service.

(c) Notify the Dispatcher when a particular ambulance is replaced and if replaced, comply with the licensing requirements of Section A-5 above; and

(d) Any additional requirements which may be imposed, from time to time, by the EMS Board.

A-11 Duties of Drivers and Attendants.

(a) Ambulance drivers and attendants shall comply with the request of the patient and/or relatives for removal to a hospital of his choice within a reasonable distance, providing that in their judgment the condition of the patient will withstand extra travel. No person in charge of an ambulance shall refuse to take a wounded or ill, or infirm, or injured person to a hospital after the need for hospitalization has been determined by a physician, or if made at the request of the police or fire department. When a person is found ill, or wounded, or infirm, or injured in the street or any public place,

however seriously, he shall not be left in such location, but shall be removed to a hospital.

(b) Ambulance drivers and attendants shall:

(i) Take the injured person or the person in need of hospital services to the nearest hospital unless the patient or relative directs otherwise.

(ii) Ambulance drivers or operators shall not cruise in the streets except in an emergency declared by the Cheektowaga Police Department.

A-12 Equipment and Supplies to be Carried and Maintained in Ambulances.

(a) All sheets, pillowcases and towels used in the care of a patient in any such ambulance shall be replaced with clean sheets, pillowcases and towels after each time such ambulance is used for the transportation of wounded, sick, injured or infirm persons, and all blankets used in such ambulance shall be thoroughly laundered according to procedures established by the commissioner of health.

(b) Oxygen apparatus face masks shall not be used by more than one (1) person and must be destroyed or sanitized after such every use.

(c) All ambulances on the streets of the Town of Cheektowaga shall be permanently equipped in a manner in accordance with applicable State and County law, and shall contain such additional equipment as may be prescribed by the EMS Board, from time to time.

(d) After any such ambulance shall have been used for the transportation of any person or persons known to have an infectious disease, such ambulance and its contents shall immediately be cleaned in a manner approved by the EMS Board, and such ambulance shall not again be used until it has been so cleaned. Each ambulance shall be cleaned with a disinfectant solution daily according to procedures established by the commissioner of health.

A-13 Grounds for Suspension or Revocation of License.

(a) The license of an ambulance licensee may be suspended by the Town Board, upon the recommendation of the EMS Board, or revoked for any of the following causes:

(i) Failure to comply with the provisions of this ordinance or the rules and regulations of the EMS Board.

(ii) Solicitation of business for attorneys or tow truck companies.

(iii) Removal and retention of property, money or other assets belonging to a patient.

(iv) Conviction of crime involving moral turpitude.

(b) The license of a driver or attendant may be suspended or revoked for any of the following causes:

(i) Failure to comply with the provisions of this ordinance or the rules and regulations of the board of ambulance service.

(ii) Solicitation of business for attorneys or tow truck companies.

(iii) Removal and retention of property, money or other assets belonging to a patient.

(iv) Unbecoming conduct and abusive language in rendering ambulance service.

(v) Unprovoked assaults in the discharge of duties.

(vi) Consumption of alcohol or drugs while on duty.

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.

*SEE END OF MEETING FOR MINUTES OF PUBLIC HEARING REGARDING AMBULANCE ORDINANCE

II RESOLUTIONS

Item No. 4 This item was taken out of order and acted upon first by the Town Board.

Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, the Fire Alarm Committee and the Town of Cheektowaga have recommended that the Town of Cheektowaga develop and adopt an ordinance pertaining to the provision of ambulance service within the Town fo Cheektowaga (hereinafter "Ambulance Ordinance"); and

WHEREAS, this Town Board has called a public hearing to consider the advisabliity of adopting an Ambulance Ordinance and gave due notice thereof as required by law; and

WHEREAS, a public hearing on the proposed Ambulance Ordinance was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on this 7th day of May, 1984, at 6:30 P.M., at which public hearing all parties in interest and citizens had an opportunity to be heard and were heard; and

WHEREAS, it is in the public interest to adopt the Ambulance Ordinance of the Town of Cheektowaga as set forth below;

NOW, THEREFORE, BE IT RESOLVED that the Ambulance Ordinance of the Town of Cheektowaga is hereby adopted as a new section of the Town Code to read as follows:

*SEE NEXT SIX(6) PAGES FOR A COPY OF THE AMBULANCE ORDINANCE.

AMBULANCE SERVICE

*A-1 Declaration of Policy and Statement of Purpose.

The provision of medical assistance in emergency situations is a matter of vital concern affecting the public health, safety and welfare. It is the purpose of this Article to promote the health, safety and welfare of the residents of the Town of Cheektowaga by providing for the registration and licensing of ambulance services operating within the Town of Cheektowaga, the creation of an Emergency Medical Services Board and the establishment of minimum equipment and communications standards for emergency medical services.

A-2 Definitions.

(a) "Ambulance" means any vehicle equipped for the care of and used in the transportation of, the wounded, sick, injured, ill or infirmed people.

(b) "EMS Board" means the Cheektowaga Emergency Medical Services Board created hereunder.

(c) "Dispatcher" shall mean an employee of the Fire Alarm Committee, Cheektowaga Police Department or any other entity designated, from time to time, to dispatch ambulance services by the Board.

(d) "Person" means any individual, firm, partnership, association, corporation, company, or any organization of any kind.

A-3 Exemptions. The provisions of this ordinance shall not apply to the following:

(a) Ambulances owned and/or exclusively operated by any federal, state, county or other governmental agency.

(b) Private vehicles utilized, on an infrequent basis, in the transportation of a convalescent from a hospital to his/her home or from his/her home to an outpatient clinic or hospital.

(c) Private vehicles used in the transportation of the infirm or crippled to and from places for rehabilitory therapy.

(d) A physician, resident intern or registered nurse.

(e) Any ambulance operated by a duly organized volunteer fire company organized and existing under Article 11 of the Town Law.

A-4 License Required. No person shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated.

*Permanent Code Section to be assigned later.

A-5 Procedure.

(a) An application for an ambulance license shall be made by the owner of the ambulance to the Town Clerk on forms provided by him from time to time. Such application shall state the designated stations, hospital or such other place or places from which it is intended or desired to operate such ambulance on a twenty-four (24) hour basis, together with a description of the ambulance, including state identification number, and such other information as the Town Clerk and EMS Board shall find reasonably necessary.

(b) Within thirty (30) days after a license application is received, the EMS Board shall cause an investigation to be made of each applicant to determine whether the applicant meets the requirements of this ordinance and pertinent state, county and/or local laws and whether the applicant is capable of servicing the needs of the Town of Cheektowaga. The EMS Board may consider any other criteria which it deems reasonable and necessary, and shall make a recommendation in writing to the Town Board concerning the approval or denial of each application. The EMS Board shall set forth the reasons for its recommendations.

(c) The Town Board shall, within thirty (30) days of the receipt of the EMS Board's recommendations, either grant or deny the application.

(d) In the event the Town Board issues a license to a carrier for a specific ambulance, such carrier shall, prior to the issuance of said license, enter into an agreement with the Town of Cheektowaga concerning the provision of service within the Town. Such agreement shall incorporate by reference the rules and regulations of the EMS Board, as amended from time to time.

A-6 Application for Driver's/Attendant's License.

Application for licenses for a driver/attendant shall be made upon forms to be provided by the Town Clerk and shall contain such information as the Town Clerk and EMS Board shall deem reasonably necessary, in addition to meeting the following requirements and qualifications:

(1) Each applicant for a license as a driver/attendant shall submit a letter of approval from the Cheektowaga Chief of Police, and shall

(a) Submit satisfactory proof of completion of the minimum requirements imposed by the State of New York; and

(b) Submit a current certificate of completion of an EMT course to the EMS Board.

(c) With respect to advanced life support ambulances, in addition to the above, an applicant must be a trained and certified level four (4) technician in advanced life support as required by the State of New York.

(2) Upon being satisfied that driver/attendant meets the requirements of this ordinance, the EMS Board to whom the application shall be referred shall recommend approval of such application.

A-7 Emergency Medical Service Board: Creation and Powers.

(a) There is hereby created an Emergency Medical Service Board which shall consist of twelve (12) members who shall serve for a term of one (1) year without compensation. Each volunteer fire district and the Village of Sloan Fire Company duly organized and existing in the Town of Cheektowaga shall be entitled to designate one (1) member to serve on the EMS Board. In addition, one member who shall serve as Chairman, shall be designated by the Town Board and the Chief of Police or his designee shall serve on the EMS Board. In addition, in the event any volunteer fire district or the Village of Sloan Fire Company shall fail to designate a member, the Town Board shall designate a member from such volunteer fire district.

(b) The EMS Board shall act as an agent of the Town Board in all matters set forth in this Ordinance and in addition to the powers and duties set forth in Section A-5 and A-6 above, the Board shall have the following powers and duties:

1. Meet on the first Tuesday of each month or at such other time as may be designated by the Chairman of the Board.

2. Advise, consult with and recommend to the Town Board all matters concerning ambulance service, administration of this Ordinance and any amendments thereto, which it may deem necessary and advisable.

3. Examine and determine the fitness and qualifications of applicants for licenses using as criteria therefor the information contained in the application and such other or additional proof attached thereto together with such proof or evidence as the EMS Board may acquire by its own study, examination or investigation and thereafter, in its certification, recommend to the director of licenses and permits whether or not a license shall be issued to the applicant.

4. Hear and determine, on its own motion, any and all matters relating to the revocation or suspension of licenses and make its findings and recommendations to the Town Board, which shall either approve or reject such recommendations.

5. Adopt such rules and regulations as may be necessary to carry out the purposes of this ordinance and for the conduct of its duties including but not limited to:

(a) Establishing the manner in which ambulance service should be dispatched to best serve the needs of Town residents.

(b) Coordinating uniform ambulance charges by requiring ambulance owners to submit with the application for a license, the rates to be charged for said service in the Town and the rates charged for said service when rendered outside the boundaries of the Town.

(c) Developing and implementing a procedure to receive, monitor and investigate complaints received concerning ambulance service in the Town of Cheektowaga; and

(d) Requiring the owner of ambulances to maintain a daily record and submit such records monthly to the EMS Board, which shall retain such records for a period of one (1) year, after which time they may be destroyed.

A-8 License Fees. The Town Board shall determine the license fees to be assessed from time to time by resolution.

A-9 Insurance Coverage. All persons who shall operate a licensed ambulance in the Town of Cheektowaga, shall procure a public liability policy to be issued by an insurance company authorized to do business in the State of New York, to provide liability coverage of at least one million dollars ($1,000,000) for the injury or death of any one person and three million dollars ($3,000,000) for the injury or death of any number of persons in any one accident, with a coverage of at least one million dollars ($1,000,000) for property damage in any one accident. Such policy, or a duly certified copy thereof, shall be delivered to the Town Clerk before or at the time of issuance of a license. No ambulance shall be operated within the Town of Cheektowaga, unless such public liability insurance policy continues in good standing. In the event of any material alteration or cancellation of any policy, at least ten (10) days notice thereof shall be given to the following address:

Town of Cheektowaga
Town Hall
Broadway and Union Roads
Cheektowaga, New York 14227
Att'n: Town Clerk

A-10 Duties of Licensed Ambulance Owners. The owner of an ambulance to whom a license has been issued under the provisions hereof shall be under duty and obligation to, and, by accepting such license shall be deemed to consent to the following obligations:

(a) Designate base station for ambulance service where such service can be reached at all times.

(b) Give prior notice to the Dispatcher when and why an ambulance is out of service.

(c) Notify the Dispatcher when a particular ambulance is replaced and if replaced, comply with the licensing requirements of Section A-5 above; and

(d) Any additional requirements which may be imposed, from time to time, by the EMS Board.

A-11 Duties of Drivers and Attendants.

(a) Ambulance drivers and attendants shall comply with the request of the patient and/or relatives for removal to a hospital of his choice within a reasonable distance, providing that in their judgment the condition of the patient will withstand extra travel. No person in charge of an ambulance shall refuse to take a wounded or ill, or infirm, or injured person to a hospital after the need for hospitalization has been determined by a physician, or if made at the request of the police or fire department. When a person is found ill, or wounded, or infirm, or injured in the street or any public place,

however seriously, he shall not be left in such location, but shall be removed to a hospital.

(b) Ambulance drivers and attendants shall:

(i) Take the injured person or the person in need of hospital services to the nearest hospital unless the patient or relative directs otherwise.

(ii) Ambulance drivers or operators shall not cruise in the streets except in an emergency declared by the Cheektowaga Police Department.

A-12 Equipment and Supplies to be Carried and Maintained in Ambulances.

(a) All sheets, pillowcases and towels used in the care of a patient in any such ambulance shall be replaced with clean sheets, pillowcases and towels after each time such ambulance is used for the transportation of wounded, sick, injured or infirm persons, and all blankets used in such ambulance shall be thoroughly laundered according to procedures established by the commissioner of health.

(b) Oxygen apparatus face masks shall not be used by more than one (1) person and must be destroyed or sanitized after such every use.

(c) All ambulances on the streets of the Town of Cheektowaga shall be permanently equipped in a manner in accordance with applicable State and County law, and shall contain such additional equipment as may be prescribed by the EMS Board, from time to time.

(d) After any such ambulance shall have been used for the transportation of any person or persons known to have an infectious disease, such ambulance and its contents shall immediately be cleaned in a manner approved by the EMS Board, and such ambulance shall not again be used until it has been so cleaned. Each ambulance shall be cleaned with a disinfectant solution daily according to procedures established by the commissioner of health.

A-13 Grounds for Suspension or Revocation of License.

(a) The license of an ambulance licensee may be suspended by the Town Board, upon the recommendation of the EMS Board, or revoked for any of the following causes:

(i) Failure to comply with the provisions of this ordinance or the rules and regulations of the EMS Board.

(ii) Solicitation of business for attorneys or tow truck companies.

(iii) Removal and retention of property, money or other assets belonging to a patient.

(iv) Conviction of crime involving moral turpitude.

(b) The license of a driver or attendant may be suspended or revoked for any of the following causes:

(i) Failure to comply with the provisions of this ordinance or the rules and regulations of the board of ambulance service.

(ii) Solicitation of business for attorneys or tow truck companies.

(iii) Removal and retention of property, money or other assets belonging to a patient.

(iv) Unbecoming conduct and abusive language in rendering ambulance service.

(v) Unprovoked assaults in the discharge of duties.

(vi) Consumption of alcohol or drugs while on duty.

Item No. 4 Cont'd

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the Town Board of the Town of Cheektowaga held on May 7, 1984, 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 hterein; and the affidavit of such publication shall be filed with the Town Clerk, and

BE IT FURTHER RESOLVED, that the aforementioned Ambulance Ordinance of the Town of Cheektowaga, New York shall take effect ten (10) days after said publication.

Upon roll call.....

AYES:	Supervisor Weber, Councilmen Johnson, W. P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE

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

Anna F. Mika, 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 May 10, 1984; last publication May 10, 1984; and that no more than six days intervened between publications.

Anna F. Mika

Sworn to before me this 11th

day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 May, 1984 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the Fire Alarm Committee and the Town of Cheektowaga have recommended that the Town of Cheektowaga develop and adopt an ordinance pertaining to the provision of ambulance service within the Town of Cheektowaga (hereinafter "Ambulance Ordinance"); and

WHEREAS, this Town Board has called a public hearing to consider the advisability of adopting an Ambulance Ordinance and gave due notice thereof as required by law; and

WHEREAS, a public hearing on the proposed Ambulance Ordinance was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on this 7th day of May, 1984, at 6:30 P.M., at which public hearing all parties in interest and citizens had an opportunity to be heard and were heard; and

WHEREAS, it is in the public interest to adopt the Ambulance Ordinance of the Town of Cheektowaga as set forth below;

NOW, THEREFORE, BE IT RESOLVED that the Ambulance Ordinance of the Town of Cheektowaga is hereby adopted as a new section of the Town Code to read as follows:

AMBULANCE SERVICE

***A-1 Declaration of Policy and Statement of Purpose.**

The provision of medical assistance in emergency situations is a matter of vital concern affecting the public health, safety and welfare. It is the purpose of this Article to promote the health, safety and welfare of the residents of the Town of Cheektowaga by providing for the registration and licensing of ambulance services operating within the Town of Cheektowaga, the creation of an Emergency Medical Services Board and the establishment of minimum equipment and communications standards for emergency medical services.

*Permanent Code Section to be assigned later.

A-2 Definitions.

(a) "Ambulance" means any vehicle equipped for the care of and used in the transportation of, the wounded, sick, injured, ill or infirmed people.

(b) "EMS Board" means the Cheektowaga Emergency Medical Services Board created hereunder.

(c) "Dispatcher" shall mean an employee of the Fire Alarm Committee, Cheektowaga Police Department or any other entity designated, from time to time, to dispatch ambulance services by the Board.

(d) "Person" means any individual, firm, partnership, association, corporation, company, or any organization of any kind.

A-3 Exemptions. The provisions of this ordinance shall not apply to the following:

(a) Ambulances owned and/or exclusively operated by any federal, state, county or other

shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated.

A-5 Procedure. (a) An application for an ambulance license shall be made by the owner of the ambulance to the Town Clerk on forms provided by him from time to time. Such application shall state the designated stations, hospital or such other place or places from which it is intended or desired to operate such ambulance on a twenty-four (24) hour basis, together with a description of the ambulance, including state identification number, and such other information as the Town Clerk and EMS Board shall find reasonably necessary.

(b) Within thirty (30) days after a license application is received, the EMS Board shall cause an investigation to be made of each applicant to determine whether the applicant meets the requirements of this ordinance and pertinent state, county and/or local laws and whether the applicant is capable of servicing the needs of the Town of Cheektowaga. The EMS Board may consider any other criteria which it deems reasonable and necessary, and shall make a recommendation in writing to the Town Board concerning the approval or denial of each application. The EMS Board shall set forth the reasons for its recommendations.

(c) The Town Board shall, within thirty (30) days of the receipt of the EMS Board's recommendations, either grant or deny the application.

(d) In the event the Town Board issues a license to a carrier for a specific ambulance, such carrier shall, prior to the issuance of said license, enter into an agreement with the Town of Cheektowaga concerning the provision of service within the Town. Such agreement shall incorporate by reference the rules and regulations of the EMS Board, as amended from time to time.

A-6 Application for Driver's/Attendant's License.

Applications for licenses for a driver/attendant shall be made upon forms to be provided by the Town Clerk and shall contain such information as the Town Clerk and EMS Board shall deem reasonably necessary, in addition to meeting the following requirements and qualifications:

(1) Each applicant for a license as a driver/attendant shall submit a letter of approval from the Cheektowaga Chief of Police, and shall

(a) Submit satisfactory proof of completion of the minimum requirements imposed by the State of New York; and

(b) Submit a current certificate of completion of an EMT course to the EMS Board.

(c) With respect to advanced life support ambulances, in addition to the above, an applicant must be a trained and certified level four (4) technician in an advanced life support as required by the State of New York.

(2) Upon being satisfied that driver/attendant meets the requirements of this ordinance, the EMS Board to whom the application shall be referred shall recommend approval of such application.

A-7 Emergency Medical Service Board: Creation and Powers.

(a) There is hereby created an Emergency Medical Service Board wich shall consist of twelve (12) members who shall serve for a term of one (1) year without compensation. Each volunteer fire district and the Village of Sloan Fire Company duly organized and existing in the Town of

duties set forth in Section A-5 and A-6 above, the Board shall have the following powers and duties:

1. Meet on the first Tuesday of each month or at such other time as may be designated by the Chairman of the board.

2. Advise, consult with and recommend to the Town Board all matters concerning ambulance service, administration of this Ordinance and any amendments thereto, which it may deem necessary and advisable.

3. Examine and determine the fitness and qualifications of applicants for licenses using as criteria therefor the information contained in the application and such other or additional proof attached thereto together with such proof or evidence as the EMS Board may acquire by its own study, examination or investigation and thereafter, in its certification, recommend to the director of licenses and permits whether or not a license shall be issued to the applicant.

4. Hear and determine, on its own motion, any and all matters relating to the revocation or suspension of licenses and make its findings and recommendations to the Town Board, which shall either approve or reject such recommendations.

5. Adopt such rules and regulations as may be necessary to carry out the purposes of this ordinance and for the conduct of its duties including but not limited to:

(a) Establishing the manner in which ambulance service should be dispatched to best serve the needs of Town residents.

(b) Coordinating uniform ambulance charges by requiring ambulance owners to submit with the application for a license, the rates to be charged for said service in the Town and the rates charged for said service when rendered outside the boundaries of the Town.

(c) Developing and implementing a procedure to receive, monitor and investigate complaints received concerning ambulance service in the town of Cheektowaga; and

(d) Requiring the owner of ambulances to maintain a daily record and submit such records monthly to the EMS Board, which shall retain such records for a period of one (1) year, after which time they may be destroyed.

A-8 License Fees. The Town Board shall determine the license fees to be assessed from time to time by resolution.

A-9 Insurance Coverage. All persons who shall operate a licensed ambulance in the Town of Cheektowaga, shall procure a public liability policy to be issued by an insurance company authorized to do business in the State of New York, to provide liability coverage of at least one million dollars ($1,000,000) for the injury or death of any one person and three million dollars ($3,000,000) for the injury or death of any number of persons in any one accident, with a coverage of at least one million dollars ($1,000,000) for property damage in any one accident. Such policy, or a duly certified copy thereof, shall be delivered to the Town Clerk before or at the time of issuance of a license. No ambulance shall be operated within the Town of Cheektowaga, unless such a public liability insurance policy continues in good standing. In the event of any material alteration or cancellation of any policy, at least ten (10) days notice thereof shall be given to the following address: Town of Cheektowaga, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227, Att'n: Town Clerk

A-10 Duties of Licensed Ambulance Owners.

The owner of an ambulance to whom a license has been issued under the provisions hereof shall

to time, by the EMS Board.

A-11 Duties of Drivers and Attendants.

(a) Ambulance drivers and attendants shall comply with the request of the patient and/or relatives for removal to a hospital of his choice within a reasonable distance, providing that in their judgment the condition of the patient will withstand extra travel. No person in charge of an ambulance shall refuse to take a wounded or ill, or infirm, or injured person to a hospital after the need for hospitalization has been determined by a physician, or is made at the request of the police or fire department. When a person is found ill, or wounded, or infirm, or injured in the street or any public place, however seriously, he shall not be left in such location, but shall be removed to a hospital.

(b) Ambulance drivers and attendants shall:

(i) Take the injured person or the person in need of hospital services to the nearest hospital unless the patient or relative directs otherwise.

(ii) Ambulance drivers or operators shall not cruise in the streets except in an emergency declared by the Cheektowaga Police Department.

A-12 Equipment and Supplies to be Carried and Maintained in Ambulances.

(a) All sheets, pillowcases and towels used in the care of a patient in any such ambulance shall be replaced with clean sheets, pillowcases and towels after each time such ambulance is used for the transportation of wounded, sick, injured or infirm persons and all blankets used in such ambulance shall be thoroughly laundered according to procedures established by the commissioner of health.

(b) Oxygen apparatus face masks shall not be used by more than one (1) person and must be destroyed or sanitized after such every use.

(c) All ambulances on the streets of the Town of Cheektowaga shall be permanently equipped in a manner in accordance with applicable State and County law, and shall contain such additional equipment as may be prescribed by the EMS Board, from time to time.

(d) After any such ambulance shall have been used for the transportation of any person or persons known to have an infectious disease, such ambulance and its contents shall immediately be cleaned in a manner approved by the EMS Board, and such ambulance shall not again be used until it has been so cleaned. Each ambulance shall be cleaned with a disinfectant solution daily according to procedures established by the commissioner of health.

A-13 Grounds for Suspension or Revocation of License.

(a) The license of an ambulance licensee may be suspended by the Town Board, upon the recommendation of the EMS Board, or revoked for any of the following causes:

(i) Failure to comply with the provisions of this ordinance or the rules and regulations of the EMS Board.

(ii) Solicitation of business for attorneys or tow truck companies.

(iii) Removal and retention of property, money or other assets belonging to a patient.

(iv) Conviction of crime involving moral turpitude.

(b) The license of a driver or attendant may be suspended or revoked for any of the following causes:

(i) Failure to comply with the provisions of this ordinance or the rules and regulations of the board of ambulance service.

(ii) Solicitation of business for attorneys or tow truck companies.

(iii) Removal and retention of property, money or other assets

Item No. 2a

Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, David D. Glian has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by him and located north of 440 Cayuga Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 22nd day of February, 1984 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

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

1. the applicant be limited to sales only;
2. no vehicle repair or detailing be done on said premises; and
3. the applicant submits to and receives approval from the Town Engineering Department in regards to a site drainage plan.

NOW, THEREFORE, BE IT RESOLVED, that the application of David D. Glian for the rezoning from C-Retail Business District to CM-General Commercial District of the porperty specified in the attached legal description be and the same is hereby granted, subject to the aforesaid conditions recommended by the Environmental Advisory Committee of the Town of Cheektowaga, and

BE IT FURTHER RESOLVED that, upon approval of the aforementioned site drainage plan by the Town Engineering Department, the Zoning Map and Ordinance be amended in accordance with the above.

*SEE NEXT TWO (2) PAGES FOR LEGAL DESCRIPTION

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot N° 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover N° 1628, is known as subdivision lot number sixty-four (64), being sixty (60) feet front and rear by one hundred twenty (120) feet in depth, situate on the west side of Cayuga Road, commencing one hundred forty and seventeen hundredths (140.17) feet north of Cleveland Drive.

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6-14-1 CM 1628-s. 64

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. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628 is known as subdivision lot number sixty-three (63), situate on the west side of Cayuga Road.

Item 2a Cont'd

upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE

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

.....Anne E. Mika....., 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 .....May 10, 1984.....; last publication .....May 10, 1984.....; and that no more than six days intervened between publications.

.....Anne E. Mika.....

Sworn to before me this .....11th.....

day of .....May....., 19..84.

.....Dorothy J. Turner.....

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19..85

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 May, 1984 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz, Seconded by J.V. Rogowski

WHEREAS, David D. Glian has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by him and located north of 440 Cayuga Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 22nd day of February, 1984 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law, and all interested parties were given an opportunity to be heard at such hearing, and

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

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

1. the applicant be limited to sales only;

2. no vehicle repair or detailing be done on said premises; and

3. the appliance submits to and receives approval from the Town Engineering Department in regards to a site drainage plan.

NOW, THEREFORE, BE IT RESOLVED, that the application of David D. Glian for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted, subject to the aforesaid conditions recommended by the Environmental Advisory Committee of the Town of Cheektowaga, and

BE IT FURTHER RESOLVED, that upon approval of the aforementioned site drainage plan by the Town Engineering Department, the Zoning Map and Ordinance be amended in accordance with above.

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628 is known as subdivision lot number sixty-three (63), situate on the west side of Cayuga Road.

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. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628, is known as subdivision lot number sixty-four (64), being sixty (60) feet front and rear by one hundred twenty (120) feet in depth, situate on the west side of Cayuga Road, commencing one hundred forty and seventeen hundredths (140.17) feet north of Cleveland Drive.

Upon roll call...

Supervisor Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 7, 1984, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 7th day of May, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 10, 1984

Item No. 3 Motion by Councilman Jaworowicz, seconded by Councilman J.V. Rogowski

WHEREAS, David D. Glian, has applied for a Special Permit for the sale of used automobiles on property located north of 440 Cayuga Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 22nd day of February, 1984, at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located north of 440 Cayuga Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment, provided that:

1. the applicant be limited to sales only;
2. no vehicle repair or detailing be done on said premises
3. the applicant submits to and receives approval from the Town Engineering Department in regards to a site drainage plan.

NOW, THEREFORE, BE IT RESOLVED that said Special Use Permit be and hereby is granted subject ot the above-noted conditions as recommended by the Environmental Advisory Committee of the Town of Cheektowaga.

*SEE NEXT TWO (2) PAGES FOR LEGAL DESCRIPTION

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628 is known as subdivision lot number sixty-three (63), situate on the west side of Cayuga Road.

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 N° 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover N° 1628, is known as subdivision lot number sixty-four (64), being sixty (60) feet front and rear by one hundred twenty (120) feet in depth, situate on the west side of Cayuga Road, commencing one hundred forty and seventeen hundredths (140.17) feet north of Cleveland Drive.

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6-14-1 CM 1628-s. 64

Item No. 3 Cont'd

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE

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

Ann T. Mika, 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 May 10, 1984; last publication May 10, 1984; and that no more than six days intervened between publications.

Ann T. Mika

Sworn to before me this 11th

day of May, 1984.

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 May, 1984 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz, Seconded by J.V. Rogowski

WHEREAS, David D. Glian has applied for a Special Permit for the sale of used automobiles on property located north of 440 Cayuga Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 22nd day of February, 1984 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approvalof the Special Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located north of 440 Cayuga Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment, provided that:

1. the applicant be limited to sales only;
2. no vehicle repair or detailing be done on said premises; and
3. the appliance submits to and receives approval from the Town Engineering Department in regards to a site drainage plan.

NOW, THEREFORE, BE IT RESOLVED, that said Special Use Permit be and is hereby granted, subject to the above-noted conditions as recommended by the Environmental Advisory Committee of the Town of Cheektowaga.

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. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628 is known as subdivision lot number sixty-three (63), situate on the west side of Cayuga Road.

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. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628, is known as subdivision lot number sixty-four (64), being sixty (60) feet front and rear by one hundred twenty (120) feet in depth, situate on the west side of Cayuga Road, commencing one hundred forty and seventeen hundredths (140.17) feet north of Cleveland Drive.

Upon roll call...

Supervisor Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 7, 1984, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 7th day of May, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 10, 1984

Item No. 4. This item was acted upon first.

Item No. 5 Motion by Councilman W.P. Rogowski seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has previously adopted a Park Ordinance (Ordinance No. 38) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, the Parks and Recreation Committee of the Town of Cheektowaga has recommended that certain provisions of the Park Ordinance be amended, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting an amendment to the said Park 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 2nd day of April, 1984 at 7:00 o'clock P.M., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt the following amendment to the Park Ordinance (Ordinance No. 38) of the Town of Cheektowaga, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Park Ordinance (Ordinance No. 38) be and the same hereby is amended and changed as follows:

That Section 14A, which relates to the prohibition against snowmobiles, ski-doos and ski-daddlers, shall be amended to read as follows:

Section 14 A The following vehicles shall not be allowed in any part of the parks, driveways of the parks and/or park approaches:

1.) Snowmobiles, ski-doos, ski-daddlers or any such mechanized motor-driven sled or vehicle on runners.

2.) All Terrain Vehicles or any such one (1), two (2) or more passenger vehicles equipped with between tow (2) to six (6) high flotation or similar type tires per vehicle designed for operation primarily on off-highway trails or in off-highway competitions and only incidentally operated on public highways.

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 the 7th day of May, 1984; 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.

That the aforementioned amendment to the Park Ordinance (Ordinance No. 38) of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but such 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 and showing the date of its passage and entry into the minutes.

Item No. 5 Cont'd.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE

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

Anna F. Mika, 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 May 10, 1984; last publication May 10, 1984; and that no more than six days intervened between publications.

Anna F. Mika

Sworn to before me this 11th day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 May, 1984 at 7:00 o'clock P.M. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman W.P. Rogowski, Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has previously adopted a Park Ordinance (Ordinance No. 38) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, the Parks and Recreation Committee of the Town of Cheektowaga has recommended that certain provisions of the Park Ordinance be amended, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting an amendment to the said Park 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 2nd day of April, 1984 at 7:00 o'clock P.M., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt the following amendment to the Park Ordinance (Ordinance No. 38) of the Town of Cheektowaga, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Park Ordinance (Ordinance No. 38) be and the same hereby is amended and changed as follows:

That Section 14A, which relates to the prohibition against snowmobiles, ski-doos and ski-daddlers, shall be amended to read as follows:

Section 14 A: The following vehicles shall not be allowed in any part of the parks, driveways of the parks and/or park approaches:

1. Snowmobiles, ski-doos, ski-daddlers or any such mechanized motor-driven sled or vehicle on runners.

2. All Terrain Vehicles or any such one (1), two (2) or more passenger vehicles equipped with between two (2) and six (6) high flotation or similar type tires per vehicle designed for operation primarily on off-highway trails or in off-highway competitions and only incidentally operated on public highways.

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 the 7th day of May, 1984; 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.

That the aforementioned amendment to the Park Ordinance (Ordinance NO. 38) of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but such 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 and showing the date of its passage and entry into the minutes.

Upon roll call...

Supervisor Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 7, 1984, 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 7th day of May, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 10, 1984

Item No. 6 Motion by Councilman Jaworowicz seconded by Councilman Johnson

WHEREAS, by resolution dated April 16, 1984, this Town Board called for a public hearing on a proposal to amend the Zoning Ordinance of the Town of Cheektowaga in regards to signs, and

WHEREAS, due to an error, said resolution and the subsequently published Notice of Hearing therefor stated that the public hearing on said proposed Zoning Ordinance amendments would be held on the 7th day of May, 1984 at 7:00 o'clock P.M., whereas they should have read that such public hearing would be held on the 21st day of May at 7:00 o'clock P.M., and

WHEREAS, the Town Clerk notified the public through an announcement published in the CHEEKTOWAGA TIMES on Arpil 26, 1984, that the public hearing on the proposed Zoning Ordinance amendments would be held on the 21st day of May instead of the previously published public hearing date of May 7, 1984, NOW, THEREFORE, BE IT

RESOLVED, that the aforereferenced resolution dated April 16, 1984 be and hereby is amended to state that the public hearing on the proposal to amend the Zoning Ordinance of the Town of Cheektowaga, in regards to signs shall be held on the 21st day of May, 1984 at 7:00 o'clock P.M., and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, on May 10, 1984, and BE IT FURTHER

RESOLVED, that the aforementioned action of the Town Clerk in publishing the announcement in the CHEEKTOWAGA TIMES on April 26, 1984 be and hereby is ratified and accepted by this Board.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE

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

Anne F. Mika, 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 May 10, 1984; last publication May 10, 1984; and that no more than six days intervened between publications.

Anne F. Mika

Sworn to before me this 11th

day of May, 19 84.

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

LEGAL NOTICE
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 7th day of May, 1984, 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 21st day of May, 1984 at 7:00 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether amendments to the ZONING ORDINANCE OF THE TOWN OF CHEEKTOWAGA pertaining to signs shall be adopted and enacted. Such amendments provide for the definition of signs (and exemptions therefrom); the regulation of signs; and the creation of an area within the Town exempt from the provisions pertaining to flashing signs. A copy of the proposed amendments to the ZONING ORDINANCE OF THE TOWN OF CHEEKTOWAGA is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 7, 1984
PUBLISH: May 10, 1984

Item No. 7 Motion by Councilman Kowal seconded by Councilman Johnson

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 May 21, 1984 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 advisabliity of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on May 10, 1984 the said proposed amendment being set forth in the Notice of Hearing, and

BE IT FURTHER RESOLVED, that a copy of this proposed amendment be forwarded to Edward P. Lesswing, Regional Traffic Engineer, New York State Department of Transportation, 125 Main Street, Buffalo, New York 14203 in accordance with Section 1684 of the Vehicle and Traffic Law of the State of New York, and

BE IT FURTHER RESOLVED, that a copy of this proposed amendment be forwarded to Leonard Saniewski, Deputy Commissioner of Highways, Erie County Department of Public Works, 95 Franklin Street, Buffalo, New York 14202.

*SEE NEXT PAGE FOR A COPY OF THE NOTICE OF HEARING AND PROPOSED AMENDMENT

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 21st day of May, 1984 at 7:00 o'clock P.M. Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment relating to Article X, Parking, Standing and Stopping, Section 101, All-night Parking, which more particularly concerns the winter parking ban between the hours of 1:00 A.M. and 6:00 A.M.

> Section 101. All-night Parking, shall be amended by deleting therefrom the words "December 1st to March 15th" and by adding thereto the words "November 1st to April 1st".

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

Dated: May 7, 1984

RICHARD M. MOLESKI
Town Clerk

Item No. 7 Cont'd

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT NEXT PAGE

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

Ann F. Mike, 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 May 10, 1984; last publication May 10, 1984; and that no more than six days intervened between publications.

Ann F. Mike

Sworn to before me this 11th

day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 21st day of May, 1984 at 7:00 o'clock P.M. Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment relating to Article X, Parking, Standing and Stopping, Section 101, All-night Parking, which more particularly concerns the winter parking ban between the hours of 1:00 A.M. and 6:00 A.M.

Section 101. All-night Parking, shall be amended by deleting therefrom the words "December 1st to March 15th" and by adding thereto the words "November 1st to April 1st."

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 7, 1984
PUBLISH: May 10, 1984

Item No. 8

Motion by Councilman Johnson seconded by Counsilman W.P. Rogowski

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 May 21, 1984 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 amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 10th day of May, 1984.

*SEE NEXT PAGE FOR A COPY OF THE NOTICE OF HEARING AND PROPOSED AMENDMENT

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 21st day of May, 1984 at 7:00 P.M., Eastern Daylight Saving Time to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

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

B. No Parking Anytime

DARTWOOD DRIVE	West side	from the south curbline of LeHarve Drive to a point 75± feet south of the south curbline of LeHarve Drive

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

Dated: May 7, 1984

RICHARD M. MOLESKI
Town Clerk

Item No. 8 Cont'd.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski Jaworowicz, Kowal and Gebryszak
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT NEXT PAGE

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

Anne E. Mika, 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 May 10, 1984; last publication May 10, 1984; and that no more than six days intervened between publications.

Anne E. Mika

Sworn to before me this 11th

day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 21st day of May, 1984 at 7:00 P.M., Eastern Daylight Saving Time to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

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

B. No Parking Anytime

DARTWOOD DRIVE, West side, from the south curbline of LeHarve Drive to a point 75± feet south of the south curbline of LeHarve Drive.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 10, 1984

Item No. 9 Motion by Councilman W.P. Rogowski seconded by Jaworowicz

WHEREAS, the Town of Cheektowaga is in need of Pressure Treated Lumber and,

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of said Lumber, Notice to be published in the May 10, 1984 issue of the Times, AND BE IT,

FURTHER RESOLVED, that sealed bids will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 11:00 a.m. on Monday, May 21, 1984, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Clerk is hereby designated to publicly open and read said sealed bid proposals at 11:00 a.m. on Monday, May 21, 1984.

* *

NOTICE TO BIDDERS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 a.m. Eastern Daylight Savings Time, on Monday, May 21, 1984, for the furnishing of Pressure Treated Lumber for the Town of Cheektowaga for the year 1984.

Information for bidders may be obtained from the Cheektowaga Youth Bureau Offices in said Town.

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

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

Richard M. Moleski
Town Clerk

* *

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT NEXT PAGE

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

Ann L. Mika, 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 May 10, 1984; last publication May 10, 1984; and that no more than six days intervened between publications.

Ann L. Mika

Sworn to before me this 11th day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 a.m. Eastern Daylight Savings Time, on Monday, May 21, 1984, for the furnishing of Pressure Treated lumber for the Town of Cheektowaga for the year 1984.

Information for bidders may be obtained from the Cheektowaga Youth Bureau Offices in said Town.

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

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 10, 1984

Item No. 10 Motion by Councilman W.P. Rogowski seconded by Jaworowicz

WHEREAS, the Town of Cheektowaga is sponsoring a summer day camp for handicapped children ("Camp Crabapple") at the Cheektowaga Town Park from July 9, 1984 to August 17, 1984, and

WHEREAS, it is necessary that bus transportation be provided to transportthese handicapped children to and from Camp Crabapple, and

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of the aforesaid bus transportation to be provided from July 9, 1984 issue of the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bid proposals will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 A.M. on Monday, May 21, 1984, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Clerk is hereby designated to publicly open and read said sealed bid proposals at 11:00 A.M. on Monday, May 21, 1984.

* *

NOTICE TO BIDDERS

PROPOSALS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 A.M. Eastern Daylight Time, on Monday, May 21, 1984, for the furnishing of two full size school buses and one wheel chair van for the propose of transporting clients to and from the Sloan, Cheektowaga, Depew area, to the Cheektowaga Recreation Center, 2600 Harlem Road. Included in this bid should be the use of two full size school buses and one wheel chair van, please bid separately on each bus. For use one day per week for six (6) weeks for transportation of clients from and to the Cheektowaga Recreation Center to various points of interest in the Western New York area. Arrival time is scheduled for 9:30 A.M. at Camp. Dismissal and take home is scheduled for 2:30 P.M. The time period for the aforementioned transportation will be July 9, 1984 through August 17, 1984, excluding Saturdays and Sundays.

Information for bidders may be obtained from the Adapted Recreation Program Director at the Cheektowaga Youth Bureau Offices in said Town.

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

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

Richard M. Moleski
Town Clerk

DATED: May 2, 1984

* *

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT NEXT PAGE

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

Anne E. Mika, 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 May 10, 1984; last publication May 10, 1984; and that no more than six days intervened between publications.

Anne E. Mika

Sworn to before me this 11th

day of May, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
[illegible] IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE
NOTICE TO BIDDERS
PROPOSALS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York, until 11:00 a.m. Eastern Daylight Time, on Monday, May 21, 1984, for the furnishing of two full size school buses and one wheel chair van for the purpose of transporting clients to and from the Sloan, Cheektowaga, Depew area, to the Cheektowaga Recreation Center, 2600 Harlem Road. Included in this bid should be the use of two full size school buses and one wheel chair van, please bid separately on each bus. For use one day per week for six (6) weeks for transportaion of clients from and to the Cheektowaga Recreation Center to various points of interest in the Western New York area. Arrival time is scheduled for 9:30 a.m. at Camp. Dismissal and take home is scheduled for 2:30 p.m. The time period for the aforementioned transportation will be July 9, 1984 through August 17, 1984, excluding Saturdays and Sundays.

Information for bidders may be obtained from the Adapted Recreation Program Director at the Cheektowaga Youth Bureau Offices in said Town.

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 2, 1984
PUBLISH: May 10, 1984

Item No. 11 Motion by Councilman Gabryszak seconded by Kowal

WHEREAS, the Town of Cheektowaga Disaster Coordinator desires to lease for a period of four years, (1) one, 1984 Model, 4 wheel drive Suburban for use by the Disaster Coordinator.

NOW, THEREFORE, BE IT RESOLVED, that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said lease of (1) one, 1984 Model, 4 wheel drive Suburban. Notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER,

RESOLVED, that sealed bids will be received on the 21st. day of May, 1984, at 11:00 A.M. Daylight Savings Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on May 21st, 1984, at 11:00 A.M. Daylight Savings Time, at the Town Hall, corner of Broadway & Union Road, for the lease* of (1) one 1984 Model, 4 Wheel Drive Suburban, for use by the Disaster Coordinator. *(Lease Period - for four years.)

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

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

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

Richard M. Moleski
Town Clerk

DATED: May 7, 1984

* *

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT NEXT PAGE

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on May 21st, 1984, at 11:00 A.M. Daylight Savings Time, at the Town Hall, corner of Broadway & Union Road, for the Lease* of (1) one 1984 Model, 4 Wheel Drive Suburban, for use by the Disaster Coordinator. *(Lease Period — for four years.)

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 7, 1984
PUBLISH: May 10, 1984

Item No. 12 Motion by Councilman Gabryszak seconded by Councilman Kowal

WHEREAS, this Town Board has continually expressed concern about both the past development and future development of the Town of Cheektowaga, AND

WHEREAS, the appearance of all land areas in the Town and developments therein are of further concern to all of the inhabitants of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the period of May 14th, 1984 through May 25th, 1984 and hereby is designated as "Clean-Up, Paint-Up, Fix-Up Week" in the Town of Cheektowaga, AND BE IT

FURTHER RESOLVED, that appropriate posters of said Clean-Up, Paint-Up, Fix-Up Week be placed in Business windows throughout the Town of Cheektowaga.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 13a Motion by Councilman Gabryszak seconded by Councilman Kowal

BE IT RESOLVED that the following employee be and hereby is terminated as a Seasonal Employee in the Central Garage:

Lehner, John
(effective 4/13/84.)

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Councilman Kowal seconded by Councilman W.P. Rogowski

BE IT RESOLVED THAT, the following individuals be and hereby are terminated as Seasonal Employees in the various Departments as listed:

FACILITIES DEPARTMENT

Donald Gallmeyer
(effective 4/2/84)
James Kurek
(effective 4/16/84)

POLICE DEPARTMENT

Alice Ciesla
(effective 5/11/84)

WASTEWATER TREATMENT PLANT NO. 5

Shirley Thurnherr
(effective 5/12/84)

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 14 Promotion to position of Captain in Police Department, moved by Councilman W.P. Rogowski seconded by Councilman D. Gabryszak to table this item.

Item No. 15a Motion by Councilman Kowal seconded by Councilman P.A. Jaworowicz

WHEREAS, the Cheektowaga Town Board has created the position of Senior Clerk Typist in the Police Department, AND

WHEREAS, said position was posted for a period of ten (10) days pursuant to the Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Alice Schulte of , Cheektowaga, New York, is on the current Erie County Civil Service list for Senior Clerk Typist and has applied for said position, NOW, THEREFORE, BE IT

RESOLVED that Alice Schulte be and hereby is appointed to the position of Senior Clerk Typist in the Police Department at a salary in accordance with the Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, said appointment effective immediately.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15b Motion by Councilman Gabryszak seconded by Councilman Kowal

WHEREAS, a vacancy exists in the Town of Cheektowaga Department of Sanitation for the position of Laborer, AND

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

WHEREAS, Darrell J. Glowacki, , Cheektowaga, N.Y. is currently serving as a MEO-B in the Highway Dept., NOW THEREFORE, BE IT

RESOLVED, that Darrell J. Glowacki, having properly bid on the above mentioned vacancy, be and hereby is appointed to the position of Laborer in the Sanitation Department, at a salary in accordance with the bargaining agreements between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment effective: Tuesday, May 8th, 1984.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15c Motion by Councilman Gabryszak seconded by Councilman Kowal

WHEREAS, a vacancy exists in the Town of Cheektowaga Department of Sanitation for the position of Laborer, AND

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

WHEREAS, Warren Ahl, , Cheektowaga, NY, 834-4278; is currently serving as a MEO-B in the Highway.

Item No. 15c Cont'd.

RESOLVED, that Warren Ahl, having properly bid on the above mentioned vacancy, be and hereby is appointed to the position of Laborer in the Sanitiation Department, at a salary in accordance with the bargaining agreements between the Town of Cheektowaga and the Employees Association; said appointment effective: Tuesday, May 8th, 1984.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 15d Motion by Councilman W.P. Rogowski seconded by Councilman Kowal

WHEREAS, a vacancy exists for the position of Cleaner in the Cheektowaga Facilities Department, Maintenance Division, 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 Edward Clark, Jr., residing at , Cheektowaga, New York, be and hereby is appointed to the position of Cleaner in the Cheektowaga Facilities Department at the rate of pay applicable as per the Collective Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employees Association.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 16 Motion by Councilman W.P. Rogowski seconded by Councilman Johnson

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the various Departments as listed at a rate of $3.10 per hour, effective as needed:

WASTEWATER TREATMENT PLANT #5

David Gallmeyer
Timothy Wojdan
Russell Azzarello
Kenneth Miskell
Todd Setter
Daniel Russell
Mark Mallwitz
Patrick M. Dahn
John Urbanski

FACILITIES DEPARTMENT - STREET LIGHT MAINTENANCE DIVISION

Fred Kaplan
Daniel Mahoney
James Lis
David Zolnowski
Gregory Kulka
Joseph Stallone
Paul Pikorski
Gary Wurst
Robert G. Kubiak

Item No. 16 Cont'd.

FACILITIES DEPARTMENT - STREET LIGHT MAINTENANCE DIVISION

Dale D. Brewer
David Dudas
Paul Glab

FACILITIES DEPARTMENT

Brian Hanrahan
Leo Dominczak, Jr.
Lawrence Qzygmunt

AND BE IT

FURTHER RESOLVED that Carl Villa of , Depew, be and hereby is transferred from the position of Senior Counselor in the Adapted Recreation Program (Youth Bureau) to Seasonal Employee in the Facilities Department at a rate of $3.10 per hour, effective May 16, 1984.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 17 Motion by Councilman Jaworowicz seconded by Councilman Kowal

WHEREAS, Oliada Nowicki, Clerk-Stenographer, has requested a maternity leave of absence from her position in the Town Clerk's Office for a period of approximately four (4) months, commencing on May 14, 1984, and

WHEREAS, Oliada Nowicki will utilize accumulative sick leave and vacation days prior to her commencing two (2) month unpaid leave of absence on or about September 17, 1984, NOW, THEREFORE, BE IT

RESOLVED that Oliada Nowicki be and hereby is granted a four (4) month maternity leave to be followed by a two (2) month leave of absence without pay.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 18a Motion by Councilman W.P. Rogowski seconded by Councilman Jaworowicz

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Yough Bureau, be granted a leave of absence from May 28, 1984 through June 8, 1984 to attend active duty training with the United States Army Reserve at Fort Leonardwood, Missouri.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 18b Motion by Councilman Gabryszak seconded by Councilman Johnson

WHEREAS, Mr. Robert Sosnowski, employed in the Cheektowaga Facilities Department is a member of the United States Air Force Reserve, HQ 914 Combat Support Squadron (AFRES), AND

WHEREAS, Mr. Sosnowski has received orders to report for Active Duty Training effective May 20, 1984 through June 8, 1984, AND

WHEREAS, employees are eligible for benefits under Section 242 and 243 of the Military Law of the State of New York; are guaranteed such benefits in full accordance with the law, BE IT

RESOLVED, that the Cheektowaga Town Board approves said Military Leave for Mr. Robert Sosnowski, , Cheektowaga, New York 14211 for the period of May 20, 1984 through June 3, 1984.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 19 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, the term of Joseph Lipowski as a member of the Cheektowaga Planning Board is scheduled to expire on May 20, 1984, AND

WHEREAS, this Board is desirous of reappointing Joseph lipowski to the Cheektowaga Planning Board due to his experience and exemplary performance on such Board, NOW, THEREFORE, BE IT

RESOLVED, that Joseph Lipowski, , Depew, New York 14043, be and hereby is reappointed to the Cheektowaga Planning Board, effective May 20, 1984, for a term of seven years, to expire May 20, 1991.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 20 Motion by Councilman J.V. Rogowski seconded by Councilman Jaworowicz

WHEREAS, the State University of New York at Delhi and the New York State Department of Agriculture and Markets are jointly sponsoring the 1984 Basic Animal Control Academy for Animal Control Personnel June 18 through June 22, 1984, AND

WHEREAS, said Animal Control Academy is being held for the purpose of providing experience and training for Animal Control Personnel, and

WHEREAS, the Chief of Police has requested this board to authorize John J. Dunn, animal control officer of the Town of Cheektowaga to attend this training session, and

WHEREAS, this Board feels that it would be advantageous to the Town for John J. Dunn to attend the aforementioned training session, NOW, THEREFORE, BE IT

RESOLVED, that John J. Dunn be and hereby is authorized to attend the aforementioned 1984 Basic Animal Control Academy for Animal Control Personnel, and BE IT FURTHER

Item No. 20 Cont'd.

RESOLVED, that John J. Dunn be reimbursed for all reasonable and necessary expenses, not to exceed $125.00 for tuition, $117.00 for room and board and mileage at 24 cents per mile from Cheektowaga to the campus and back, and BE IT FURTHER

RESOLVED, that the costs attributable to John J. Dunn's attendance at the aforementioned conference be appropriated from the Government Business Travel Budget, line item 19104082.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 21 Motion by Councilman W.P. Rogowski seconded by Councilman Kowal

BE IT RESOLVED, that Donald R. Guerra, Esq., Attorney at Law, 43 Court Street, Buffalo, New York, be and hereby is hired to represent the Town, per the terms and conditions of the attached Agreement, in its labor-management negotiations on behalf of the Town with its Police Department, Supervisory Employees, and Blue Collar workers, AND BE IT

FURTHER RESOLVED, that said Agreement shall be effective for a two-year period commencing on May 15, 1984 through May 15, 1986, at a rate of $55.00 per hour ($60.00 per hour for court appearances), AND BE IT

FURTHER RESOLVED, that the Supervisor hereby is authorized to sign the attached Agreement on behalf of the Town Board of the Town of Cheektowaga.

*SEE ATTACHED AGREEMENT ON THE NEXT PAGE

Item No. 21 Cont'd.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman J. V. Rogowski seconded by Councilman Gabryszak

WHEREAS, pursuant to the Freedom of Information Law of the State of New York, Richard C. Atzrott has requested from the Town certain Town records concerning his arrest on April 4, 1981, and

WHEREAS, an initial determination was made as to the disclosability of such records and such request was denied upon the ground that such records were part of the investigatory files of the Town Police Department, and

WHEREAS, pursuant to the Freedom of Information Law, Mr. Atzrott requested that a redetermination be made as to the disclosability of the records he requested, and

WHEREAS, this Town Board, pursuant to the rules and regulations it adopted under the Freedom of Information Law, is the body designated to hear and determine appeals from a denial of access to Town records, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby determines that Richard C. Atzrott is entitled to receive photocopies of the following (excluding names, addresses, etc. of victim and witnesses) provided that, prior to sending him such copies, he remit the appropriate fees to the Town Clerk:

1. Police Report of Officer A.J. Jankowski dated 4-11-81 0440 hrs.
2. Fingerprint cards of Richard C. Atzrott dated 4-11-81 and 4-14-81.

and, BE IT FURTHER

RESOLVED, that all other records of the Town of Cheektowaga concerning the arrest of Richard C. Atzrott on Arpil 4, 1981 are exempt from disclosure under the Freedom of Information Law since:

1. They were compiled for law enforcement purposes and, if disclosed, would:
   a) identify confidential sources/witnesses; and
   b) reveal criminal investigative techniques;
2. If disclosed, would endanger the lives and safety of certain people.
3. They are inter-agency or intra-agency materials.
4. If disclosed, would constitute an unwarranted invasion of personal privacy.

and, BE IT FURTHER

RESOLVED, that certified copies of this resolution be forwarded to Richard C. Atzrott and to the New York State Committee on Open Government, Department of State, 162 Washington Avenue, Albany, New York 12231.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Gabryszak seconded by Councilman Kowal

WHEREAS, the Federal Truth-In-Lending Act contains a prohibition against the imposition of a surcharge on credit card users by retailers and other merchants; and

WHEREAS, said prohibition expired on February 27, 1984, and, to date, has not been made permanent by legislation at the Federal level; and

WHEREAS, if the prohibition against surcharges on credit card users is not made permanent, consumers may be penalized by the imposition of a five percent (5%) surcharge on each and every item purchased with a credit card, which surcharge would give retailers and other merchants an unfair windfall at the expense of consumers using credit cards and the public in general; and

WHEREAS, if such prohibition is not made permanent, and such surcharges are permitted, seven (7) out of ten (10) Americans would be adversely affected and lose the freedom of choice associated with the use of credit cards in making purchases; and

WHEREAS, legislation will be introduce shortly in both Houses of Congress by Senators Alfonse D'Amato, Allan Dixon, and representative Frank Annunzio, to permanently ban surcharges by retailers and other merchants on the use of credit cards by individual consumers; and

WHEREAS, it is the sense of this Town Board that such legislation is in the best interest of the public and consumers;

NOW, THEREFORE, BE IT RESOLVED that this Town Board does hereby strongly urge toe House of Representatives and the Senate of the United States to support the introduction of, and adopt the substance of, legislation as described above which would permanently ban the imposition of surcharges on credit card purchases; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to forward certified copies of this Resolution to President Ronald Reagan, the Honorable Patrick J. Moynihan, the Honorable Jack F. Kemp, and Honorable Henry J. Nowak, so that the feeling and sense of this Town Board may be known to those elected officials.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 24 Motion by Supervisor Weber seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga currently receives federal revenue sharing funds under various federal programs; and

WHEREAS, in order to continue to be eligible for such revenue sharing funds, the Town of Cheektowaga is required by federal regulation to evidence its compliance with various federal provisions relating to the employment and treatment of handicapped individuals; and

WHEREAS, the Town of Cheektowaga is required to designate one or more "responsible employees" to coordinate compliance under various federal provisions relating to the employment and treatment of handicapped individuals; and

WHEREAS, it is the policy of the Town of Cheektowaga not to discriminate against, and to provide equal access to, handicapped individuals; NOW, THEREFORE, BE IT

RESOLVED, that Ronald Marten is hereby designated as the "responsible employee" of the Town of Cheektowaga and shall be responsible for the preparation and filing of any and all reports, notices and publications necessary to insure the Town of Cheektowaga is in compliance with various federal statutes and regulations pertaining to the employment or treatment of handicapped individuals, and BE IT FURTHER

Item No. 24 Cont'd.

RESOLVED, that said Ronald Marten is hereby empowered to take any and all action which may be necessary to carry out his responsibilities as such "responsible employee" of the Town of Cheektowaga.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 25 Motion by Councilman Johnson seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga has signed an agreement with the State of New York in which the Town has promised to maintain all aspects of the Scajaquada Creek Flood Control Project and the Cayuga Creek Flood Control Project in good operational condition, AND

WHEREAS, the State has furnished the Town with a set of standards to be met in the Maintenance Program and to date has been critical of the Town's shortcomings in failing to enact a total Maintenence Program, AND

WHEREAS, the success of such a program depends in large part upon overcoming a continuing number of soil problems which lead to slumping and streambank failure and are not readily solved by standard engineering practices and contribute significantly to mower breakdown, AND

WHEREAS, under the terms of the aforementioned agreement, the State may, at any time and at their discretion, direct the hiring of whatever resources are necessary to bring the project back within the set of standards provided by the State and charge all costs and departmental expenses back to the Town, AND

WHEREAS, this would cost substantially more than a Town directed Maintenance Program, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer be authorized to expend funds already appropriated within the 1984 Town budget for a streambank Maintenance Program which would include the entire section of Scajaquada Creek and its tributaries within the Town's boundaries as well as the new flood control project within the Cayuga Creek watershed, AND, BE IT FURTHER

RESLOVED, that the Maintenance Program include, but not be limited to, the stabilization, regarding and reseeding of slumped streambanks, the timely application of mandated herbicides and fertilizers, the continuing inspection and repair of the many flapgates and other attendant drainage facilitating structures as well as the ongoing stabilization of the strembed in severla reaches where erosion is taking a heavy toll, AND, BE IT FURTHER

RESOLVED, that all work will be coordinated with the Cheektowaga Highway Department's mowing program to help that operation become more efficient with fewer expensive breakdowns as the streambanks are put in shape to be mowed more easily, AND, BE IT FURTHER

RESOLVED, that all labor and equipment needed for the various endeavors would be furnished through the annual bid system already in operation by the Town using the unit price bidding system, AND, BE IT FURTHER

RESOLVED, that due to the specialized nature of this type of work, the Town Engineer be hereby authorized to secure the services of Merriman Conservation Consultants, Inc. of 504 Ridge Avenue, East Aurora, New York to supervise the technical aspects of the Maintenance Program for the Engineering Department, AND, BE IT FURTHER

Item No. 25 Cont'd.

RESOLVED, taht the total cost for equipment rental, supplies, labor and technical supervision during 1984 not exceed the appropriated amounts in the Scajaquada Creek Maintenance and Weed Control Accounts, budget item numbers 008540.4588 and 008540.4587.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 26 Motion by Councilman Johnson seconded by Gabryszak

WHEREAS, the Town desires to undertake storm drainage improvements on Yeager Drive in the Beach Road target area, and

WHEREAS, additional engineering services are required to modify the project design and incorporate such modifications into project plans, drawings and specifications, and

WHEREAS, Pratt & Huth Associates, project engineers, have submitted a proposal to the Town to accomplish said additional engineering services NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to sign the attached Change Order No. 1 to the Town's contract with Pratt & Huth Associates, dated July 18, 1983, for the additional engineering services required for the Yeager Drive Storm Sewer Project, as outlined in a letter of proposal to the Town from Pratt & Huth Associates dated April 24, 1984, and BE IT

FURTHER RESOLVED, that the cost for said additional engineering services, not to exceed $1,500, be paid from Fiscal Year 1982-83 Community Development Block Grant funds allocated to the Beach Road Target Area.

*SEE NEXT PAGE FOR CHANGE ORDER

CHANGE ORDER

ENGINEERING SERVICES

Change Order No. 1

Date: May 7, 1984

Name of Project: Yeager Drive Storm Sewer

Owner: Town of Cheektowaga

Contractor: Pratt & Huth Associates

The following changes are hereby made to the Contract Documents:

See attached letter from Pratt & Huth

Justification: Improve Project Design

Date of Original Contract	Original Contract Price
July 18, 1983	$26,823.00
Previous Change Orders/Amendments	**Previous Changes to Contract Price**
None	None

Current Contract Price: $26,823.00

Contract Price due to this change order will be: + $1,500.00

New Contract Price including this change order: $28,323.00

Ordered by Town of Cheektowaga by Town Board Resolution dated: May 7, 1984

BY: Daniel G. Stadler
Supervisor

DATE: 5/9/84

Accepted by Pratt & Huth Associates

BY: David Pratt

DATE: 5/9/84

Item No. 26 Cont'd.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 27 Motion by Councilman Johnson seconded by Councilman Kowal

WHEREAS, the Yeager Drive Drainage Improvements Project affects a parcel of property owned by the Town of Cheektowaga which is land-locked, and

WHEREAS, such land is bounded generally by Cleveland Drive on the north, Union Road on the east, Yeager Drive on the south and Beach Road on the west, and

WHEREAS, the Town of Cheektowaga must have access to said parcel of land for the improvement work necessary to eliminate the chronic drainage problems experienced by the residents on Yeager Drive, and

WHEREAS, the official board of Cleveland Heights Christian Church has agreed to allow the Town of Cheektowaga and its contractor ingress and egress over its property so as to reach the land-locked property, NOW, THEREFORE BE IT

RESOLVED, that the Town of Cheektowaga agrees to the terms specified by the Cleveland Heights Christian Church for its grant of ingress and egress over its property, namely:

1) that the Cleveland Heights Christian Church is held harmless in the Contractor's insurance and receives written indication of same;
2) that the driveways and parking lot are kept useable for Cleveland Heights Christian Church at all times;
3) that the Town of Cheektowaga and Cleveland Heights Christian Church will jointly inspect Cleveland Heights Christian Church property after completion of the project to determine if remedial work is needed;
4) that any damage sustained to Cleveland Heights Christian Church driveways and parking lot will be repaired;
5) that, if needed, the driveway will be paved; and
6) that the Town of Cheektowaga will seal and restripe the parking lot of Cleveland Heights Christian Church

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogwoski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 28 Motion by Councilman Johnson seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga receives U.S. Department of Housing and Urban Development Block Grant Funds as an "entitlement city" on behalf of the Villages of Sloan, Depew, and Williamsville, AND

WHEREAS, the Appropriation Act, pursuant to determining the distribution of said funds, particularly Section 106(a), establishes two formulas that consider population, poverty, overcrowding; and growth lag, poverty and age of housing for each respective formula, AND

Item No. 28 Cont'd.

WHEREAS, the allocation of funds to an "entitlement city" is a function of the greater amount of dollars realized from either of the two formulas, AND

WHEREAS, the Town of Cheektowaga has experienced an 18% reduction in Federal Community Development Block Grant funds since 1983 as a result of the use of said formulas by the U.S. Department of Housing and Urban Development, AND

WHEREAS, said formulas disregard certain significant conditions in the Town of Cheektowaga, to wit: an increase since 1970 in families below poverty, and a greater number of persons both below poverty level and living in overcrowded conditions than reflected in neighboring communities such as the Towns of Amherst and Tonawanda, AND

WHEREAS, the Town of Cheektowaga has a greater population to serve than either of the aforenoted neighboring Towns but receives substantially fewer dollars proportionately per needy person and family than either of the two communities, AND

WHEREAS, said disproportionate allocation of funds is a disservice to the Town of Cheektowaga, its residents and their housing and community development needs, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga requests a thorough review of said formulas, pursuant to said formulas satisfying the purpose and intent of the Housing and Urban Rural Recovery Act of 1983, AND BE IT FURTHER

RESOLVED that the Town of Cheektowaga alleges said formulas are disproportionately weighted against the Town of Cheektowaga in particular and older northeastern first-ring suburbs in general, AND BE IT FURTHER

RESOLVED that the Town of Cheektowaga seeks compensatory Federal Community Development Block Grant Funds to meet its community development needs and thereby meet the broad national objectives as specified in the "maximum feasible priority" certification to H.U.D., AND BE IT FURTHER

RESOLVED that certified copies of this resolution and attachments thereto be forwarded to the Secretary of Housing and Urban Development, Samuel Pierce, and to Senator Daniel P. Moynihan, Senator Alphonse D'Amato, and Congressman Henry Nowak.

*SEE NEXT TWO PAGES FOR ATTACHMENT REGARDING CDBG FUND ALLOCATIONS

Attachment to Resolution
Re: CDBG Fund Allocations

Though there exists a number of circumstances in the Town of Cheektowaga that give cause for a re-evaluation of the propriety and efficacy of the distribution formulas, two issues are cited herein which highlight the Town's contention that the formulas are on balance unfair.

First, formula B includes three (3) components to determining CDBG dollar appropriations: growth lag (counted once), poverty (counted 1 1/2 times) and age of housing (counted twice). It is the latter component - age of housing - in which we take particular issue. The dividing line for determining the number of units that "fall into" the age of housing category is pre-1940 housing. Apparently, someone - at some time - determined that housing built before 1940 is inferior to post WWII housing and therefore should be more heavily weighted in a dollar allocation formula; we disagree. Our experience indicates that a great deal of pre-1940 housing is more substantially built than post WWII housing. Pre-1940 construction practices were superior as compared to the expedient building practices used in post WWII housing; actual material used such as 2x4 studs for 12" or 16" on-center framing were of higher quality than in post WWII housing when 24" on-center framing occurred with less than 2x4 studing, exterior aluminum, steel, or asphalt siding was extensively used in post WWII housing to "cover" interior workmenship. Finally, the Town of Cheektowaga is the site of post-1940 temporary barrack housing built for war time workers. Though originally intended as "temporary housing" it has remained and now serves as permanent housing for elderly, single parent households, and low-income families.

A second issue pertains to the consideration of poverty when weighted against pre-1940 housing. By virtue of counting pre-1940 housing 2-1/2 times in formula B and poverty 1 1/2 times, our Town with higher real numbers and percentages of persons and families below poverty levels than adjacent Towns is discriminated against because we have fewer pre-1940 housing units. Essentially, formula B implies that a community may have more persons or families below poverty but if the housing was built after 1940 the community development needs are fewer therefore the funding allocation shall be less. The Town believes this is erroneous thinking and an erroneous strategy for revitalizing neighborhoods and allocating CDBG dollars.

Attached find a comparison sheet of critical data.

II. A Cheektowaga, Tonawanda, Amherst Comparison of Critical Data:

	AMHERST #1 TOWN	TONAWANDA #2 TOWN	CHEEKTOWAGA
Population			
1960	62,837	105,032	84,056
1970	93,933	107,282	113,744
1980	108,706	91,269	109,442
Familes Below Poverty Levels			
1970 (persons)	4,575	4,362	5,129
1980 (persons)	4,386	4,412	5,844
1970 (#/%)/families	761/3.34	914/3.52	1,081/3.78
1980 (#/%)/families	782/3.08	984/4.24	1,333/4.53
(median % poverty for all metro cities 12.4%)			
Overcrowding (more than 1.01 persons per room)			
1970	734	1,414	2,039
1980	357	449	783
National Change (-28%)	-51%	-68%	-61%
Housing Stock			
1970	4,960	8,656	6,305
1980 Pre-1940 construction	4,581	8,038	5,708
National Change (-18%)	-7%	-7%	-9%
New Starts 1970-1980	9,577	1,693	4,554
Total Units 1970	28,430	32,325	34,159
C.D.B.G. Allocation	Formula A	Formula B	Formula A
1982	782,000	1,740,000	1,019,000
1983	735,000 (-6%)	1,705,000 (-2%)	1,019,000 (0%)
1984 (est.)	671,790	1,715,230	839,656
1984 (latest est.)	668,000 (-9%)	1,719,000 (+1%)	836,000 (-18%)

Item No. 28 Cont'd.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Jaworowic seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has received notification of a hazardous and unsafe opening in a concrete deck over an abandoned cellar at the Northeast corner of Harlem Road and Daniel Avenue and that according to the Assessors' records is owned by Theodore Demblewski, 10691 Albany Circle, Villa Park, California, 92667, AND

WHEREAS, this condition requires that immediate steps be taken to board over and secure this opening to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that this opening be boarded over and secured and all costs incurred be assessed against the property herein described.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Supervisor Weber seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to May 7th, 1984 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$103,894.35
SPECIAL DISTRICTS FUND	106,831.04
HIGHWAY FUND	24,024.25
TRUST & AGENCY FUND	1,969.87
PART TOWN FUND	300.62
CAPITAL FUND	315.70
COMMUNITY DEVELOPMENT FUND	805.40
	$238,141.23

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 31 Building Permits
Received and filed.

Item No. 32 — Cheektowaga Traffic Safety Commission: Resignation of member
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 33 — New York State Department of Transportation: Notice of Order: One-way restriction at driveway of Luxury Budget Inn on Genesee Street.
Copies were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Councilmen Secretary; Traffic Safety Commission.
Received and Filed.

Item No. 34 — Erie County Department of Public Works: Notice of Closing Highway: Como Park Blvd. between Union Road and Borden Road.
Copies were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Councilmen Secretary; Traffic Safety Commission.
Received and Filed.

Item No. 35 — Erie County Department of Public Works: Designation of Restricted Highway: Youngs Road.
Copies were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Councilmen Secretary; Traffic Safety Commission.
Received and Filed.

Item No. 36 — Dynamic Enterprises, Inc.: Letter requesting abandonment of sanitary diversion sewer and release of right-of-way and easement in connection with Northeast Interceptor Sewer.
Copies were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Councilmen Secretary; Chester Bryan, Town Engineer; Town Attorneys Office.
Received and Filed.

Item No. 37 — Summons and Complaint: Chukwugozie Mmegwa and Patrick Obe vs. Town of Cheektowaga and Cheektowaga Police Department.
Copies were sent to: Daniel E. Weber, Supervisor; Town Attorneys Office; Councilman Thomas Johnson Jr.; Theodore DeFedericis, Chief of Police; Schmitt & Kraft Town Insurance Carrier.
Received and Filed.

Item No. 38a — Notice of Claim - John J. Horvatits vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; Town Attorneys Office; E.T. Clauss, Town Insurance Carrier; Thomas Johnson Jr., Councilman; Alfred Wnek, Highway Superintendent.
Received and Filed.

Item No. 38b — Notice of Claim - Travelers Insurance Company vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; Town Attorneys Office; E.T. Clauss, Town Insurance Carrier; Thomas Johnson Jr., Councilman; Ronald Zoeller, Sanitation Foreman.
Received and Filed.

Item No. 38c — Notice of Claim - Loretta Lines vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; Town Attorneys Office; Joseph A. Naples, Town Insurance Carrier; Thomas Johnson, Jr., Councilman.
Received and Filed.

Item No. 38d — Notice of Claim - Richard A. LaPorta vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; Town Attorneys Office; Joseph A. Naples, Town Insurance Carrier; Thomas Johnson, Jr., Councilman.
Received and Filed.

Item No. 39 Motion by Councilman Gabryszak seconded by Councilman W.P. Rogowski to adjourn the meeting.

May 7, 1984

RICHARD M. MOLESKI
TOWN CLERK

Minutes of Public Hearings held before 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 7th day of May 1984, commencing at 6:30 o'clock, p.m., pursuant to Legal Notices.

PRESENT:

CHEEKTOWAGA TOWN BOARD:
Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

Richard M. Moleski, Town Clerk

James J. Kirisitz, Esq., Town Attorney, and Brian N. Lewandowski, Esq., Deputy Town Attorney

* * * * *

SUPERVISOR WEBER: Good evening, ladies and gentlemen. May I have your attention, please. Before I start our first public hearing, would everyone please rise for the Pledge of Allegiance to the flag of our country.

(Whereupon, said Pledge was recited.)

ITEM NO. 1: Public Hearing to determine whether an "AMBULANCE ORDINANCE"

shall be adopted and enacted, which Ordinance provides for licensing and regulation of ambulance services, the creation of an Emergency Medical Service Board, and the establishment of minimum equipment and communications standards or emergency medical services within the Town of Cheektowaga. A copy of the proposed "Ambulance Ordinance" is physically incorporated into the minutes, at the direction of the Town Clerk, as follows:

"*A-1 Declaration of Policy and Statement of Purpose.
The provision of medical assistance in emergency situations is a matter of vital concern affecting the public health, safety and welfare. It is the purpose of this Article to promote the health, safety and welfare of the residents of the Town of Cheektowaga by providing for the registration and licensing of ambulance services operating within the Town of Cheektowaga, the creation of an Emergency Medical Services Board and the establishment of minimum equipment and communications standards for emergency medical services.

A-2 Definitions.
(a) "Ambulance" means any vehicle equipped for the care of and used in the transportation of, the wounded, sick, injured, ill or informed people.

(b) "EMS Board" means the Cheektowaga Emergency Medical Services Board created hereunder.

(c) "Dispatcher" shall mean an employee of the Fire Alarm Committee, Cheektowaga Police Department or any other entity designated, from time to time, to dispatch ambulance services by the Board.

(d) "Person" means any individual, firm, partnership, association, corporation, company, or any organization of any kind.

A-3 Exemptions. The provisions of this ordinance shall not apply to the following:
(a) Ambulances owned and/or exclusively operated by any federal, state, county or other governmental agency.

(b) Private vehicles utilized, on an infrequent basis, in the transportation of a convalescent from a hospital to his/her home or from his/her home to an outpatient clinic or hospital.

*Permanent Code Section to be assigned later.

(c) Private vehicles used in the transportation of the infirm or crippled to and from places for rehabilitory therapy.

(d) A physician, resident intern or registered nurse.

(e) Any ambulance operated by a duly organized volunteer fire company organized and existing under Article 11 of the Town Law.

A-4 License Required.

No person shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated.

A-5 Procedure.

(a) An application for an ambulance license shall be made by the owner of the ambulance to the Town Clerk on forms provided by him from time to time. Such application shall state the designated stations, hospital or such other place or places from which it is intended or desired to operate such ambulance on a twenty-four (24) hour basis, together with a description of the ambulance, including state identification number, and such other information as the Town Clerk and EMS Board shall find reasonably necessary.

(b) Within thirty (30) days after a license application is received, the EMS Board shall cause an investigation to be made of each applicant to determine whether the applicant meets the requirements of this ordinance and pertinent state, county and/or local laws and whether the applicant is capable of servicing the needs of the Town of Cheektowaga. The EMS Board may consider any other criteria which it deems reasonable and necessary, and shall make a recommendation in writing to the Town Board concerning the approval or denial of each application. The EMS Board shall set forth the reasons for its recommendations.

(c) The Town Board shall, within thirty (30) days of receipt of the EMS Board's recommendations, either grant or deny the application.

(d) In the event the Town Board issues a license to a carrier for a specific ambulance, such carrier shall, prior to the issuance of said license, enter into an agreement with the Town of Cheektowaga concerning the provision of service

within the Town. Such agreement shall incorporate by reference the rules and regulations of the EMS Board, as amended from time to time.

A-6 Application for Driver's/Attendant's License.

Application for licenses for a driver/attendant shall be made upon forms to be provided by the Town Clerk and shall contain such information as the Town Clerk and EMS Board shall deem reasonably necessary, in addition to meeting the following requirements and qualifications:

(1) Each applicant for a license as a driver/attendant shall submit a letter of approval from the Cheektowaga Chief of Police, and shall

(a) Submit satisfactory proof of completion of the minimum requirements imposed by the State of New York; and

(b) Submit a current certificate of completion of an EMT course to the EMS Board.

(c) With respect to advanced life support ambulances, in addition to the above, an applicant must be a trained and certified level four (4) technician in advanced life support as required by the State of New York.

(2) Upon being satisfied that driver/attendant meets the requirements of this ordinance, the EMS Board to whom the application shall be referred shall recommend approval of such application.

A-7 Emergency Medical Service Board: Creation and Powers.

(a) There is hereby created an Emergency Medical Service Board which shall consist of twelve (12) members who shall serve for a term of one (1) year without compensation. Each volunteer fire district and the Village of Sloan Fire Company duly organized and existing in the Town of Cheektowaga shall be entitled to designate one (1) member to serve on the EMS Board. In addition, one member who shall serve as Chairman, shall be designated by the Town Board and the Chief of Police or his designee shall serve on the EMS Board. In addition, in the event any volunteer fire district or the Village of Sloan Fire Company shall fail to designate a member, the Town Board shall designate a member from such volunteer fire district.

(b) The EMS Board shall act as an agent of the Town Board in all matters set forth in this Ordinance and in addition to the powers and duties set forth in Section A-5 and A-6 above, the Board shall have the following powers and duties:

1. Meet on the first Tuesday of each month or at such other time as may be designaged by the Chairman of the Board.

2. Advise, consult with and recommend to the Town Board all matters concerning ambulance service, administration of this Ordinance and any amendments thereto, which it may deem necessary and advisable.

3. Examine and determine the fitness and qualifications of applicants for licenses using as criteria therefor the information contained in the application and such other or additional proof attached thereto together with such proof or evidence as the EMS Board may acquire by its own study, examination or investigation and thereafter, in it certification, recommend to the director of licenses and permits whether or not a license shall be issued to the applicant.

4. Hear and determine, on it own motion, any and all matters relating to the revocation or suspension of licenses and make its findings and recommendations to the Town Board, which shall either approve or reject such recommendations.

5. Adopt such rules and regulations as may be necessary to carry out the purposes of this ordinance and for the condut of its duties including but not limited to:

(a) Establishing the manner in which ambulance service should be dispatched to best serve the needs of Town residents.

(b) Coordinating uniform ambulance charges by requiring ambulance owners to submit with the application for a license, the rates to be charged for said service in the Town and the rates charged for said service when rendered outside the boundaries of the Town.

(c) Developing and implementing a procedure to receive, monitor and investigate complaints received concerning ambulance service in the Town of Cheektowaga; and

(d) Requiring the owner of ambulances to maintain a daily record and submit such records monthly to the EMS Board, which shall retain such records for a period of one (1) year, after which time they may be destroyed.

A-8 License Fees. The Town Board shall determine the license fees to be assessed from time to time by resolution.

A-9 Insurance Coverage. All persons who shall operate a licensed ambulance in the Town of Cheektowaga, shall procure a public liability policy to be issued by an insurance company authorized to do business in the State of New York, to provide liability coverage of at least one million dollars ($1,000,000) for the injury or death of any one person and three million dollars ($3,000,000) for the injury or death of any number of persons in any one accident, with a coverage of at least one million dollars ($1,000,000) for property damage in any one accident. Such policy, or a duly certified copy thereof, shall be delivered to the Town Clerk before or at the time of issuance of a license. No ambulance shall be operated within the Town of Cheektowaga, unless such public liability insurance policy continues in good standing. In the event of any material alteration or cancellation of any policy, at least ten (10) days notice thereof shall be given to the following address:

Town of Cheektowaga
Town Hall
Broadway and Union Roads
Cheektowaga, New York 14227
Att'n: Town Clerk

A-10 Duties of Licensed Ambulance Owners. The owner of an ambulance to whom a license has been issued under the provisions hereof shall be under duty and obligation to, and, by accepting such license shall be deemed to consent to the following obligations:

(a) Designate base station for ambulance service where such service can be reached at all times.

(b) Give prior notice to the Dispatcher when and why an ambulance is out of service.

(c) Notify the Dispatcher when a particular ambulance is replaced and if replaced, comply with the licensing

requirements of Section A-5 above; and

(d) Any additional requirements which may be imposed, from time to time, by the EMS Board.

A-11 Duties of Drivers and Attendants.

(a) Ambulance drivers and attendants shall comply with the request of the patient and/or relatives for removal to a hospital of his choice within a reasonable distance, providing that in their judgment the condition of the patient will withstand extra travel. No person in charge of an ambulance shall refuse to take a wounded or ill, or infirm, or injured person to a hospital after the need for hospitalization has been determined by a physician, or if made at the request of the police or fire department. When a person is found ill, or wounded, or inform, or injured in the street or any public place, however seriously, he shall not be left in such location, but shall be removed to a hospital.

(b) Ambulance drivers and attendants shall:

(i) Take the injured person or the person in need of hospital services to the nearest hospital unless the patient or relative directs otherwise.

(ii) Ambulance drivers or operators shall not cruise in the streets except in an emergency declared by the Cheektowaga Police Department.

A-12 Equipment and Supplies to be Carried and Maintained in Ambulances.

(a) All sheets, pillowcases and towels used in the care of a patient in any such ambulance shall be replaced with clean sheets, pillowcases and towels after each time such ambulance is used for the transportation of wounded, sick, injured or inform persons, and all blankets used in such ambulance shall be thoroughly laundered according to procedures established by the commissioner of health.

(b) Oxygen apparatus face masks shall not be used by more than one (1) person and must be destroyed or sanitized after such every use.

(c) All ambulances on the streets of the Town of

Cheektowaga shall be permanently equipped in a manner in accordance with applicable State and County law, and shall contain such additional equipment as may be prescribed by the EMS Board, from time to time.

(d) After any such ambulance shall have been used for the transportation of any person or persons known to have an infectious disease, such ambulance and its contents shall immediately be cleaned in a manner approved by the EMS Board, and such ambulance shall not again be used until it has been so cleaned. Each ambulance shall be cleaned with a disinfectant solution daily according to procedures established by the commissioner of health.

A-13 Grounds for Suspension or Revocation of License.

(a) The license of an ambulance licensee may be suspended by the Town Board, upon the recommendation of the EMS Board, or revoked for any of the following causes:

(i) Failure to comply with the provisions of this ordinance or the rules and regulations of the EMS Board.

(ii) Solicitation of business for attorneys or tow truck companies.

(iii) Removal and retention of property, money or other assets belonging to a patient.

(iv) Conviction of crime involving moral turpitude.

(b) The license of a driver or attendant may be suspended or revoked for any of the following causes:

(i) Failure to comply with the provisions of this ordinance or the rules and regulations of the board of ambulance service.

(ii) Solicitation of business for attorneys or tow truck companies.

(iii) Removal and retention of property, money or other assets belonging to a patient.

(iv) Unbecoming conduct and abusive language in rendering ambulance service.

(v) Unprovoked assaults in the discharge of duties.

(vi) Consumption of alcohol or drugs while on duty."

SUPERVISOR WEBER: First public hearing, ladies and gentlemen, is in regard to the Ambulance Ordinance. I would like to call on Councilman Tom Johnson to make a verbal comment.

COUNCILMAN JOHNSON: Yes --

MR. MOLESKI: Mr. Supervisor, let me read the Notice of Hearing, please. "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 16th day of April, 1984, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of May, 1984 at 6:30 o'clock, p.m., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an "Ambulance Ordinance" shall be adopted and enacted, which ordinance provides for the licensing and regulation of ambulance services, the creation of an Emergency Medical Services Board, and the establishment of minimum equipment and communications standards for emergency medical service within the Town of Cheektowaga. A copy of the proposed "AMBULANCE ORDINANCE" is on file in the Town Clerk's Office where the same may be examined during regular business hours.

SUPERVISOR WEBER: Councilman Johnson.

COUNCILMAN JOHNSON: Yes. Mr. Supervisor, last fall, members of the Fire Alarm Committee that are responsible for dispatching not only fire districts, fire district personnel, but ambulances, expressed a concern to the supervisor at that time that they were unduly exposed to a commercial lawsuit that may emanate from the entrance into the Town of one or more ambulance services and a dispute over the manner of dispatching.

As a result, and following discussions with Supervisor Ken Meyers, I met with the Fire Chiefs Mutual Aid Association after the 1st of this year. At that time it was discussed, and I met with the Fire District Officers' Association, and it was again discussed and it was decided to establish a committee of 15 representatives from the fire districts to assist the Town in drafting an ordinance that would transfer the responsibility for dispatching ambulance services to the Town that has the statutory power to do so.

The Fire Alarm Committee, although performing a service for the community, does not have a statutory power to dispatch solely. Our communities have adopted ordinances as provided under State Law and these ordinances govern dispatching.

An Alarm Committee or even a police department is simply the instrument for the ordinance. Part and parcel of the Ordinance that has been drafted as a result of meeting with representatives of the fire district is that an Emergency Medical Services Board shall be established. We could appoint on May 21st an Emergency Medical Services Board consisting of 12 persons. That Emergency Medical Services Board would then establish, in addition to the provisions under the general provisions under this ordinance that are likened to other communities in the State that have such an ordinance, would establish and refine licenses procedures for ambulance services in the Town.

The Town Board, upon the recommendation, would issue licenses to one or more ambulance services in the Town and would contract with those ambulance services or may contract with those ambulance services for one or more years.

By adopting this Ordinance, by appointing an Emergency Medical Services Board, the Town Board would be relieving the fire districts of potential liability or lawsuits, would be covering the Alarm Committee and the Alarm Office by authorizing them through an ordinance and would be establishing a board that could provide a continuing evaluation of the manner of ambulance services and dispatching in the Town.

This again would be right and proper and is covered under statutory authority that this Board has.

I'd like to call Mr. Mike Connors, representing the Alarm Committee, with respect to the plight that the Alarm Committee and the fire districts brought to us last fall.

SUPERVISOR WEBER: Mr. Connors.

MR. CONNORS: Thank you, Councilman Johnson. I'm here today really representing three separate entities. I'm the attorney for the Fire Alarm Committee. I'm also here as the delegate to the Town Board of the William Street Taxpayer's Association. And I'm here because I'm a resident of this Town, and very interested in this.

Several years ago, four or five, there was one ambulance company that was operating in the Town in handling most of the accidents and calls through the fire districts. At that time another fire or ambulance company began operation. The question was who got what calls, who was supposed to be called.

The Fire Alarm Committee, which is made up of the commissioners from each of the districts, were forced into a situation to make decisions that they did not really have the statutory authority to make. The end results of that was a lawsuit was brought against each of the fire districts and each of the commissioners individually. That lawsuit was eventually settled.

However, in the meantime, it cost approximately $8,000 per district for legal fees to fight this particular lawsuit. This doesn't take into account the fact that each of the commissioners was faced with a possibility, regardless of how remote it was, of having liability found against him also.

After the lawsuit was settled and we were back to having one ambulance company in the Town, it became a forgotten issue once again until such time as a second ambulance company came in about seven or eight months ago and they requested that they be allowed to handle calls through the established procedure and, once again, the Fire Alarm Committee was placed into the same situation it had been in years ago. They were forced to make decisions regarding the dispatching of ambulances for which they have no legal statutory authority to make. And the mistake they make, if they make one, means that they are the ones that are going to be sued again.

At that time it was decided, as it had been before, that this should be a townwide function, that the Town Board should have a say-so in this particular problem, and that what was needed was some kind of legislation which would utilize the existing expertise and apparatus that would dispatch ambulances and regulate ambulances.

Thanks to the efforts of Councilman Johnson and Mr. Lewandowski, you have before you today an ordinance that does just that. On behalf of the three parties that I represent, one of which is myself, in the strongest terms possible, I request that you pass favorably on this ordinance. It fills a void that has to be filled. It removes liability from people who presently volunteer their time to protect the property and person of residents in this Town. They should not and they cannot be faced with the existing possibility of being sued.

In addition, the $8,000 per district that went into legal fees could very well have been used for better purposes by the fire districts and fire companies to provide additional protection.

There is no valid reason that I can think of for the Town not regulating ambulance services. There were probably a number of vehicles that could have

been used. The vehicle that has been chosen and is before you today is a good one. It's been tried and tested in other areas and I'm sure, from a legal point of view, it's valid. But most importantly, it takes the fire commissioners and the fire companies and the fire district, many of whom, if not all of whom are here this evening, off the hook. They do not deserve to be there.

Remember, the Fire Alarm Committee is a municipal agreement that was entered into for the purpose of dispatching fire fighting apparatus. They assume the role of dispatching ambulances because no one else wanted to do it. And through the existing apparatus in the fire alarm office, they do an excellent job. They will not continue to do that excellent job unless they are given som kind of protection and some kind of assistance from this Town Board and the Town Board today could pass that ordinance. And I thank you very much.

COUNCILMAN JOHNSON: Thank you, Mike.

COUNCILMAN J. ROGOWSKI: May I ask you a few questions?

MR. CONNORS: Sure.

COUNCILMAN J. ROGOWSKI: I'm very familiar with the past experience we've had with competitive ambulance service and the lawsuit you just referred to. I reviewed this ordinance fairly thoroughly and I have a few questions. Namely, we're talking about -- you mentioned the firemen getting off the hook as it were and you're correct on that point. However, my understanding of the information I've received since we've met with you is that other municipalities do have ordinances of this type. However, the committee that we're talking about here consists of all the fire departments.

Now, I would think that perhaps

we should consider a broader representation such as, perhaps a health officer or a doctor, some police officers and someone of that nature, and perhaps some business people who -- in other words, we're making this thoroughly a board which is controlled 90 per cent by firemen. And here we are talking about making this an independent board in order to get a broader perspective on the standards that should be met and the requirements that should be met by either the State -- another point I want to make is this: That there is also the State Health Law which does have certain requisites regarding the requirements and standards relative to the ordinances protections and so forth. It would appear to me that perhaps some of the clauses in the provisions under Section A12 may very well supercede the New York State Health Law and whether or not we may be subject to some question about it in the future -- in other words we're going beyond the mandates of the New York State Health Law -- a question of whether or not we're going beyond our own powers as a home rule situation.

I'm highly in favor of an ordinance and this ordinance is very well drawn with these few exceptions. I also -- I don't know whether or not you or any of the other people on your council or Mr. Johnson have contacted the regional council which includes a number of towns including Wyoming County which are of a higher governmental status than we are who do set up rules on a county-wide basis.

Now, I'm just bringing these matters as points of information to firm up this ordinance so that it won't be attacked later on a legal grounds. I don't know whether or not you've met the regional counsel or whether you've checked the provisions of the New York State Health Law. Not just you, but also the committee.

MR. CONNORS: May I respond to that? First of all, the ordinance itself was drafted not by me but by Mr. Lewandowski of the Town Attorney's Office. We discussed it at length. There were several meetings. One of them was four hours long. We discussed in length who should sit on the board. You run into competing problems. You can have a small board of three people that's very efficient but

represent no one, or you can have a board of 300 people that represents everyone, but is not very efficient.

What we did was we tried to utilize the existing expertise of the fire districts.

Now, the reason we did that is the Fire Alarm Office will probably, although it's not mandated in there, will probably end up with the continuation of the actual dispatch duties through our Fire Alarm Office. These are the people who control that, who purchase the equipment. I believe we still have a representative of the police department in the Ordinance.

COUNCILMAN JOHNSON: That's correct.

MR. CONNORS: We also have a representative who is to be the president of that board that will be named by the council.

COUNCILMAN JOHNSON: The Town Board --

COUNCILMAN J. ROGOWSKI: I'm not talking about numbers and I agree with you that a large number of people on the Board may be heavyweights and encumber progress on the Board. But when you're talking about eleven people on that board consisting all of firemen, and perhaps we should have all eleven members as firemen, but add other people to make it broad.

Now, you do have, for example, a police officer. I still think we should consider other people.

COUNCILMAN JOHNSON: Would you allow me to address that, John? You're right, we did discuss that at length and we did have input with respect to bringing medical services in and when, the Town Board has one appointment that is solely its own appointment as -- without recommendation -- as chairman. We'll appoint a chairman, doesn't have to be anybody with fire services. There's also the Chief of Police because, ultimately, he would be responsible for dispatching and having facilities located there.

In addition, we no longer have a health officer in the Town which we would have automatically placed on the Board. So, in consideration of the matter of health services, Mr. Lewandowski contacted, I believe it is, the --

MR. LEWANDOWSKI: Emergeny Room Nurses Association.

COUNCILMAN JOHNSON: To supply us with a non-voting representative. The problem here lies that the members of the Board all -- that is, the Emergency Medical Services Board will donate their time and are, by nature, volunteer persons as opposed to a physician or some privately employed individual. But we can, as a Town Board, appoint as the chairman of that group a physician, John, if he's willing to serve. And I think that that is something that you might want to recommend.

In addition to that, could I ask Mr. Brian Lewandowski the points of law upon which he drew --

COUNCILMAN J. ROGOWSKI: That's all right, yes.

MR. LEWANDOWSKI: Mr. Rogowski, just to address

the other point about the standards, we attempted in the ordinance to incorporate by reference any existing County and State standards as they may be amended from time to time and there's a provision in there which would allow the local people, the local Board, to supersede those standards to provide for other additional equipment or status. That's present in other ordinances that we've looked at and has not yet been challenged -- I've looked at the statutes although not in depth. I don't know whether there's a question of pre-emption there or not. I think we could legitimately state we could supersede State standards in that area and withstand constitutional challenge on that basis.

COUNCILMAN J. ROGOWSKI: As long as they're reasonable standards.

MR. LEWANDOWSKI: Yes, sure. Another point, just for those in the audience who haven't read the proposed Ordinance in any detail. It really does two things. The major thing, it provides for the licensing of each individual ambulance that would be operated in the Town and each driver in attendance and prescribes minimum standards for apparatus and equipment to be carried on those ambulances and provide minimum requirements for drivers in attendance.

Second, and most important, I believe, it creates a Emergency Medical Services Board which is, as has been stated, to be composed of members of the individual fire districts and are representative of the police department and the Town Board. We drafted the ordinance to give the Board some broad latitude and to incorporate the ability to utilize both operations presently available to the Town. That is, licensing or contracting.

It's anticipated that the Board may decide to enter into agreements with one or more licensees down the road to provide for services. Although, again, that's something that will be discussed once the Board begins to meet and draft legislation. That's all I

have to say except I'll be here to answer any questions.

COUNCILMAN JOHNSON: Mr. Ernest Holfoth is the Town insurance consultant. What he wishes to do -- well, I spoke with him. He wants to meet with the EMS Board as soon as it's constituted so he can discuss the specifics in terms of the refined insurance requirements of the licensing procedure and, of course, as a Commission of the Town Board. The coverages the Town proposes will, by implication, also cover the Board, but it's the Town Board that issues the licenses upon recommendation of the EMS Board.

SUPERVISOR WEBER: Thank you. Anyone else who wishes to be heard? Yes, sir? Would you come up here, please. State your name and address.

DR. CURRAN: My name is Richard Curran. I'm a physician. I'm also here this evening as a citizen of Cheektowaga. And I would like to voice my agreement with the concerns expressed by Mr. Rogowski. I feel that forming an EMS Board with as many representatives of the fire department as are proposed may not be in the best interest of the citizens of Cheektowaga who are, in fact, the people who are using whatever ambulance services will be approved by the Board.

I certainly don't have any objection to certain number of representatives of the fire districts from Cheektowaga being on the Board. But I agree with Mr. Rogowski that it would be very reasonable to also have a cross section of the community of Cheektowaga represented on that board.

COUNCILMAN JOHNSON: Would you be willing to serve --

SUPERVISOR WEBER: Are you a physician?

DR. CURRAN: Yes, I am.

COUNCILMAN JOHNSON: Would you be willing to serve as an unpaid member of that Board?

DR. CURRAN: Yes, I am.

COUNCILMAN JOHNSON: Excellent. We have our candidate for chairman.

(Applause.)

SUPERVISOR WEBER: Thank you very much, Doctor. Anyone else, please?

COUNCILMAN JOHNSON: Just what we're looking for, a volunteer.

SUPERVISOR WEBER: There being no one else, I declare this -- yes, sir?

MR. GANNON: My name is Paul Gannon and I'm an emergency department nurse. And I would also like to voice my opinion about this matter. I agree with Dr. Curran, that

the fire department has been involved in emergency care in this Town for many years and has a great deal of experience, it would be in the best interests of the people of the Town to have more medical representation on the Board. Emergency medical services is primarily a medical function, not a function of police or fire departments, even though they do offer the services. It's a medical function and you do need to have some medical people on the Board that can oversee the medical components, clinical components. Any town that passes an ambulance ordinance and fails to take the clinical components into account is doing a disservice to the citizens of the community.

COUNCILMAN JOHNSON: Sir, I'd like you, before you leave, to take a copy of this Ordinance and read the references and read the medical services portion of the ordinance. And understand that we are inviting a representative of the Emergency Nurses Association to serve with the Board and at any time, like any ordinance, it can be upgraded for future membership when we know we have a volunteer. One of the primary purposes in being here, no medical service personnel are dispatching any ambulances.

MR. GANNON: I understand that and I think it's --

COUNCILMAN JOHNSON: Nobody has the control and the informed resources that the fire districts and the police department have. So you have to start somewhere. And that places the people that, by their very nature, and facilities, volunteer their services and cover the Town in terms of who needs an ambulance, a fire truck or a police vehicle. And with the Chief of Police and the Fire Districts covering the entire Town, contributions by physicians and medical services to the same board, we'll have that well rounded group you speak of. But right now the purpose of that EMS Board is to take what is in existence now in terms of medical services and standards and establish

an ordinance that governs dispatching. When this ordinance is extended to the way medical services are themselves disbursed, then we'll have the kind of input by volunteer membership on that board that physicians like Dr. Curran and yourself will provide. But right now we must have a vehicle for dispatching ambulances in the Town of Cheektowaga and we do not have such a legally constituted vehicle and these people are the only people who have been doing that and have immediate control of how it's done.

So once they're on board, and you're on board and Dr. Curran is on board, then we're going to have exactly what we wish. Unfortunately, we had Dr. Vendetti, our Town Health Officer, and he passed away. Otherwise we'd volunteer him to be the Chairman.

SUPERVISOR WEBER: I'd like to bring this hearing to a close.

COUNCILMAN J. ROGOWSKI: One more point. Tom, my concern -- I believe that probably the police department and the fire department answers 25 per cent of the calls that need ambulances. My concern is for the people who have an illness in the home and they want to call somebody directly for ambulance service. This is where I'm talking about civilian, non-firematic, non-police departmentality.

COUNCILMAN JOHNSON: It's in there. It's like the spaghetti commercial, the spaghetti has the sauce.

SUPERVISOR WEBER: There being no one else to be heard, I declare this hearing closed. We'll vote on this and it's approval under Item Number 4.

COUNCILMAN JOHNSON: If you want to, you could move that up so as to clear the room --

SUPERVISOR WEBER: Are there any objections at this time to a vote on the adoption of the Ambulance Ordinance?

(No response.)

COUNCILMAN J. ROGOWSKI: What do we do about the appointment of Dr. Curran at this point?

COUNCILMAN JOHNSON: We'll do that at a subsequent meeting. The EMS Board can be created at a subsequent meeting.

SUPERVISOR WEBER: Who are you?

UNIDENTIFIED MALE: Mr. Weber, I came in late, unfortunately. The hearing was scheduled for 7:00. I don't know if it was already said. I would like to suggest and encourage that the Erie County Health Department, a representative of the Erie County Health Department and a representative of the New York State Health Department be a member of this EMS committee for Cheektowaga.

COUNCILMAN JOHNSON: We can make them ex officio.

We can add them on in terms of non-voting membership. I doubt if official agencies would necessarily be voting members on a Town dispatch EMS Board. But your participation, I think, would be welcome. The expansion of the EMS Board to include ex officio membership by your organization would be a good thing and we can do that without, in essence, without extensive review of the ordinance and new hearings.

UNIDENTIFIED MALE: I'm suggesting that in light of the fact they have a great deal of experience.

COUNCILMAN JOHNSON: Obviously.

SUPERVISOR WEBER: Thank you, sir. There being no one else, will the Town Clerk please read Item 4, the adoption of the Ambulance Ordinance which is moved --

MR. MOLESKI: Moved by Councilman Johnson, seconded by Councilman Jaworowicz.

"Whereas, the Fire Alarm Committee and the Town of Cheektowaga have recommended that the Town of Cheektowaga develop and adopt an ordinance pertaining to the provision of ambulance service within the Town of Cheektowaga, hereinafter called 'Ambulance Ordinance'; and, whereas, this Town Board has called a public hearing to consider the advisability of adopting an Ambulance Ordinance and gave due notice thereof as required by law; and, whereas, a public hearing on the proposed Ambulance Ordinance was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on this 7th day of May, 1984, at 6:30 p.m., at which public hearing all parties in interest and citizens had an opportunity to be heard and were heard; and, whereas, it is in the public interest to adopt

the Ambulance Ordinance of the Town of Cheektowaga as set forth below; now, therefore, be it resolved that the Ambulance Ordinance of the Town of Cheektowaga is hereby adopted as a new section of the Town Code to read as follows:

Be it further resolved that a copy of this Resolution be entered in the minutes of the Town Board of the Town of Cheektowaga held on May 7, 1984, and that a certified oopy thereof be published in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and having a circulation therein; and the affidavit of such publication shall be filed with the Town Clerk, and, be it further resolved that the aforementioned Ambulance Ordinance of the Town of Cheektowaga, New York, shall take effect ten days after said publication."

SUPERVISOR WEBER: Roll call, Mr. Clerk.

MR. MOLESKI: Councilman Bill Rogowski.

COUNCILMAN ROGOWSKI: Aye.

MR. MOLESKI: Kowal.

COUNCILMAN KOWAL: Aye.

MR. MOLESKI: Jaworowicz.

COUNCILMAN JAWOROWICZ: Aye.

MR. MOLESKI: Johnson.

COUNCILMAN JOHNSON: Aye.

MR. MOLESKI: Gabryszak.

COUNCILMAN GABRYSZAK: Aye.

MR. MOLESKI: John Rogowski.

COUNCILMAN J. ROGOWSKI: Aye.

MR. MOLESKI: Supervisor.

SUPERVISOR WEBER: Aye.

COUNCILMAN JOHNSON: I would ask their district send in recommendations concerning the EMS Board and if Dr. Curran would, that he leave his phone number with us so that we can -- and his address -- so that we can place this question before the Town Board at this work session and any other representatives, the gentleman that was here in terms of the Emergency Room Nurses, would you leave your name and address and phone number with us. Appointments to occur at the May 21st meeting. Thank you.

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MEETING NO. 10

CHEEKTOWAGA, NEW YORK
May, 21, 1984

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 of the 21st day of May, 1984 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak

ABSENT: 0
EXCUSED: Councilman Christopher J. Kowal

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Services Director II, Brian Lewandowski, Deputy Town Attorney; Earl Loder, Disaster Coordinator; Ronald Marten, Building & Plumbing Inspector; Richard Slisz, Chairman of Erie County Legislature; Al Thrun, Representative of Traffic Safety Commission; Donald Wegner, Chairman of Zoning Board; Alfred Wnek, Highway Superintendent; Pat Wojcik, Recreation Supervisor, Senior Citizens.

I. PUBLIC HEARINGS

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

* *

*SEE NEXT (8) PAGES FOR COPY OF AMENDMENT AND ADDITION TO FINAL DRAFT REGARDING SIGN AMENDMENTS

AMENDMENTS TO THE
ZONING ORDINANCE

RESOLVED THAT:

The Zoning Ordinance of the Town of Cheektowaga, is hereby amended as follows:

1. Section 1-51 thereof, is hereby amended by deleting the phrase "classes defined as follows", at the end of the first sentence and inserting in its place the phrase "classification set forth in Section 1-52 and 1-53 below".

2. Section 1-55 thereof, which pertains to "Portable Signs", is hereby amended by deleting the current text in its entirety, and inserting the following in its place:

"1-55 Regulation of Signs - All signs erected, constructed, displayed or otherwise maintained in the Town of Cheektowaga, except those exempt under Section 11-10 (b), shall be erected, constructed or maintained in accordance with this ordinance:

A. (i) Any illuminated sign or lighting device shall only employ lights emitting a light of constant intensity and shall not be illuminated by or otherwise contain any flashing, intermittent, rotating, alternating or moving light, resemble, in any fashion, traffic-control devices or signs; or obscure the night vision of operators of motor vehicles; provided, however, that the Building Inspector may, in his discretion, permit signs which only convey the time and temperature.

(ii) The restrictions contained in Section 1-55 A (i) above shall not apply to any sign erected, constructed or maintained in the following "exempt zone":

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lots 13, 5, 78 and 77, Township 11, Range 7, of the Holland Land Company Survey, bounded along the northerly and southerly sides of Genesee Street, and more particularly bounded and described as follows:

BEGINNING at a point in the south right-of-way line of Genesee Street, said point being the intersection of the south right-of-way line of Genesee Street and the east right-of-way line of Dick Road, and extending easterly along the south right-of-way line of Genesee Street, for a distance of 8,487 feet, more or less;

THENCE, northwesterly along the center line of the Lehigh Valley Railroad, a distance of 100 feet more or less;

THENCE, westerly along the north right-of-way line at Genesee Street for a distance of 8,480 feet, more or less;

THENCE, southerly along the easterly right-of-way line of Dick Road for a distance of 100 feet, more or less, to the point of beginning;

provided however, that nothing contained above shall limit or otherwise restrict the authority of the Office of Building Inspector to issue permits for such signs.

B. Sign mounting structures and supports shall be designed and constructed to support live loads, dead loads and wind loads as required by the Building Inspector.

C. No sign shall be maintained at any location where by reason of its position, size, shape, color or appearance, it may obstruct, impair or be confused with any traffic control sign, signal or device or otherwise be positioned where it may interfere with, mislead or tend to confuse vehicular or pedestrian traffic.

D. No sign shall be attached to a utility pole or tree.

E. All signs utilizing electrical lighting shall be installed and maintained in accordance with the National Electrical Code, as amended and modified from time to time.

F. Signs utilizing electric power which are connected to a distant power source by means of an extension cord shall not be permitted if such extension cord lies exposed on the ground or is supported in the air by props.

G. No sign shall rotate or otherwise be in physical motion.

H. Signs, frames, mounts, and support structures shall be in a safe and structurally sound condition and maintained by replacement of defective or worn parts, painting, repainting, leveling and cleaning.

I. Signs, frames, mounts and support structures in disrepair or abandoned for sixty (60) days may be removed by the Town of Cheektowaga at the expense of the owner of the property upon which such sign is located in accordance with the procedures set forth in Ordinance No. 40 of the Cheektowaga General Town Ordinances which relates to unsafe and unsound buildings.

J. No sign shall be mounted in an inverted fashion or be mounted in a manner which is not at a 90° angle to a horizontal plane.

K. Signs erected, constructed or maintained in connection with any campaign for public office or trust shall only be placed on private property and shall be removed by the owner of the property upon which such sign is situated within two (2) days after the date of the election to which sign relates.

L. Search lights, rotating lights and flashing lights are not permitted for any purpose.

M. Signs containing manually interchangeable letters mounted on channels or carriers shall be constructed and/or maintained to protect individual letters from dislocation.

N. Temporary real estate signs shall not be placed on existing signs or their frames, mounts or supporting structures and shall be located between the sidewalk and building, or, if no building exists, such sign shall be located off of the highway right-of-way."

3. A new Section 1-56, which pertains to Sign Permits, is hereby added to read as follows:

"1-56 Sign Permits. No sign or support structure shall be erected, constructed or maintained without a permit issued by the Office of the Building Inspector. The Office of the Building Inspector shall assess a fee for the processing and issuance of such permits in such amount as the Town Board shall determine, by resolution, from time to time".

4. Section 6-032 thereof, which pertains to "Other Identification Signs", is hereby amended by deleting subsection (2) of paragraph (a) in its entirety and inserting in its place, the following:

"(2) No sign shall be placed in or project into any street right-of-way or other public property".

5. Section 6-032 thereof is hereby further amended by deleting the text of subsections (1) and (2) of paragraph (b) in its entirety and inserting in its place the following:

"(1) Wall Signs - Flat wall signs shall not exceed 20 percent of the wall area upon which they are attached and shall not exceed 200 square feet in total sign area whichever is the lesser.

(2) Permanent Free-Standing Sign - lettering or logo applied to a surface which is supported by a structure rising from the ground usually set in concrete shall not exceed 80 square feet in sign face (each face if double-sided sign) and not exceed 30 feet above the ground in overall height, provided that there shall not be more than one (1) permanent free-standing sign for any structure or connected building.

(3) Projecting signs shall not exceed 60 square feet for each face of the sign. The sign shall not project over a public right-of-way and the lowest edge of the sign and support must be not less than eight feet above ground level".

6. Section 6-033 thereof, which pertains to "Portable Signs", is hereby amended by deleting the current text in its entirety and inserting in its place the following provisions relating to "Specific Sign Conditions" :

"6-033 Specific Sign Conditions:

A. Window Signs - lettered or neon sign are shall not exceed 40 per cent of the total glass area and be mounted behind the glass.

B. Portable or Temporary Business Signs - which are mounted on skids or of the "A-Frame" design and may be illuminated by continuous non-flashing lights are subject to the following conditions:

1. Each sign face shall not exceed forty (40) square feet.
2. One such sign per premises.
3. Sign and support must be anchored in accordance with the specifications set forth in Section 1-55B.
4. Sign must conform to all provisions under Section 1-50.
5. A temporary or portable sign permit may be issued provided that only one such permit may be issued to a user in any calendar year and provided further that permits may not be issued for any period exceeding sixty (60) consecutive days.
6. In no instance shall a mobile business sign be permitted on the public right-of-way.
7. The applicant for said permit must provide verification from the sign manufacturer or supplier that said sign is in conformance with the National Electrical Code, as amended from time to time.

C. Pseudo-Signs - are those devices such as pennants, banners, streamers, flags, which may be employed to emphasize a special event or sale, shall be permitted for one (1) continuous week in one (1) calendar year, without a permit; provided any such signs are not mounted in violation of Section 1-55 C. Spinners, flashers, flares, large gas-filled balloons, search-lights, reflective materials are expressly prohibited under all circumstances.

1. Pennants, banners, streamers and flags shall be permitted without restriction where the product being displayed for sale is located within a zoning district permitting outside display and sales and is an integral part of the retailers merchandising sales area, and that said pennants, banners, streamers and flags are adhered directly to the merchandise offered for sale".

7. A new Section 6-034, which pertains to "Multiple Business Signs", is hereby added to read as follows:

> 6-034 - Multiple Business Sign - where several businesses or a business with several divisions occupies a single building, each business or division may participate in a consolidated free-standing support structure where the total sign area or the sums of any individual sign faces, shall not exceed 100 square feet per side.

8. Section 11-10 thereof, which pertains to "Definitions", is hereby amended to change the definition of "Sign" by numbering the first paragraph thereof (a) and by (1) inserting the phrase "including billboards" in the first sentence thereof after the word "structure" and before the word "upon", (2) deleting the second sentence thereof in its entirety and adding a new sentence; and (3) adding a new third sentence; so as to read as follows:

> "(a) A sign is any structure or part thereof, or any device attached to, painted on, or represented on a building or other structure, <u>including billboards</u>, upon which is displayed or included any letter, number, work, model, banner, flag, pennant, insignia, decoration, device or representation used as, or which is in the nature of an announcement, direction, advertisement, or other attention directing device. A sign shall not include a device located within a building except for signs within show windows visible on the outside. A motor vehicle or trailer shall be deemed a sign if it is lettered or displayed in such a fashion so as to attract attention and is utilized to advertise or otherwise call attention to a business located in, or event taking place in, the Town of Cheektowaga".

9. Section 11-10 thereof, which pertains to "Definitions", is hereby amended by adding a new paragraph (b) to the definition of "Signs" as follows:

> "(b) For the purpose of this ordinance, a sign does not include:

1. Flags, pennants, insignias or emblems of a duly constituted governmental body or agency.
2. Signs, whether permanent or temporary, placed by or at the direction of any duly constituted governmental body or agency for the purpose of regulation, direction or instruction including, but not limited to, traffic control signs, railroad warning signs, parking signs and legal notices.
3. Memorial plaques, markers, monuments and tablets.
4. Any signs otherwise required to be erected, constructed or maintained by any applicable law, rule, regulation, ordinance or order, provided that the content and/or size of any such sign does not exceed the requirements of such law, rule, regulation, ordinance or order.
5. Signs not exceeding three (3) square feet in total area which convey information necessary for the safety or convenience of the public including, but not limited to parking signs, rest room designations and signs designating loading areas
6. Signs, banners, pennants and decorations temporarily displayed, for a period not to exceed seven (7) days, in connection with local or national festivities, holidays or similar activities.
7. Signs which are accessory to churches, schools and civic, social and fraternal associations, and which do not exceed twelve (12) square feet in total area".

Office of
BUILDING and PLUMBING INSPECTIONS

RONALD MARTEN
Building and Plumbing Inspector

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
Town Hall, Broadway and Union Road
Cheektowaga, New York 14227
686-3470

Additions to final draft regarding sign amendments

1) Require a $50.00 deposit for each portable sign, refundable only if sign is removed promptly upon expiration of the sign permit.

2) Delete portion of Zoning Ordinance Section 9-122(a) which presently prohibits the Zoning Board from granting Special Permits for portable signs.

3) Require all permanently installed signs to have a minimum 7 ft. clearance from the bottom of the sign to grade.

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 being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted May 21, 1984, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

Section 101. All-night Parking, shall be amended by deleting therefrom the words "December 1st to March 15th" and by adding thereto the words "November 1st to April 1st".

* *

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 an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted May 21, 1984, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

ARTICLE X
Parking, Standing and Stopping

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

B. No Parking Anytime

DARTWOOD DRIVE	West side	from the south curbline of LeHarve Drive to a point 75± feet south curbline of LeHarve Drive

* *

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. 5 Motion by Councilman Johnson seconded by Councilman Jaworowicz

WHEREAS, the Cheektowaga Town Board, by resolution dated March 19, 1984, duly called a public hearing to consider the advisability of adopting Local Law No. 2 of the Year 1984 entitled "A Local Law Relating to Sewer Use" and gave due notice thereof as required by law, and

WHEREAS, a public hearing on said proposed Local Law was duly held by the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 16th day of April, 1984 at 7:00 o'clock P.M., at which time all parties in interest and citizens had an opportunity to be heard and were heard, and

Item No. 5 Cont'd.

WHEREAS, it is in the public interest to enact the following Local Law, NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 2 of the Year 1984, entitled "A Local Law Relating to Sewer Use", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that, within five (5) days of its adoption, the Town Clerk will file one (1) certified copy of this Local Law in his office, one (1) certified copy with the State Comptroller, and four (4) certified copies with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Attorney certify that the text of the law is correct and that all legally required steps have been taken in passing the law and BE IT FURTHER

RESOLVED, that this Local Law No. 2 of the Year 1984 shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

*SEE NEXT 31 PAGES FOR A COPY OF "A LOCAL LAW RELATING TO SEWER USE"

TOWN OF CHEEKTOWAGA
LOCAL LAW NO. 2 OF THE YEAR 1984
RELATING TO SEWER USE

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ARTICLE I. DEFINITIONS

SECTION 1. SPECIFIC DEFINITIONS

Unless the context of usage indicates otherwise, the meaning of specific terms in this Local Law shall be as follows:

ABNORMAL STRENGTH SEWAGE shall mean any waste having a total suspended solid, BOD, or total phosphate concentration in excess of that found in normal strength sewage, but which is otherwise acceptable into a public sewer under the terms of this Local Law.

ACT shall mean the Federal Clean Water Act, as amended.

ASTM shall mean the American Society for Testing and Materials.

AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER may be: (1) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (2) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (3) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter.

BSA shall mean the Buffalo Sewer Authority.

BUILDING DRAIN shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the outside face of the building wall.

BUILDING SEWER shall mean that sewer which is the responsibility of the owner from the building drain to the publicly owned treatment works.

CATEGORICAL STANDARDS shall mean National Categorical Pretreatment Standards or Pretreatment Standard.

COMBINED SEWER shall mean a sewer intended to receive both wastewater and storm or surface water.

COMMERCIAL USER (CLASS II) shall include any property occupied by a non-residential establishment not within the definition of an "Industrial User (Class III)", and which is connected to the publicly owned treatment works.

DAY shall mean the 24 hour period beginning at 12:01 a.m.

DOMESTIC SEWAGE shall mean a combination of the water-carried normal strength sewage from residences, business buildings, institutions and industrial establishments.

EASEMENT shall mean an acquired legal right for the specific use of land owned by others.

ENGINEER shall mean the Town Engineer of the Town of Cheektowaga or his authorized representative.

EPA shall mean the United States Environmental Protection Agency.

GARBAGE shall mean the solid animal and vegetable wastes resulting from the domestic or commercial handling, storage, dispensing, preparation, cooking, and serving of foods.

GREASE TRAP shall mean a tank or trap installed in a building drain or sewer to prevent grease from entering the publicly owned treatment works.

GROUNDWATER shall mean water within the earth.

INDUSTRIAL USER (CLASS III) shall mean any non-residential or non-commercial user identified in Division A, B, D, E or I of the Standard Industrial Classification Manual. Class III shall also include any user which discharges or may accidently discharge wastewater containing toxic or poisonous substances, or any substance(s) which cause(s) or have (has) the potential to cause interference in the publicly owned treatment works.

INTERFERENCE shall mean inhibition or disruption of any sewer system, wastewater treatment process, sludge disposal system, or their operation, which substantially contributes to a violation of applicable discharge permits.

"MAY" is permissible, "shall" is mandatory.

NATURAL OUTLET shall mean any outlet into a watercourse, pond, ditch, lake, or any other body of surface or groundwater.

OWNER shall mean the person or persons who legally own, lease, or occupy private property which discharge, or will discharge to the Town's publicly owned treatment works.

PERSON shall mean any individual, firm, company, association, society, partnership, corporation, municipality, or other similar organization, agency, or group.

pH shall mean the logarithm of the reciprocal of the hydrogen ion concentration expressed in grams per liter of solution as determined by Standard Methods.

PHOSPHORUS shall mean the total quantity of phosphorus contained in a particular waste.

POLLUTANT shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

PRETREATMENT shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to discharge to the Town's Publically Owned Treatment Works.

PRETREATMENT STANDARD shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits established herein in accordance with 40 CFR 403.5.

PUBLICLY OWNED TREATMENT WORKS (POTW) shall mean a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned in this instance by the Town. This definition includes any sewers that convey wastewater to the POTW treatment plant. For the purposes of this Local Law, "POTW" shall also include any sewers and treatment plant(s) which convey or treat wastewater from the Town.

PUBLICLY OWNED TREATMENT WORKS TREATMENT PLANT shall mean that portion of the PUBLICLY OWNED TREATMENT WORKS designed to provide treatment to wastewater discharged to the POTW.

RESIDENTIAL USER (CLASS I) shall mean all premises used only for human residency and which is connected to the POTW.

RESTAURANTS shall mean retail establishments selling prepared foods and drinks, caterers and industrial and institutional food service establishments and shall include but not be limited to all establishments with a Standard Industrial Classification Manual Group No. 58.

SANITARY WASTEWATER shall mean wastewater discharged from the sanitary conveniences of dwellings, office buildings, commercial establishments, industrial plants, or institutions.

"SHALL" is mandatory, "may" is permissible.

SIGNIFICANT INDUSTRIAL USER shall mean an industrial user of the publicly owned treatment works that a) is subject to EPA Categorical Pretreatment Standards, b) uses or stores substances that may inadvertently be spilled into the POTW and which may potentially have an adverse impact on the POTW, c) is ICS positive (e.g. industries which annually use more than 1,000 gallons or 10,000 pounds of a NYS substance of concern), d) discharges greater than 25,000 GPD, e) has previously been issued a BSA BPDES permit, f) is surchargeable, and/or g) is a major discharger of any pollutant which could potentially have an adverse impact on the POTW.

SPDES shall mean State Pollutant Discharge Elimination System permit program administered by the State of New York.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

STANDARD METHODS shall mean the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, Water Pollution Control Federation and American Water Works Association.

STATE shall mean the State of New York.

STORM SEWER shall mean a sewer for conveying storm, surface, and other waters, which is not intended to be transported to a POTW treatment facility.

SURFACE WATER shall mean water which occurs when the rate of precipitation exceeds the rate at which water may infiltrate into the soil.

SUSPENDED SOLIDS shall mean the total suspended matter that either floats on the surface of, or is in suspension in, water or wastewater, as determined by Standard Methods.

TOWN shall mean the Town of Cheektowaga or its authorized representative.

TOWN ENGINEER shall mean the Town Engineer of the Town of Cheektowaga or his authorized representative.

TOXICS shall mean any of the pollutants designated by Federal regulations pursuant to Section 307(a)(1) of the Act.

USER shall mean any person who contributes, causes or permits the contribution of wastewater into the Town's POTW.

WASTEWATER shall mean a combination of liquid and water-carried wastes from residences, commercial buildings, industries, and institutions, together with any groundwater, surface water, or storm water that may be present.

WASTEWATER SYSTEM shall mean the combination of the wastewater sewers and treatment facilities.

WASTEWATER SEWER shall mean the structures, processes, equipment and arrangements necessary to collect and transport wastewaters to the POTW treatment facility.

WASTEWATER TREATMENT FACILITY shall mean the structures, processes, equipment and arrangements necessary to treat wastewaters and discharge.

WPCF shall mean the Water Pollution Control Federation.

SECTION 2. GENERAL DEFINITIONS

Unless the context of usage indicates otherwise, the meaning of terms in this Local Law and not defined in Section 1 above, shall be as defined in the "Glossary: Water and Wastewater Control Engineering" prepared by Joint Editorial Board of the American Public Health Association, American Society of Civil Engineers, American Water Works Association, and Water Pollution Control Federation, Copyright 1969.

ARTICLE II. GENERAL PROVISIONS

SECTION 1. PURPOSE

The purpose of this Local Law is to provide for the maximum possible beneficial public use of the Town's POTW through regulation of sewer construction, sewer use, and wastewater discharges; to provide for equitable distribution of the costs of the Town's POTW; and to provide procedures for complying with the requirements contained herein.

SECTION 2. SCOPE

(a) The definitions of terms used in this Local Law are found in Article I. The provisions of this Local Law shall apply to the discharge of all wastewater to facilities of the Town. This Local Law provides for use of the Town's POTW, regulation of building sewer construction, control of the quantity and quality of wastewater discharged, wastewater pretreatment, equitable distribution of costs. assurance that existing customers' capacity will not be preempted, approval of building sewer construction plans, issuance of Wastewater Discharge Permits, minimum building sewer connection standards and conditions, and penalties and other procedures in cases of violation of the Law.

(b) This Local Law shall apply to the Town of Cheektowaga and to persons outside the Town who are, by contract or agreement with the Town, users of the Town's POTW.

SECTION 3. ADMINISTRATION

Except as otherwise provided herein, the Town Engineer of the Town of Cheektowaga shall administer, implement, and enforce the provisions of this Local Law.

SECTION 4. NOTICE OF VIOLATION

(a) Any person found in violation of this Local Law or any requirement of a permit issued hereunder, may be served with a written notice (except in the case of an emergency situation) stating the nature of the violation and providing a reasonable time limit for compliance. Any such notice given shall be in writing and served in person or by registered or certified mail. The notice shall be sent to the last known address of the violator. Where the address is unknown, service may be made upon the owner of record of the property involved.

(b) In the event of an emergency situation, the Engineer, or his assignee, is required only to give an informal (verbal) notice in order to immediately and effectively halt the discharge which presents an imminent endangerment to the POTW, the environment, or the health and welfare of persons.

SECTION 5. VIOLATIONS

Any user who violates this Local Law or the conditions of permits issued under its authority, shall be subject to fines determined as follows:

(a) Any user who violates any provision of Article 4, pertaining to the introduction of pollutants into the POTW, shall be assessed a fine not to exceed Ten Thousand Dollars ($10,000) for each violation.

(b) Violations of all other provisions and rules of this Local Law or conditions of permits issued under their authority will be subject to a fine not to exceed Five Hundred Dollars ($500) for each violation. Such violations include the failure to pay any fees, charges or surcharges imposed.

(c) Each day on which a violation is found to occur or continue shall be deemed a separate and distinct offense.

(d) In addition to the penalties provided herein, the Town may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the user found to have violated this Local Law and permits issued hereunder.

(e) When, in the opinion of the Town Engineer, or the Governmental Agencies having jurisdiction in the matter, a violation of this Local Law is of such a nature as to be likely to cause damage to the POTW, cause a violation of a POTW Treatment Facility SPDES Permit, or be a menace to the health or safety of the inhabitants of any areas served, the Town may forthwith discontinue and sever any connections with its sewerage system without any liability for prosecution or damages.

(f) If any user discharges into the POTW in a manner which violates any provision of this Local Law, Federal or State Pretreatment Requirements, or any orders of the Town, the Town may initiate an action to seek injunctive relief in a court of competent jurisdiction.

SECTION 6. FEES AND CHARGES

(a) All fees and charges payable under the provisions of this Local Law shall be paid to the Town Clerk. Such fees and charges shall be as established by the Town Board.

(b) All fees, penalties and charges collected under this Local Law shall be credited to a special fund to be known as "Sewer Use Charge Fund" and shall be used for the sole purpose of constructing, operating or maintaining the POTW.

SECTION 7. INSPECTIONS

(a) The Town Engineer, and/or the Buffalo Sewer Authority, the New York State Department of Environmental Conservation and/or EPA representatives, bearing proper identification, shall be permitted to enter user properties at any reasonable time for the purpose of inspection, observation, measurement, sampling of the wastewater discharge, and the inspection and copying of records pertaining to wastewater discharge and pretreatment, to ensure that discharge to the Town's POTW is in accordance with the provisions of this Local Law.

(b) The Town Engineer, bearing proper credentials and identification, shall be permitted to enter all private property through which the Town holds an easement for the purposes of inspection, observation, measurement, sampling, repair, and maintenance of any of the Town's POTW lying within the easement. All entry and any subsequent work on the easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

(c) While performing the necessary work on private or user properties referred to in Sections 7(a) and (b) above, the Town Engineer shall observe all safety rules established by the owner or occupant of the property and applicable to the premises.

SECTION 8. VANDALISM

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the Town's POTW.

SECTION 9. SEVERABILITY

A finding by any court or other jurisdiction that any part or provision of this Local Law is invalid shall not affect the validity of any other part or provision of this Ordinance which can be given effect without the invalid parts or provisions.

SECTION 10. AMENDMENTS OF THE LAW

Public notice shall be given in accordance with applicable provisions of Town Law, other Town ordinances, State and Federal law prior to adoption of any amendments to this Local Law.

SECTION 11. REVIEW OF DETERMINATIONS

(a) Any person aggrieved by any order or ruling of the Town Engineer made under this Local Law may seek review of said determination by serving a notice in writing of application for review, on forms furnished by the Town Engineer, with the Town Clerk within 30 days of notice of said determination.

(b) At a time and place and during specified hours, the Town Board shall meet to hear complaints in relation to any determination.

SECTION 12. VALIDITY

All other Town ordinances and parts of Town ordinances inconsistent herewith, be and the same are hereby repealed.

Any Town ordinance, rule or regulation, or part thereof, which is inconsistent herewith, be and the same is hereby repealed.

ARTICLE III. USE OF TOWN'S POTW

SECTION 1. WASTE DISPOSAL

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Cheektowaga, or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other biodegradable waste.

SECTION 2. WASTEWATER DISCHARGES

It shall be unlawful to discharge without an SPDES permit to any natural outlet within the Town of Cheektowaga, or in any area under the jurisdiction of the POTW. Wastewater discharges to the Town's POTW are not authorized unless approved by the Town in accordance with provisions of this Local Law.

SECTION 3. CONNECTION TO POTW REQUIRED

The owner of any house, building, or property which is used for residential occupancy, employment, recreation, or other purposes, under the jurisdiction of this Local Law, and abutting on any street, alley, or rights-of-way in which there is or may be located a POTW, is required at the owner's expense to install suitable toilet facilities therein and to connect such facilities directly to the proper sewer in accordance with the provisions of this Local Law, within one hundred eighty (180) days after date of official notice to do so provided that the proper wastewater sewer is within one hundred (100) feet (30.5 meters) of the property line.

ARTICLE IV. PRIVATE WASTEWATER DISPOSAL

SECTION 1. PRIVATE SYSTEM

All dwellings, buildings, or properties which are required by other authority to have sanitary or industrial wastewater facilities, and are located where a proper wastewater sewer is not available as specified by the provisions of Article III, Section 3, of this Local Law, shall be equipped at the owner's expense, with suitable wastewater facilities connected to a private wastewater disposal system.

SECTION 2. DESIGN REQUIREMENTS

The type, capacities, location, and layout of a private wastewater system shall comply with all requirements of the Erie County Health Department, the Department of Public Health of the State of New York, or applicable State or Federal law.

SECTION 3. CONNECTION TO TOWN'S POTW WHEN AVAILABLE

At such time as a POTW becomes available as defined in Article III, Section 3, to a property served by a private wastewater system, a direct connection shall be made to the wastewater sewer within one hundred eighty (180) days, and any septic tanks, cesspools, and similar wastewater systems shall be emptied and filled with suitable material.

SECTION 4. FURTHER REQUIREMENTS

No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Erie County Health Department, or other applicable authority.

ARTICLE V. BUILDING SEWERS AND CONNECTIONS

SECTION 1. CONNECTION PERMIT

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any wastewater sewer or a storm sewer without first obtaining a written permit from the Town.

(b) There shall be three (3) classes of permits for connections to the Town's POTW: Class I - residential, Class II - commercial, and Class III - industrial. In all cases, the owner shall make application for a permit to connect to the Town's POTW on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, wastewater information or other information considered pertinent in the judgment of the Town required to administer this Local Law. There shall be the following Sewer Tap-In Connection Fee Schedule:

Residence:

Mobile Home	$125
1 Bedroom	$200
2-3 Bedrooms	$200
4+ Bedrooms	$200
Double House	$300
Apartment	
Base	$200
Plus for Each Additional Unit	$100

Commercial:

1" Water Line	$500
1-1/2" Water Line	$1,000
2" Water Line	$2,000
2" or More Water Line	Set by Engineer

(c) Connections to a storm sewer shall be subject to a permit and inspection fee of Twenty-Five Dollars. Such connections shall be subject to the provisions of this Local Law and the approval of the Town.

SECTION 2. CONNECTION COSTS

The costs and expenses incidental to the building sewer installation and connection to the Town's POTW shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Costs required for obtaining road excavation and restoration permits will be borne by the owner.

SECTION 3. SEPARATE CONNECTIONS REQUIRED

A separate and independent building sewer shall be provided for each and every building. The Town assumes no obligation or responsibility for damage caused by or resulting from any existing single building sewer which serves two buildings.

SECTION 4. EXISTING BUILDING SEWERS

Existing building sewers may be used for connection of new buildings only when they are found, on examination and test by the Town, to meet the requirements of this Local Law.

SECTION 5. BUILDING SEWER DESIGN

The size, slope, alignment, construction materials, trench excavation and backfill methods, pipe placement, jointing and testing methods used in the construction and installation of a building sewer shall conform to the Town's Plumbing Code or other applicable requirements of the Town. In the absence of Code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

SECTION 6. BUILDING SEWER ELEVATION

Whenever practicable, the building sewer shall be brought to a building at an elevation below the basement floor. In buildings in which any building drain is too low to permit gravity flow to the Town's POTW, wastewater carried by such building drain shall be lifted by an approved means and discharged to a building sewer draining to the Town POTW.

SECTION 7. SURFACE RUNOFF AND GROUNDWATER DRAINS

(a) No person shall connect roof, foundation, areaway, parking lot, roadway, or other surface runoff or groundwater drains to any building sewer which is connected to the POTW.

(b) Gutters and inside or outside leaders shall be installed on all roofs. On existing construction, all downspouts and sump pumps discharging to the sanitary sewer system shall be disconnected. Downspouts and sump pumps may be discharged to curb drains, road ditches, or splash blocks. All rear yard drain tile, sump pump or downspout water shall be so directed that it will not flow onto adjacent properties except where directed to a designed drainage swale, catch basin, french drain, or natural waterway.

(c) On new construction, all downspouts shall be discharged to storm sewers or curb drains with bubblers and all rear yard drainage shall be conveyed to storm sewers, catch basins, or channels accepted by the Town. Any alternate method of water disposition must be approved by the Engineer.

(d) On new construction, all buildings having basements or cellars shall have an adequate sump and sump pump to which any interior or exterior perimeter drain tile and floor drains shall discharge. Sump pumps shall discharge into a storm sewer. Where storm sewers are not available, sump pumps shall discharge into curb drains with bubblers. Any alternate method of water disposition must be approved by the Engineer.

SECTION 8. CONNECTION INSPECTION

The applicant for a building sewer connection permit shall notify the Town when such sewer is ready for connection to the Town's POTW. Such connection and testing as deemed necessary by the Town shall be made by the Town.

SECTION 9. EXCAVATION GUARDS AND PROPERTY RESTORATION

Excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

SECTION 10. PROTECTION OF CAPACITY FOR EXISTING USERS

The Town shall not issue a permit for any class of connection to the POTW unless there is sufficient capacity, not legally committed to other users, in the POTW to convey and adequately treat the quantity of wastewater which the required connection will add to the system. The Town may permit such a connection if there are legally binding commitments to provide the needed capacity.

SECTION 11. GREASE TRAPS REQUIRED

(a) All new restaurants shall be provided with grease traps or other suitable pretreatment facilities as required to meet the provisions of Article VI, Section 2(a)12 which limits the concentration of oils, fat and grease in the wastewater discharge to the POTW to 100 milligrams per liter. A suitable access to facilitate observation, sampling and measurement of the treated wastewater discharged to the POTW shall be required.

(b) Existing restaurants which have an approved connection prior to the effective date of this Local Law, shall be provided with grease traps or other suitable pretreatment facilities as required to meet the provisions of Article VI, Section 2(a)12 within one (1) year of the effective date of this Local Law.

(c) Existing restaurants which qualify under Section 12(b) above shall submit plans, specifications, wastewater information or other information considered pertinent in the judgment of the Town prior to constructing the grease trap or other pretreatment facility.

(d) Existing restaurants shall notify the Town when such grease trap or other pretreatment facility is ready for inspection prior to its connection to the Town's POTW. Such connection and testing as deemed necessary by the Town shall be made under the supervision of the Town.

ARTICLE VI. CONDITIONS TO USE OF THE TOWN'S POTW

SECTION 1. SPECIAL USES OF WASTEWATER SEWERS

All discharges of storm water, surface water, groundwater, roof runoff, subsurface drainage, or other waters not intended to be treated in the POTW shall be made to storm sewers or natural outlets designed for such discharges. Any connection, drain or arrangement which will permit any such waters to enter any other wastewater sewer shall be deemed to be a violation of this Section and this Local Law.

SECTION 2. GENERAL DISCHARGE PROHIBITIONS

(a) No person shall contribute or cause to be contributed, directly or indirectly, any substances or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards or any other National, State or local Pretreatment Standards or Requirements. A user may not contribute the following substances to any POTW:

1. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the POTW (or at any point in the POTW) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, paints, petroleum products, gasoline, kerosene, naptha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the Town, the State or EPA has notified the user is a fire hazard or a hazard to the POTW.

2. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

3. Any wastewater which causes corrosive damage or hazard to structures, equipment, or personnel of the POTW, but in no case discharges having a pH lower than 5.0 or greater than 12.0.

4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed a limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

6. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

7. Any substance which will cause the POTW to violate its SPDES Permit or the receiving water quality standards.

8. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

9. Any wastewater which contains heat in amounts which will accelerate the biodegradation of wastes, causing the formation of excessive amounts of hydrogen sulfide in the POTW or inhibit biological activity in the POTW treatment plant, but in no case shall the discharge exceed 65°C (150°F) or cause the temperature at the POTW treatment plant influent to exceed 40°C (104°F).

10. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation, unless the facilities can accommodate such load and prior approval, in writing, has been obtained from the Town Engineer.

11. Any wastewater containing any radioactive wastes or isotopes of such halflife or concentration as may exceed limits established in compliance with applicable State or Federal regulations.

12. Any wastewater containing more than 100 millgrams per liter of oils, fat or grease unless the POTW can accommodate such discharge and prior approval, in writing, has been obtained from the Town Engineer.

SECTION 3. FEDERAL CATEGORICAL PRETREATMENT STANDARDS

(a) No person shall discharge or cause to be discharged to any POTW, wastewaters containing substances subject to an applicable Federal Categorical Pretreatment Standard promulgated by EPA in excess of the quantity prescribed in such applicable pretreatment standards except as otherwise provided in this Section.

(b) Upon application by a Class III user, the Town in conjunction with the BSA may revise any limitations on substances specified in the applicable pretreatment standards to reflect removal of the substances by the POTW treatment plant. The revised discharge limit for specified substances shall be derived in accordance with Federal law.

(c) Upon application by a Class III user, the Town in conjunction with the BSA may adjust any limitation on substances specified in the applicable pretreatment standards to consider factors relating to such person which are fundamentally different from the factors considered by EPA during the development of the pretreatment standard. Requests for and determinations of a fundamentally different adjustment shall be in accordance with Federal law.

(d) The Town Engineer shall notify any Class III user affected by the provisions of this Section and establish an enforceable compliance schedule for each.

SECTION 4. SPECIAL AGREEMENTS

Nothing in this Article shall be construed as preventing any special agreement or arrangements between the Town and any user of the POTW whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable. Federal Categorical Pretreatment Standards shall not be waived.

SECTION 5. WATER AND ENERGY CONSERVATION

The conservation of water and energy shall be encouraged by the Town Engineer. In establishing discharge restrictions upon industrial users, he shall take into account already implemented or planned conservation steps revealed by the Class III user. Upon request of the Town Engineer each industrial user shall provide the Town Engineer with pertinent information showing that the quantities of substances or pollutants have not been nor will be increased as a result of the conservation steps. Upon such a showing to the satisfaction of the Town Engineer, he may make adjustments to discharge restrictions, which have been based on concentrations, to reflect the conservation steps.

SECTION 6. SPECIFIC POLLUTANT LIMITATIONS

No person shall discharge wastewater to the POTW containing pollutant concentrations which exceed the following limits:

Pollutant	Maximum Allowable Instantaneous Discharge *	
Chloroform	8.5	mg/l
1, 2, 4-trichlorobenzene	0.8	mg/l
Fluoranthene	0.1	mg/l
Pyrene	0.1	mg/l
Endosulfun	1.6	mg/l
DDD	0.68	mg/l
BHC	1.9	mg/l
PCB	0.002	mg/l
Phenol (Total)	20.0	mg/l
Selenium	2.4	mg/l
Silver	2.2	mg/l
Cadmium	40.0	mg/l
Chromium, Total	40.0	mg/l
Chromium, Hexavalent	9.2	mg/l
Copper	16.0	mg/l
Mercury	7.0	mg/l
Nickel	14.0	mg/l
Lead	65.0	mg/l
Zinc	25.0	mg/l
Cyanide, Total	66.0	mg/l
Cyanide, Amenable	6.2	mg/l

* Compliance determined on the basis of a grab sample.

For facilities with multiple outfalls to the public sewer, the limits established above shall apply to each individual outfall. The exceptions to this are mass limits and total phenol. Mass discharge limits issued to any facility under the BPDES permit system shall apply to the total discharge from all outfalls at that facility. The phenol limit shall also apply to the composite of all discharges from a facility.

SECTION 7. MOST STRINGENT LIMITS SHALL APPLY

State and Buffalo Sewer Authority requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations and those in this Local Law. In all cases the most stringent limit, Federal, State, BSA or local shall apply.

SECTION 8. TOWN'S RIGHT OF REVISION

The Town reserves the right to establish by law more stringent limitations or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in this Article.

SECTION 9. EXCESSIVE DISCHARGES

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the Town, State, or BSA. Dilution may be an acceptable means of complying with some of the prohibitions set forth in Section 2(a)3 of this Article upon prior approval in writing by the Town Engineer.

SECTION 10. ACCIDENTAL DISCHARGES

(a) Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Local Law. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense.

(b) In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

(c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

(d) Within five (5) days following an accidental discharge, the user shall submit to the Town Engineer a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Local Law or other applicable law.

SECTION 11. DETERMINATION OF WASTEWATER CHARACTERISTICS

(a) Measurements, tests and analyses of the characteristics of wastewater to which reference is made in this Local Law shall be determined in accordance with procedures established by the Town Engineer pursuant to Standard Methods and also to Section 304(g) of Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the Town Engineer and which comply with State and Federal law.

(b) Measurements, tests and analyses of the characteristics of wastewater required by this Local Law shall be performed in a qualified laboratory.

SECTION 12. COSTS OF DAMAGE

If the drainage or discharge from any establishment causes a deposit, obstruction, or damage to the POTW, the Town Engineer shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor, and supervision shall be borne by the person causing such deposit, obstruction, or damage.

ARTICLE VII. CLASS III - INDUSTRIAL DISCHARGERS

SECTION 1. WASTEWATER DISCHARGERS

It shall be unlawful for all Class III users to discharge without applying for a Wastewater Discharge Permit, to the POTW any wastewater except as authorized by the Town Engineer in accordance with the provisions of this Local Law.

SECTION 2. WASTEWATER DISCHARGE PERMIT

All significant industrial users proposing to connect to or to contribute to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW. All existing significant industrial users connected to or contributing to the POTW shall obtain a Wastewater Discharge Permit within 180 days after the effective date of this Local Law.

SECTION 3. WASTEWATER DISCHARGE PERMIT APPLICATIONS

(a) All Class III users shall complete and file with the Town, an application in the form prescribed by the Town, and accompanied by a fee of Fifty Dollars ($50.00). Existing users who have not previously applied shall apply for a Wastewater Discharge Permit within 60 days after the effective date of this Local Law, and proposed new users shall apply at least 90 days prior to connecting to or contributing to the POTW.

(b) An existing Class III user proposing any new or increased discharge to the POTW or anticipating changes with respect to the physical or chemical character of the existing discharge shall apply for a wastewater discharge permit regardless of whether the user has previously applied for a wastewater discharge permit, or presently possesses such a permit.

(c) Where a person owns, operates or occupies properties designated as a Class III discharger at more than one location, separate applications shall be made for each location as may be required by the Town Engineer.

(d) The Town Engineer will evaluate the data furnished by the user and may require additional information such as wastewater sampling reports or any other information which the Town Engineer may require to make a proper evaluation. After evaluation and acceptance of the data furnished, the Town Engineer may issue a Wastewater Discharge Permit subject to terms and conditions provided herein, and in conformance with existing agreements between the Town of Cheektowaga, the Buffalo Sewer Authority and Erie County Sewer Agency.

SECTION 4. PERMIT CONDITIONS

(a) Wastewater Discharge Permits shall be expressly subject to all provisions of this Local Law and all other applicable regulations, user charges and fees established by the Town. Permits may contain the following:

1. The unit charge or schedule of user charges and fees for the wastewater to be discharged to the POTW;

2. Limits on the average and maximum wastewater constituents and characteristics;

3. Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization.

4. Requirements for installation and maintenance of inspection and sampling facilities;

5. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;

6. Compliance schedules;

7. Requirements for submission of technical reports or discharge reports, plans and specifications;

8. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Town, and affording Town access thereto;

9. Requirements for notification of the Town of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the POTW;

10. Requirements for notification of slug discharges;

11. Penalties for accidental discharges;

12. Other conditions as deemed appropriate by the Town Engineer to ensure compliance with this Local Law.

SECTION 5. PERMIT MODIFICATIONS

Within 180 days of the promulgation of a National Categorical Pretreatment Standard, the Wastewater Discharge Permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a National Categorical Pretreatment Standard, has not previously been issued a Wastewater Discharge Permit, the user shall re-apply for a Wastewater Discharge Permit within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard.

SECTION 6. PERMIT DURATION

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Town during the term of the permit as limitations or requirements as identified in Section 5 of this Article are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

SECTION 7. PERMIT TRANSFER

Wastewater Discharge Permits are issued to a specific user for a specific operation. A Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Town Engineer.

SECTION 8. MONITORING FACILITIES

(a) When required by the Town Engineer, the owner of any property serviced by a building sewer carrying Class III wastewater discharges shall provide suitable access and such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastewater. Such access shall be in a readily and safely accessible location and shall be provided in accordance with plans approved by the Town Engineer. The access shall be provided and maintained at the owner's expense so as to be safe and accessible at reasonable times.

(b) The Town may, when such a location would be impractical or cause undue hardship on the user, allow the monitoring facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

(c) The Town Engineer shall consider such factors as the volume and strength of discharge, rate of discharge, quantities of toxic materials in the discharge, POTW treatment plant removal capabilities, and cost effectiveness in determining whether or not access and equipment for monitoring Class III wastewater discharges shall be required.

(d) Where the Town Engineer determines access and equipment for monitoring or measuring Class III wastewater discharges is not practicable, reliable, or cost effective, the Town Engineer may specify alternative methods of determining the characteristics of the wastewater's discharge which will, in the Town Engineer's judgment, provide an equitable measurement of such characteristics.

SECTION 9. PRETREATMENT

Users shall provide necessary wastewater treatment as required to comply with this Local Law and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Town shall be provided, operated, and maintained at the user's expense.

SECTION 10. CONFIDENTIAL INFORMATION

(a) Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Town Engineer that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

(b) When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Local Law, the State Pollutant Discharge Elimination System (SPDES) Permit, and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

SECTION 11. PUBLICATION OF USERS NOT IN COMPLIANCE

The Town shall annually publish in the newspaper of record for the Town, a list of the user(s) which were not in compliance with any pretreatment requirements or standards at least once during the 12 previous months. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.

ARTICLE VIII. WASTEWATER SERVICE CHARGES

SECTION 1. WASTEWATER SERVICE CHARGES

Charges and fees for the use of the POTW shall be based upon the actual use of such system, or contractual obligations for a level of use in excess of current actual use. Property value may be used to collect the amount due as permitted by Federal law.

SECTION 2. OPERATION AND MAINTENANCE CHARGES

(a) The sources of revenues for operation and maintenance of the POTW shall be sewer use charges and surcharges to owners of any real property served or required to be served by the POTW.

(b) All users of the POTW, including tax exempt properties, must pay sewer use charges and surcharges.

SECTION 3. SEWER USE CHARGES

(a) The sewer use charge shall mean a scale of charges established and imposed by the Town for the use of the POTW.

(b) The amount of such sewer use charge shall be based on wastewater discharged to the system and will be levied and collected annually.

(c) For properties with water meters, the sewer use charge will be assessed as a rate against the water consumption, except where water meter readings do not provide a reasonable estimate of wastewater discharge to the POTW as provided for in Section 1(g) of this Article.

(d) For non-metered properties, the charge will be fixed from time to time, by resolution of the Town Board.

(e) Where water from other sources, including but not limited to: private wells, surface water intakes, and water extracted during a manufacturing process, is present in the wastewater discharge to the POTW, the user shall notify the Town of this(these) source(s).

(f) When required by the Town Engineer, the owner of any property served by the POTW shall provide information, suitable access, and such necessary meters and other appurtenances as required to determine the actual wastewater discharge to the POTW. Any facilities required shall be provided, operated and maintained at the owner's expense.

(g) When, in the opinion of the Town Engineer, there is sufficient information to determine that the water meter readings do not represent a reasonable estimate of the actual wastewater discharge to the POTW, the Town Engineer may adjust an owner's sewer use charge to represent the actual wastewater discharge to the POTW.

SECTION 4. SEWER USE SURCHARGES

(a) The sewer use surcharge shall mean charges established and imposed by the Town for the discharge of abnormal strength sewage to the POTW.

(b) The amount of such sewer use surcharge shall be based on the additional operation and maintenance costs of the POTW due to the abnormal strength sewage.

(c) For users with abnormal strength sewage, a sewer use surcharge will be assessed as a rate per pound of pollutant discharged to the POTW in excess of the limits set for normal domestic sewage.

SECTION 5. LATE PAYMENT OF SEWER USE CHARGES AND SURCHARGES

(a) Sewer use charges and surcharges, which are not paid on or before the due date, shall bear a penalty of 1% per month. If such amount remains unpaid when due, the Town Clerk shall certify the amount due and payable to the Town who shall levy the same as taxes and add such charges and penalties to the succeeding tax roll of the Town. Such tax shall be collected and enforced in the same manner and at the same time as provided for the collection and enforcement of taxes, and it shall be the duty of the Town Clerk to charge and collect interest thereon at the same rate specified for the collection of Town taxes. Such sewer use charges shall constitute a lien upon the real property served by the POTW and such lien shall be prior and superior to any other lien or claim except the lien of an existing tax, assessment or other lawful charge.

(b) All wastewater service may be disconnected without further notice if the charges for such services are not paid within 30 days after rendition of the final bill therefor.

SECTION 6. REVIEW OF SEWER USE CHARGES AND SURCHARGES

The Town shall review annually: the wastewater contributions, total costs of operation and maintenance, and user charge and surcharge systems and make necessary revisions to meet requirements of 40 CFR 35.929-2(b), (1) to (3).

Item No. 5 Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 6 Motion by Councilman Jaworowicz seconded by Supervisor Weber

WHEREAS, Dolores Lund/Edward T.Jones have petitioned for the rezoning from Ml-Light Manufacturing District to CM-General Commercial District of property owned by Dolores Lund and located at 207 Youngs Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of May, 1984 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the condition that Section 10-10 of the Town Zoning Ordinance be adhered to, and

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

WHEREAS, the Traffic Safety Commission has made certain recommendations,

NOW, THEREFORE, BE IT RESOLVED, that the application of Dolores Lund/Edward T. Jones for the rezoning from Ml-Light Manufacturing District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the conditions as recommended by the Cheektowaga Planning Board and the Traffic Safety Commission and, BE IT FURTHER

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

*SEE NEXT PAGE FOR COPY OF LEGAL DESCRIPTION

REZONING - 207 YOUNGS ROAD

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eighty-two (82) Township eleven (11), Range seven (7) of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Youngs Road (66.0 feet wide), formerly Amherst Villa Road, distant eight hundred eight (808.0) feet, more or less, from the southeast corner of said Lot Number eighty-two (82) as measured along said center line; running thence easterly at a right angle with said center line of Youngs Road, three hundred eighty-two and twenty-four hundredths (382.24); thence norteasterly at an interior angle of 133° 45' with the last-described course three hundred ninety-nine (399.0) feet; thence westerly a distance of five hundred forty-nine and thirty-four hundredths (549.34) feet, more or less, to the east line of lands taken by the State of New York designated Parcel Number 795, Map Number 795 on Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 5292 of Deeds at Page 444; thence southerly and forming an interior angle of 92° 16' 23" with the last-described course seventy (70) feet to the east line of Youngs Road; thence westerly at right angles with the east line of Youngs Road, thirty-three (33) feet to the center line of Youngs Road; thence southerly along said center line one hundred seventy-seven (177.0) feet, more or less, to the point of beginning.

Item No. 5 Cont'd.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES:	0
ABSENT:	0
EXCUSED:	Councilman Kowal

*SEE NEXT PAGE FOR AFFADIVAT

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

Ann L. Mika, 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 May 24, 1984; last publication May 24, 1984; and that no more than six days intervened between publications.

Ann L. Mika

Sworn to before me this 25th

day of May, 19 84.

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

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 May, 1984 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor:
Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
John V. Rogowski
Patricia A. Jaworowicz
Dennis H. Gabryszak

ABSENT: Councilman William P. Rogowski

EXCUSED: Councilman Christopher Kowal

Motion by Councilman Jaworowicz

Seconded by Supervisor Weber

WHEREAS, Dolores Lund/Edward T. Jones, have petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by Dolores Lund and located at 207 Youngs Road, Cheektowaga, New york, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of May, 1984 at 6:30 o'clock P.M. after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the condition that Section 10-10 of the Town Zoning Ordinance be adhered to, and

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

WHEREAS, the Traffic Safety Commission has made certain recommendations,

NOW, THEREFORE, BE IT RESOLVED that the application of Dolores Lund/Edward T. Jones for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the conditions as recommended by the Cheektowaga Planning Board and the Traffic Safety Commission and, BE IT FURTHER

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

REZONING
207 YOUNGS ROAD
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eighty-two (82) Township eleven (11), Range seven (7) of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Youngs Road (66.0 feet wide), formerly Amherst Villa Road, distant eight hundred eight (808.0) feet, more or less, from the southeast corner of said Lot Number eighty-two (82) as measured along said center line; running thence easterly at a right angle with said center line of Youngs Road, three hundred eighty-two and twenty-four hundredths (382.24); thence northeasterly at an interior angle of 133 degrees 45' with the last-described course three hundred ninety-nine (399.0) feet; thence westerly a distance of five hundred forty-nine and thirty-four hundredths (549.34) feet, more or less, to the east line of lands taken by the State of New York designated Parcel Number 795, Map Number 795 on Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 5292 of Deeds at Page 444; thence southerly and forming an interior angle of 92 degrees 16' 23" with the last-described course seventy (70) feet to the east line of Youngs Road; thence westerly at right angles with the east line of Youngs Road, thirty-three (33) feet to the center line of Youngs Road; thence southerly along said center line one hundred seventy-seven (177.0) feet, more or less, to the point of beginning.

Upon roll call...

Supervisor Weber	Voting AYE
Councilman:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting EXCUSED
Gabryszak	Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0
EXCUSED: 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 May 21, 1984, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 6, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21st day of May, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 24, 1984

No. 11

No. 12

Item No. 7 Motion by Councilman Jaworowicz seconded by Supervisor Weber

WHEREAS, Edward T. Jones, lessee of September's Cafe, has applied for a Special Permit for a patio bar with volleyball court on property located at 207 Youngs Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 7th day of May, 1984 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the condition that Section 10-10 of the Town Zoning Ordinance be adhered to, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 207 Youngs Road, Cheektowaga, New York, and has rendered a determination that the Special Permit will not have a significant effect on the environment, and

WHEREAS, the Traffic Safety Commission has reviewed the application and made certain recommendations,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the conditions as recommended by the Cheektowaga Planning Board and Traffic Safety Commission.

*SEE NEXT PAGE FOR LEGAL DESCRIPTION

REZONING - 207 YOUNGS ROAD

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eighty-two (82) Township eleven (11), Range seven (7) of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Youngs Road (66.0 feet wide), formerly Amherst Villa Road, distant eight hundred eight (808.0) feet, more or less, from the southeast corner of said Lot Number eighty-two (82) as measured along said center line; running thence easterly at a right angle with said center line of Youngs Road, three hundred eighty-two and twenty-four hundredths (382.24); thence norteasterly at an interior angle of 133° 45' with the last-described course three hundred ninety-nine (399.0) feet; thence westerly a distance of five hundred forty-nine and thirty-four hundredths (549.34) feet, more or less, to the east line of lands taken by the State of New York designated Parcel Number 795, Map Number 795 on Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 5292 of Deeds at Page 444; thence southerly and forming an interior angle of 92° 16' 23" with the last-described course seventy (70) feet to the east line of Youngs Road; thence westerly at right angles with the east line of Youngs Road, thirty-three (33) feet to the center line of Youngs Road; thence southerly along said center line one hundred seventy-seven (177.0) feet, more or less, to the point of beginning.

Item No. 7 Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

*SEE NEXT PAGE FOR AFFADAVIT

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

Ann E. Mike, 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 May 24, 1984; last publication May 24, 1984; and that no more than six days intervened between publications.

Ann E. Mike

Sworn to before me this 25th

day of May, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 May, 1984 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor:
Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
John V. Rogowski
Patricia A. Jaworowicz
Dennis H. Gabryszak

ABSENT: Councilman William P. Rogowski

EXCUSED: Councilman Christopher Kowal

Motion by Councilman Jaworowicz

Seconded by Supervisor Weber

WHEREAS, Edward T. Jones, lessee of September's Cafe, has applied for a Special Permit for a patio bar with volleyball court on property located at 207 Youngs Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 7th day of May, 1984 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recomended approval of the Special Permit subject to the condition that Section 10-10 of the Town Zoning Ordinance be adhered to, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 207 Youngs Road, Cheektowaga, New York, and has rendered a determination that the Special Permit will not have a significant effect on the environment, and

WHEREAS, the Traffic Safety Commissioner has reviewed the application and made certain recommendations,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the conditions as recommended by the Cheektowaga Planning Board and Traffic Safety Commission.

REZONING
207 YOUNGS ROAD
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eighty-two (82) Township eleven (11), Range seven (7) of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Youngs Road (66.0 feet wide), formerly Amherst Villa Road, distant eight hundred eight (808.0) feet, more or less, from the southeast corner of said Lot Number eighty-two (82) as measured along said center line; running thence easterly at a right angle with said center line of Youngs Road, three hundred eighty-two and twenty-four hundredths (382.24); thence northeasterly at an interior angle of 133 degrees 45' with the last-described course three hundred ninety-nine (399.0) feet; thence westerly a distance of five hundred forty-nine and thirty-four hundredths (549.34) feet, more or less, to the east line of lands taken by the State of New York designated Parcel Number 795, Map Number 795 on Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 5292 of Deeds at Page 444; thence southerly and forming an interior angle of 92 degrees 16' 23" with the last-described course seventy (70) feet to the east line of Youngs Road, thence westerly at right angles with the east line of Youngs Road, thirty-three (33) feet to the center line of Youngs Road; thence southerly along said center line one hundred seventy-seven (177.0) feet, more or less, to the point of beginning.

Upon roll call...

Supervisor Weber	Voting AYE
Councilman:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting EXCUSED
Gabryszak	Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0
EXCUSED: 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 May 21, 1984, 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. 7, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21st day of May, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 24, 1984

Item No. 8 Motion by Supervisor Weber seconded by Councilman J.V. Rogowski

WHEREAS, Land Reclamation has made application and requested a Special Use Permit and Rezoning of property located at the vacant property at Indian Road and Broadway from Ml-Light Manufacturing to M2-General Manufacturing District, said applicant being the owner of above named property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 4, 1984 at 6:30 o'clock P.M., Eastern Daylight Savings Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 72, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the south line of Indian Road at its intersection with the west line of lands conveyed to Emilie Louise Prantke by deed recorded in Liber 931 of Deeds at page 198 in the Erie County Clerk's Office; running thence southerly along said west line of Prantke 450.00 feet; thence westerly on a line at an interior angle of 106°-00'-42" a distance of 10 feet more or less to the POINT OF BEGINNING: thence continuing along said line a distance of 570.93 feet more or less; thence northerly on a line at an interior angle of 83°-19'-35" a distance of 344.50 feet to its intersection with the Town of Cheektowaga, Village of Depew line; thence southeasterly along said Town, Village line a distance of 632 feet more or less to the point of beginning. Containing 2.30 acres more or less.

*SEE NEXT PAGE FOR AFFADAVIT

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

Anna L. Mika, 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 May 24 1984 ; last publication May 24 1984 ; and that no more than six days intervened between publications.

Anna L. Mika

Sworn to before me this 25th

day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 June 1984, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Land Reclamation Inc. to Rezone from M1-Light Manufacturing District to M2-General Manufacturing District on property located at Indian Road and Broadway and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 72, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the south line of Indian Road at its intersection with the west line of lands conveyed to Emilie Louise Prantke by deed recorded in Liber 931 of Deeds at page 198 in the Erie County Clerk's Office; running thence southerly along said west line of Prantke 450.00 feet; thence westerly on a line at an interior angle of 106 degrees-00'-42" a distance of 10 feet more or less to the POINT OF BEGINNING: thence continuing along said line a distance of 570.93 feet more or less; thence northerly on a line at an interior angle of 83 degrees-19'-35" a distance of 344.50 feet to its intersection with the Town of Cheektowaga, Village of Depew line; thence southeasterly along said Town, Village line a distance of 632 feet more or less to the point of beginning. Containing 2.30 acres more or less.

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:
Daniel E. Weber

Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 24, 1984

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

Anna E. Mika, 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 May 24, 1984; last publication May 24, 1984; and that no more than six days intervened between publications.

Anna E. Mika

Sworn to before me this 25th

day of May, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 June 1984, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Land Reclamation Inc. for a Special Permit to Solid waste transfer station on property located at Indian Road and Broadway pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 72, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the south line of Indian Road at its intersection with the west line of lands conveyed to Emilie Louise Prantke by deed recorded in Liber 931 of Deeds at page 198 in the Erie County Clerk's Office; running thence southerly along said west line of Prantke 450.00 feet; thence westerly on a line at an interior angle of 106 degrees-00'-42" a distance of 10 feet more or less to the POINT OF BEGINNING: thence continuing along said line a distance of 570.93 feet more or less; thence northerly on a line at an interior angle of 83 degrees-19'-35" a distance of 344.50 feet to its intersection with the Town of Cheektowaga, Village of Depew line; thence southeasterly along said Town, Village line a distance of 632 feet more or less to the point of beginning. Containing 2.30 acres more or less.

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:
Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak
RICHARD M. MOLESKI
Town Clerk
PUBLISH: May 24, 1984

Item No. 8 Cont'd.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogwoski, J.V. Rogowski, Jaworowicz, Gabryszak
NAYES:	0
ABSENT:	0
EXCUSED:	Councilman Kowal

Item No. 9 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

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 June 4, 1984 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 amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 24th day of May, 1984.

*SEE NEXT PAGE FOR COPY OF NOTICE OF HEARING

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 4th day of June, 1984 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 VIII

Stop and Yield Intersections

Street	Direction	Entrance Street	Traffic Stops	Sign Location
KENVIEW BLVD.	North-south	WAINWRIGHT ROAD	Westbound	N.E. Corner
EAST TREEHAVEN ROAD	East-west	WAINWRIGHT ROAD	Northbound	S.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

A. No parking this side or one-side parking

KENVILLE ROAD	south side:	east from Eggert Road to north and south branches of Kenville Road.
KENVILLE ROAD	north side:	east from Eggert Road to north and south branches of Kenville Road.
KENVILLE ROAD		complete inner curblines of Kenville Road in project. Both sides of Kenville Road easterly from Eggert Road to junction of north and south branches of Kenville Road in project.

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

A. No parking this side or one-side parking.

KENVILLE ROAD	north side:	from the east curbline of Eggert Road to the west curbline of Kenville Road.
KENVILLE ROAD		complete inner curbline of Kenville Road in project.

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

Dated: May 21, 1984

RICHARD M. MOLESKI
Town Clerk

Item No. 9 Cont'd.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES:	0
ABSENT:	0
EXCUSED:	Councilman Kowal

*SEE NEXT PAGE FOR AFFIDAVIT

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

Anna E. Mika, 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 May 24, 1984; last publication May 24, 1984; and that no more than six days intervened between publications.

Anna E. Mika

Sworn to before me this 25th

day of May, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

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 4th day of June, 1984 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 VIII

Stop and Yield Intersections

Street: KENVIEW BLVD.; Direction: North-south; Entrance Street: WAINWRIGHT ROAD; Traffic Stops: Westbound; Sign Location: N.E. Corner

Street: EAST TREEHAVEN ROAD; Direction: East-west; Entrance Street: WAINWRIGHT ROAD; Traffic Stops: Northbound; Sign Location: S.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

A. No parking this side or one-side parking

KENVILLE ROAD, south side: east from Eggert Road to north and south branches of Kenville Road.

KENVILLE ROAD, north side: east from Eggert Road to north and south branches of Kenville Road.

KENVILLE ROAD, complete inner curblines of Kenville Road in project. Both sides of Kenville Road easterly from Eggert Road to junction of north and south branches of Kenville Road in project.

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

A. No parking this side or one-side parking.

KENVILLE ROAD, north side: from the east curbline of Eggert Road to the west curbline of Kenville Road.

KENVILLE ROAD complete inner curbline of Kenville Road in project.

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 21, 1984
PUBLISH: May 24, 1984

Item No. 10a Motion by Councilman Jaworowicz seconded by Councilman Johnson

WHEREAS, the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York, requires that unsafe buildings be repaired, demolished or removed, and

WHEREAS, records kept by the Office of the Assessor identify Richard E. Brendel and one as the owners of a structure located at 107 David Avenue, Cheektowaga, New York, and

WHEREAS, an inspection of such premises was conducted on April 3, 1984 by the Office of Building and Plumbing Inspections, and

WHEREAS, such inspection found the structure to be deteriorated, a fire hazard and a danger to the safety and well being of others, and

WHEREAS, notice was sent to the owner and posted on the premises that demolition and removal of the dwelling is necessary, and

WHEREAS, such notice further stated that upon the neglect or refusal of the owner, the Town of Cheektowaga will demolish and remove the dwelling with all costs assessed against the land on which the structure is located, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York a hearing be held on the 4th day of June at 7:00 o'clock P.M. Eastern Daylight Saving Time, at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest shall have an opportunity to be heard.

Upon roll call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, and Gabryszak
NAYES:	0
ABSENT:	0
EXCUSED:	Councilman Kowal

Item No. 10b Motion by Councilman Jaworowicz seconded by Councilman W.P. Rogowski

WHEREAS, the Unsafe Buildings and Collapses Structures Ordinance of the Town of Cheektowaga, New York, requires that unsafe buildings be repaired, demolished or removed, and

WHEREAS, records kept by the Office of the Assessor identify Gerald R. Helenbrook II as the owner of a structure located at Cheektowaga, New York, and

WHEREAS, an inspection of such premises was conducted on March 15, 1984 by the Office of Building and Plumbing Inspections, and

WHEREAS, such inspection found the structure to be vacant, deteriorated, a fire hazard and a danger to the safety and well being of others, and

WHEREAS, such notice further stated that upon the neglect or refusal of the owner, the Town of Cheektowaga will demolish and remove the structure with all costs assessed against the land on which the structure is located, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York, at which hearing all parties in interest shall have an opportunity to be heard.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES:	0
ABSENT:	0
EXCUSED:	Councilman Kowal

Item No. 11a Motion by Councilman Gabryszak seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of a 1972 Used Paver, as per description attached, for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid itmes at 11:00 A.M. on June 4, 1984 at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Minicipal Finance Law, that the Town of Cheektowaga will receive proposals for the following described Paver at a public bid opening June 4th, 1984 at 11 A.M. Eastern Standard Time, to be held in the Council Chambers at the Cheektowaga Town Hall.

One (1) Used Asphalt Paver, Model SB-140 or equal - SCREED - To have heat and vibration across full length of 17 ft. screed. Also, with Pave Command.

INFORMATION FOR BIDDERS AND SPECIFICATIONS MAY BE OBRAINED FROM THE OFFICE OF Alfred F. Wnek, Supt. of Highways, at his office located at 3145 Union Road, S. Cheektowaga, New York. Proposals must be enclosed and sealed in an opaque envelope plainly marked "USED ASPHALT PAVER" for the Town of Cheektowaga Highway Department.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID. THE SUPERINTENDENT OF HIGHWAYS MAY REJECT ANY OR ALL BIDS SUBMITTED.

RICHARD MOLESKI - TOWN CLERK

DATED:

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

*SEE AFFIDAVIT NEXT PAGE

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

Ann F. Mike, 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 May 24, 1984; last publication May 24, 1984; and that no more than six days intervened between publications.

Ann F. Mike

Sworn to before me this 25th

day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK
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 following described Paver at a public bid opening June 4th, 1984 at 11 a.m. Eastern Standard Time, to be held in the Council Chambers at the Cheektowaga Town Hall.

One (1) Used Asphalt Paver, Model SB-140 or equal — SCREED-To have heat and vibration across full length of 17 ft. screed. Also, with Pave Command.

INFORMATION FOR BIDDERS AND SPECIFICATIONS MAY BE OBTAINED FROM THE OFFICE OF Alfred F. Wnek, Supt. of Highways, at his office located at 3145 Union Road, S. Cheektowaga, New York. Proposals must be enclosed and sealed in an opaque envelope plainly marked "USED ASPHALT PAVER" for the town of Cheektowaga Highway Department.

NON-COLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID. THE SUPERINTENDENT OF HIGHWAYS MAY REJECT ANY OR ALL BIDS SUBMITTED.

RICHARD M. MOLESKI
Town Clerk

DATED: May 21, 1984
PUBLISH: May 24, 1984

Item No. 11b Motion by Councilman Johnson seconded by Councilman Gabryszak

WHEREAS, this Town Board adopted a program for the improvement of the drainage system along Beach Road, a County Highway, and Town streets tributary to Beach Road using Community Development Block Grant Funds, AND

WHEREAS, such drainage imporvements will improve the character of the neighborhood and provide for the well being of its citizens, AND

WHEREAS, the Town desires to proceed with the next phase of this drainage improvement project utilizing Community Development Block Grant Funds, said project being the construction of a drainage system along Yeager Drive, AND

WHEREAS, the Engineering Department has informed this Town Board that plans and specifications have been completed for the Yeager Drive Drainage Improvement Project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is directed to publish a Notice to Bidders in connection with said Yeager Drive Drainage Improvement Project, notice to be published in the BUFFALO EVENING NEWS, BUFFALO CRITERION and THE CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed proposals will be received by the Town of Cheektowaga on June 4, 1984 at 11:00 A.M., Local Time, at the Town Hall, at which time they will be publicly opened and read.

* *

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for construction of the Yeager Drive Drainage Improvement Project.

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

Copies may be obtained upon payment of $50.00 per set. Any bidder, upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of $50.00. Non-bidders will be refunded $25.00 upon return of contract documents within 30 days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside "Yeager Drive Drainage Improvement Project" with the contractors name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw the bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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.

Item No. 11b Cont'd.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246 WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPURTUNITIES ARE EXPLAINED IN THE SPECIFICATIONS.

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

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

Richard M. Moleski
Town Clerk

DATED: May 21, 1984

AN EQUAL OPPORTUNITY EMPLOYER

* *

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES:	0
ABSENT:	0
EXCUSED:	Councilman Kowal

*SEE AFFIDAVIT NEXT (3) PAGES.

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

Anne L. Mika, 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 May 24, 1984 ; last publication May 24, 1984 ; and that no more than six days intervened between publications.

Anne L. Mika

Sworn to before me this 25th

day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE
INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for construction of the Yeager Drive Drainage Improvement Project.

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

Copies may be obtained upon payment of $50.00 per set. Any bidder, upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of $50.00. Non-bidders will be refunded $25.00 upon returning of contract documents within 30 days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5 percent) of the bid, payable to the order of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside "Yeager Drive Drainage Improvement Project" with the contractor's name and submitted to the Town clerk prior to bid opening.

No bidder may withdraw the bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100 percent of the contract price will be required of the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246 WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES ARE EXPLAINED IN THE SPECIFICATIONS.

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

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

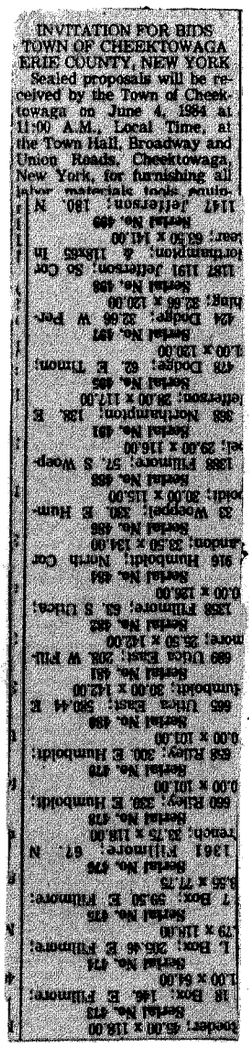
RICHARD M. MOLESKI
Town Clerk

DATED: May 21, 1984
PUBLISH: May 24, 1894
AN EQUAL OPPORTUNITY EMPLOYER

No. 11

No. 12

State of New York
ERIE COUNTY
CITY OF BUFFALO } ss.



INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
Sealed proposals will be received by the Town of Cheektowaga on June 4, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for furnishing all labor materials tools equip-

Madelyn Aronica

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 xxxxxx xxxx~~ weeks, the first insertion being on the 24th day of May 19 84 ~~and the last xxxxx

State of New York

ERIE COUNTY

CITY OF BUFFALO

ss.

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for construction of the Yeager Drive Drainage Improvement Project.

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

Copies may be obtained upon payment of $30.00 per set. Any bidder, upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of $30.00. Non-bidders will be refunded $25.00 upon return of contract documents within 30 days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside "Yeager Drive Drainage Improvement Project" with the contractor's name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw the bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246 WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES ARE EXPLAINED IN THE SPECIFICATIONS.

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.
DATED: May 21, 1984

RICHARD M. MOLESKI
Town Clerk
An equal opportunity employer

adelyn Aronica

City of Buffalo, New York, being duly sworn,

s and says that She is Principal Clerk

BUFFALO EVENING NEWS, INC.,

her of the BUFFALO EVENING NEWS, a

aper published in said city, that the notice of

the annexed printed slip taken from said

aper is a copy, was inserted and published

in once a week for xxxxxx

, the first insertion being on the 24th

of May 19 84 and the last

xxxxx being on the xxxxx day of xxxxx 19xx

Madelyn Aronica

Sworn to before me this 24th day

of May 19 84

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1985

Paul E. Bielman

Notary Public, Erie County, N. Y.

Invitation For Bids

TOWN OF CHEEKTOWAGA

ERIE COUNTY, NEW YORK

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for construction of the Yeager Drive Drainage Improvement Project.

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

Copies may be obtained upon payment of $50.00 per set. Any bidder, upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of $50.00. Non-bidders will be refunded $25.00 upon return of contract documents within 30 days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent [5%] of the bid, payable to the order of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside "Yeager Drive Drainage Improvement Project" with the contractors name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw the bid within sixty [60] days after the actual date of the opening thereuf.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246 WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES ARE EXPLAINED IN THE SPECIFICATIONS.

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

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

RICHARD M. MOLESKI
Town Clerk

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 ..... 23rd ..... day of ..... May ....., 19..... 84 ..... and the last insertion being on the ..... day of .....

19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this ..... 20th ..... day of

..... June ....., 19..... 84.

Frank E. Merriweather

~~Notary Public~~

Commissioner of Deeds

Item No. 11c Motion by Councilman Johnson seconded by Councilman J.V. Rogowski

WHEREAS, the Fire Prevention Code of the Town of Cheektowaga requires the installation of smoke detectors in every dwelling in the Town, effective July 1, 1984, and

WHEREAS, in its desire to alleviate the financial burden imposed upon the owners of dwellings in purchasing such smoke detectors, this Town Board, by resolution dated March 19, 1984 created a Smoke Detectors for the Needy Program and provided for funding thereunder, and

WHEREAS, the Town of Cheektowaga now desires to purchase smoke detectors for the Smoke Detectors for the Needy Program, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Town Clerk to publish in Invitation to Bidders for the purhcase of smoke detectors, in the CHEEKTOWAGA TIMES and the BUFFALO CRITERION, and BE IT FURTHER

RESOLVED, that the instructions and specifications may be viewed and copies thereof obtained from the Office of the Building Inspector, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York during regular business hours, and BE IT FURHTER

RESOLVED, that sealed bids will be received on the 4th day of June, 1984, at 11:00 A.M., Eastern Daylight Saving Time at a public bid opening held in the Council Chambers at the Cheektowaga Town Hall.

* *

INVITATION TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga invites sealed bids for the furnishing of 750 to 1,500 smoke detectors for use in the Town of Cheektowaga Smoke Detectors for the Needy Program.

The Town shall receive sealed bid proposals from qualified bidders for the purhcase of such smoke detectors until:

11:00 o'clock A.M. Eastern Daylight Sav ing Time on June 4, 1984, at the Office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, on or after May 21st, 1984, during regular business hours. At 11:00 o'clock on June 4, 1984, all sealed proposals received will be publicly opened.

Bona fide bidders may inspect and/or secure copies of the Instructions to Bidders, Specifications, etc. from the Office of the Building Inspector, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York. All proposals shall be made and shall be received upon the conditions as stated in the Instructions to Bidders and Specifications.

The Town reserves the right to reject any or all bids and to waive any irregularity in bidding should it be in the best interest of the Town.

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

Dated: May 21, 1984
Cheektowaga, New York

Richard M. Moleski
Town Clerk

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

*SEE AFFIDAVIT NEXT (2) PAGES

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

Ann F. Mika, 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 May 24, 1984; last publication May 24, 1984; and that no more than six days intervened between publications.

Ann F. Mika

Sworn to before me this 25th day of May, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE
INVITATION TO BIDDERS
TOWN CLERK
TOWN HALL
BROADWAY & UNION ROAD
CHEEKTOWAGA, NEW YORK
14227

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga invites sealed bids for the furnishing of 750 to 1,500 smoke detectors for use in the Town of Cheektowaga Smoke Detectors for the Needy Program.

The Town shall receive sealed bid proposals from qualified bidders for the purchase of such smoke detectors until:

11:00 o'clock A.M. Eastern Daylight Saving Time on June 4, 1984, at the Office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, on or after May 21st, 1984, during regular business hours. At 11:00 o'clock on June 4, 1984, all sealed proposals received will be publicly opened.

Bona fide bidders may inspect and/or secure copies of the Instructions to Bidders, Specifications, etc. from the Office of the Building Inspector, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York. All proposals shall be made and shall be received upon the conditions as stated in the Instructions to Bidders and Specifications.

The Town reserves the right to reject any or all bids and to waive any irregularity in bidding should it be in the best interest of the Town.

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 21, 1984
Cheektowaga, New York
PUBLISH: May 24, 1984

STATE OF NEW YORK

Erie County, City of Buffalo ss.

Invitation to Bidders

TOWN CLERK

TOWN HALL

BROADWAY & UNION ROAD

CHEEKTOWAGA, NEW YORK 14227

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga invites sealed bids for the furnishing of 750 to 1,500 smoke detectors for use in the Town of Cheektowaga Smoke Detectors for the Needy Program.

The Town shall receive sealed bid proposals from qualified bidders for the purchase of such smoke detectors until:

11:00 o'clock A.M., Eastern Daylight Saving Time on June 4, 1984, at the Office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, on or after May 21st, 1984, during regular business hours. At 11:00 oclock on June 4, 1984, all sealed proposals received will be publicly opened.

Bona fide bidders may inspect and/or secure copies of the Instructions to Bidders, Specifications, etc. from the Office of the Building Inspector, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York. All proposals shall be made and shall be received upon the conditions as stated in the Instructions to Bidders and Specifications.

The Town reserves the right to reject any or all bids and to waive any irregularity in bidding should it be in the best interest of the Town.

BY ORDER OF THE TOWN BOARD

OF THE TOWN OF CHEEKTOWAGA,

ERIE COUNTY, NEW YORK

Dated: May 21, 1984

Dated: Cheektowaga, New York

RICHARD M. MOLESKI
Town Clerk

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 May, 19 84 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 20th. day of June, 1984

Frank E. Merriweather

~~Notary Public~~
Commissioner of Deeds

Item No. 12 Motion by Councilman Wm. Rogowski seconded by Councilman Johnson

WHEREAS, bids were received and opened at a public meeting on May 7, 1984 for Paving at John C. Stiglmeier Park, AND

WHEREAS, said bids were referred to Stuart Alexander & Associates for analysis and tabulation for compliance with the terms set forth in the plans and specifications, NOW, THEREFORE BE IT

RESOLVED, that the contract for John C. Stiglmeier Park Paving be and hereby is awarded to M. Passucci General Construction, Inc., 4499 Clinton Street, West Seneca, New York, 14224 in the amount listed:

Item #1 @ $28.00 per cubic yard
Item #1 @ $109,200.00
Item #1 @ $ 3,300.00

BE IT FURTHER RESOLVED, that the Supervisor is directed to sign all pertinent contractural data as required with M. Passucci General Construction, Inc.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 13 Motion by Councilman Johnson seconded by Supervisor Weber

WHEREAS, in order to provide for the provision of emergency medical services on a uniform basis, this Town Board has, on May 7, 1984, adopted an Ambulance Ordinance ("Ordinance"); and

WHEREAS, said Ordinance provides for the establishment and authorization of an Emergency Medical Services Board (EMS Board") which will act as agent of the Town of Cheektowaga in the implementation of the Ordinance; and

WHEREAS, the composition of the EMS Board is set forth in Section 7 of the Ordinance; NOW,THEREFORE, BE IT

RESOLVED that Dr. Michael Curran shall be appointed to serve as the Chairman of the EMS Board for a term of one year; and BE IT FURTHER

RESOLVED, that the following individuals shall be designated to serve as members of the EMS Board for a term of one year following appointment:

1. Robert M. Schmitt - Representative from Hy-View Fire District No.8
2. David Reinhardt - Representative from Pine Hill Fire District No.5
3. Frank X. Kreuzer - Representative from U-Crest Fire District No. 4
4. Daniel C. Tybor - Representative from Walden Fire District No. 2
5. Joseph Stewart - Representative from Sloan Fire District
6. Lawrence Kishbaugh - Representative from Cleveland Hill Fire District
7. Thomas Burgasser - Representative from Forks Fire District
8. Jack Stablewski - Representative from South Line Fire District No.10
9. Wallace A. Long - Representative from Bellevue Fire District
10. Leonard Andrzejewski - Representative from Doyle Fire District

and BE IT FURTHER

RESOLVED, that the Chief of Police of the Town of Cheektowaga or his designee shall also serve as a member of the EMS Board, and, BE IT FURTHER

Item No. 13 Cont'd.

RESOLVED, that the following individuals shall serve as ex-officio members of the EMS Board:

1. Ernest A. Holfoth, Town's Risk Management Consultant
2. Brian N. Lewandowski, Deputy Town Attorney
3. Michael Walters, Assistant Coordinator of the Erie County Bureau of Emergency Medical Services
4. Paulette McKernan, Emergency Department Nurse Association (EDNA)
5. Designee of Town of Cheektowaga Fire Alarm Committee

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 14 Motion by Councilman Johnson seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Departments as listed:

SANITATION DEPARTMENT	EFFECTIVE
Steve Fialkowski	5/9/84
WASTEWATER TREATMENT PLANT #5	
William Rieck	5/26/84
Bruce Blachowski	5/26/84
Kenneth Miskell	5/6/84
FACILITIES DEPARTMENT - STREET LIGHT MAINTENANCE DIVISION	
Gary Wurst	5/7/84
Fred Kaplan	5/7/84
FACILITIES DEPARTMENT	
Pamela Wiacek	5/26/84

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogwoski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 15 Motion by Councilman Johnson seconded by Councilman J.V. Rogowski

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the various Departments listed at a rate of $3.10 per hour, effective as stated:

SANITATION DEPARTMENT	EFFECTIVE
James Czajka	5/14/84
Richard Slisz	6/4/84
Donald Szalasny	5/14/84
Tim Obstarczyk	5/30/84
John Fenske	5/17/84
Daniel Nagel	5/17/84
Kimberly Ring	5/5/84
Raymond Zurowski	5/29/84

Item No. 15 Cont'd.

SEWER MAINTENANCE DEPARTMENT	EFFECTIVE
Richard Pagano	Immediately
Gary Catanzaro	"
Gary Klosko	"
David Myszka	"
Daniel Andrzejewski	"
Robert Fissler	"
Jeffrey Mrugalski	6/19/84
Thomas Kroll	Immediately

FACILITIES DEPARTMENT - STREET LIGHT MAINTENANCE DIVISION	
Richard Majtyka	Immediately

TOWN CLERKS OFFICE	
Maureen Corkins	As Needed
Laura Mazurowski	"
Nancy Streicher	"
Cheryl Cyrankowski	"

WASTEWATER TREATMENT PLANT NO.5	
Richard Burt	Immediately

AND BE IT

FURTHER RESOLVED that Shirley Thurnherr, be and hereby is hired as a Seasonal Employee in the Wastewater Treatment Plant No.5 at a rate of $3.75 per hour, effective immediately,

AND BE IT

FURTHER RESOLVED that the following Seasonal Employees be and hereby are transferred to the Departments as listed:

FROM FACILITIES DEPARTMENT TO FACILITIES - STREET LIGHT MAINTENANCE DIVISION	EFFECTIVE
Richard Tomporowski	5/17/84

FROM FACILITIES - STREET LIGHT MAINTENANCE DIVISION TO SANITATION DEPARTMENT.	
Paul Glab	5/10/84
Robert Kubiak	5/14/84

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 16 Motion by Councilman W.P. Rogowski seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals be transferred from the Adapted Recreation Program (7310.1803) to the Day Camp for Developmentally Disabled Youth (7310.1802):

Item No. 16 Cont'd.

PROGRAM DIRECTOR
Bridget Lynch

MUSIC DIRECTOR
Terry Gorski

ARTS & CRAFTS DIRECTOR
Mary Jane Koslowski

SENIOR COUNSELOR
Kimberly Ott

COUNSELOR AIDE
Justine Emmanuel

BE IT ALSO RESOLVED that the following individuals presently working for the Adapted Recreation Program (7310.1803) be transferred to the Day Camp for Developmentally Disabled Youth at the following change in title and salary (7310.1802):

Bonne Lynch from Counselor Aide to Counselor, at $3.00/hour
Debbie Wojtkowski from Counselor to Senior Counselor at $4.00/hour

BE IT ALSO RESOLVED that the following individual presently employed by the Facilities Department as a laborer be transferred to the Day Camp for Developmentally Disabled Youth as a Senior Counselor at a rate of $4.00/hour effective July 9, 1984:

Carl Vella 10 Madaline Lane

BE IT FURTHER RESOLVED that the following individuals be hired for the Day Camp for Developmentally Disabled Youth at the title and rate prescribed - 7310.1802:

ACTIVITY DIRECTOR
PHYSICAL EDUCATION

Carol Novo

SENIOR ADAPTED RECREATION COUNSELORS - $4.00 per hour

Doreen Zak
Celia Burgio
Cheryl Niedzielski
Sandy Zygmunt
Noreen Boje

ADAPTED RECREATION COUNSELORS - $3.50 per hour

Sue Cych
Christine Phillips
Lawrence Maguda

ADAPTED RECREATION COUNSELOR AID - $2.75 per hour

Andrew Gorski
Kathy Zimmerman

Item No. 16 Cont'd.

and WHEREAS, the Cheektowaga Youth Bureau also conducts the Cheektowaga Conservation Corps Program,

BE IT RESOLVED that Robert Off be transferred from the Administrative Intern Program (7310.1804) to Work Crew Supervisor for the Cheektowaga Conservation Corps Program (7310.4689) at a salary rate of $5.50 per hour.

BE IT FURTHER RESOLVED that Michael Bernal, Program Coordinator be terminated effective June 15, 1984.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 17 Motion by Councilman W.P. Rogowski seconded by Councilman Jaworowicz

WHEREAS, Ronald A. Bress, owner and operator of Custom Collision, 4049 Union Road, Cheektowaga, has requested that he be placed on the authorized Town Towers list, AND

WHEREAS, Captain William Kuczkowski of the Cheektowaga Police Department has inspected the equipment and premises of Custom Collision and has determined that they satisfy all requirements deemed necessary under Town Ordinance 76-120, NOW, THEREFORE, BE IT

RESOLVED that Custom Collision be and hereby is placed on the authorized Town Towers list of the Town of Cheektowaga effective immediately.

Item No. 18 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski,

WHEREAS, Mr. Walter Mika, employed in the Cheektowaga Wastewater Treatment Plant No. 5, is enrolled in the United States Army Reserve, HHD, 4th Brigade (CST), 98th Division, AND

WHEREAS, Mr. Mika has received orders to report for Active Duty Training effective Juen 9, 1984 through June 23, 1984, AND

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

RESOLVED, that the Cheektowaga Town Board approves said Military Leave for Mr. Walter Mika, Cheektowaga, New York, for the period of June 9, 1984 through June 23, 1984.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 19 Motion by Councilman Johnson seconded by Councilman W.P. Rogowski

WHEREAS, Senator Alfonse M. D'Amato is sponsoring a Local Government Seminar to be held on May 22-24, 1984 in Washington, D.C., and

WHEREAS, Dennis H. Gabryszak, Councilman, requests authorization from this Board to attend such seminar, and

WHEREAS, this Board feels that it is in the best interests of the Town to be represented at such seminar, and

WHEREAS, the Town of Cheektowaga has petitioned the Department of Housing and Urban Development and our Congressional representatives to effect a change in the formula used to determine the Town's allocation under the Community Development Block Grant Program, and

WHEREAS, the Town Board wishes Councilman Gabryszak to personally present arguments in favor of increasing Cheektowaga's Block Grant allocation to Senator Alfonse D'Amato and Senator Daniel Patrick Moynihan, NOW, THEREFORE, BE IT

RESOLVED that Dennis H. Gabryszak, Councilman be authorized to represent the Town at the Local Government Seminar in Washington, D.C., AND BE IT FURTHER

RESOLVED that any reasonable and necessary costs and expenses incurred by Councilman Gabryszak in attending the aforesaid seminar be shared equally by the Town of Cheektowaga and the Village of Depew.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogwoski, Jaworowicz and Gabryszak
NAYES:	0
ABSENT:	0
EXCUSED:	Councilman Kowal

Item No. 20 Motion by Councilman Johnson seconded by Councilman J.V.Rogowski

WHEREAS, the State of New York, Office of Disaster Planning held a Hazardous Material Management Training Seminar on May 16-17, 1984 at the Trenholm East Inn in Victor, New York, and

WHEREAS, Earl Loder, Cheektowaga Disaster Coordinator, Lt. John F. Schaller and Thaddeus Brudz, Sewer Maintenance Department Foreman, requested permission from this Board to attend such seminar, and

WHEREAS, the State of New York paid the expenses for the aforesaid Town employees to attend this seminar, for lodging and for meals, and

WHEREAS, this Board feels that it was in the best interests of the Town for the aforesaid Town employees to attend the Hazardous Material Management Seminar, NOW, THEREFORE, BE IT

RESOLVED, that the attendance of Earl Loder, John F. Schaller and Thaddeus Brudz at the Hazardous Material Management Seminar be and hereby is retroactively acknowledged and approved, and BE IT FURTHER

RESOLVED, that is is hereby directed that John F. Schaller and Thaddeus Brudz be retroactively compensated at their regular rate of pay for time spent in their attendance at such seminar, and BE IT FURTHER

RESOLVED, that any reasonable costs incurred by the aforesaid Town employees in attending the aforesaid seminar shall be reimbursed by the Town.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES:	0
ABSENT:	0
EXCUSED:	Councilman Kowal

Item No. 21 Motion by Councilman W.P. Rogwoski seconded by Councilman Gabryszak

WHEREAS, a decision of the Copyright Royalty Tribunal increased compulsory license rates for cable systems, and

WHEREAS, cable systems are now required to pay 3.75 percent of their gross receipts for the carriage of distant signals, and

WHEREAS, due to this increased costs, International Cable, Inc. was forced to eliminate channels WPIX out of New York City, New York, WSBK out of Boston, Massachusetts and WTBS out of Atlanta, Georgia to Town of Cheektowaga cable subcribers, and

WHEREAS, hearings were held by the House Copyright Subcommittee in October, 1983 and February, 1984 on House of Representatives Bills No. 3419 and No. 2902, and

WHEREAS, hearings were held by the Senate Subcommittee on Copyrights, Patents and Trademarks in March 1984 on Senate Bill No. 1270, NOW, THEREFORE BE IT

RESOLVED that the Town Board of the Town of Cheektowaga does hereby urge the United States House of Representatives to act favorably on House of Representatives Bills No. 3419 and No. 2902 and the United States Senate to act favorably on Senate Bill No. 1270, which would rescind the Copyright Royalty Tribunal license rate increase and consequently allow Town of Cheektowaga cable subscribers to receive channels WPIX, WSBK and WTBS, and BE IT FURTHER

RESOLVED that certified copies of this resolution be forwarded to Congressman Henry J. Nowak, Senator Alfonse D'Amato and Senator Daniel Patrick Moynihan.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 22 Motion by Councilman Johnson seconded by Councilman Gabryszak

WHEREAS, at the time of completion of the Northeast Interceptor, the Town purchased a Flygt Submersible Pump in 1978 together with related pump operating equipment on order to cope with additional wastewater flows reaching the Town Wastewater Treatment Plant #5, AND

WHEREAS, with the completion of the Main Pumb Station and the connection of the Northeast Interceptor to this Main Pump Station the Town no longer had need for this submersible pump, AND

WHEREAS, at the request of the Town Engineer the original supplier agreed to repurchase this pump with its related equipment, AND

WHEREAS, this Town Board agrees with the need to dispose of the unneeded Flygt Pump and related equipment, NOW, THEREFORE BE IT

RESOLVED, that the offer of J. Andrew Lange, Inc., 4455 East Genesee Street, Syracuse, New York 13214 to repurchase the Flygt Pump with related equipment in the amount of $6,200.00 as proposed in their letter of May 16, 1984 to the Town Engineer be and hereby is approved and accepted, AND, BE IT FURTHER

RESOLVED, that said $6,200.00 is to be applied to the Sanitary Sewer District #5 Budget.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 23 Motion by Councilman Johnson seconded by Councilman J.V. Rogowski

WHEREAS, the Town is interested in alleviating flooding and drainage problems on Yeager Drive in the Town, and

WHEREAS, prior to the conducting of any work in this area, it was necessary for the Town to acquire easements from the owners of 64 and 72 Yeager Drive, and

WHEREAS, the owners of 64 and 72 Yeager Drive have consented to give the Town easements and have executed the same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the attached easements from the owners of 64 and 72 Yeager Drive, and BE IT FURTHER

RESOLVED, that the Town Attorney's Office be and hereby is directed to file such easements in the Erie County Clerk's Office.

*SEE NEXT 10 PAGES FOR COPIES OF EASEMENTS

EASEMEN

JOSEPH E. TROWBRIDGE

TO

TOWN OF CHEEKTOWAGA

Dated: May 7, 1984

Box #480

206

STATE OF NEW YORK
ERIE CO. CLERK'S OFFICE
Recorded in Liber 9333
page 508 of
Deeds on the 24
day of May A.D., 1984
at 2:48 O'clock P.M.,
and examined.
GENEVIEVE M. STAROSCIAK, County Clerk
COUNTY CLERK

7-20.00-SC

1984 MAY 24 PM 2 48

FILED
ERIE COUNTY
CLERK'S OFFICE

EASEMENT

THIS INDENTURE, made and entered into as of the 7th day of May, 1984 by and between, JOSEPH E. TROWBRIDGE, residing at in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Owner, and

TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Town.

WITNESSETH:

THAT the Owner, in consideration of the sum of One and no/100 ($1.00 & no more) Dollar and other good and valuable consideration paid by the Town, does hereby grant and release unto the Town a permanent right-of-way and easement for the purpose of constructing, operating and maintaining and, at its discretion, removing, at its sole cost and expense an underground storm sewer and/or sanitary sewer pipeline and appurtenances thereto, in, across and under that portion of the real property of the Owner described in Schedule A and shown on Schedule B, which are annexed hereto and made a part hereof.

TOGETHER with the grant to the Town, its agents, servants and/or employees, of the right of reasonable ingress and egress over, and entry upon, the real property of the Owner.

RESERVING, to the Owner, his heirs and assigns, the right of reasonable ingress and egress over the easement herein granted unto the Town.

SUBJECT TO:

(a) the Town's maintenance of such storm sewer and/or sanitary sewer pipeline and appurtenances in good and proper condition, and

(b) the Town's causing any work performed in the exercise of the rights and privileges granted herein to be promptly completed, and causing all property of the Owner to be restored as nearly as possible to the condition the same was in immediately before the commencement of any such work, and

(c) the Town's requiring any contractor performing any such work to maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD the rights and easement herein granted unto the Town, its successors and assigns forever.

Any pipes and appurtenances laid or to be laid by or for the Town, its successors or assigns, and/or its contractors, shall be and remain the property of the Town, its successors and assigns, forever.

AND the said Owner covenants as follows:

First: That said Owner is seized of the said premises in fee simple, and has good right to convey the same;

Second: that said Town shall quietly enjoy the said rights and easement;

Third: that said premises are free and clear from all liens and encumbrances in the portion of the Owner's real property described in the attached Schedule A.

Fourth: that the Owner will execute or procure any further necessary assurances of the title to said rights and easement; and

LIBER 9333 PAGE 509

Fifth: that said Owner will forever warrant the title to the said rights and easement.

IN WITNESS WHEREOF, the Owner has hereunto set his hand and seal the day and year first above written.

Joseph E. Trowbridge [L.S.]

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

On this 7th day of May, Nineteen Hundred and Eighty-Four, before me the subscriber, personally appeared JOSEPH E. TROWBRIDGE to me personally known, and known to me to be the same person described in and who executed the within Instrument, and they acknowledged to me that they executed the same.

Kevin G. Schenk
Notary Public

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York and being part of Lot 19, Township 11, Range 7 of the Holland Land Company's Survey, a copy of said subdivision map being filed in the Erie County Clerk's Office under Map Cover 1693, bounded and described as follows:

BEGINNING AT A POINT on the northerly boundary of Yeager Drive (being 60.0 feet wide) at a distance of 8.93 feet westerly, measured along the northerly boundary of Yeager Drive from the southeasterly corner of subdivision Lot 13.

THENCE: Westerly along the northerly boundary of Yeager Drive, a distance of 10.19 feet to a point;

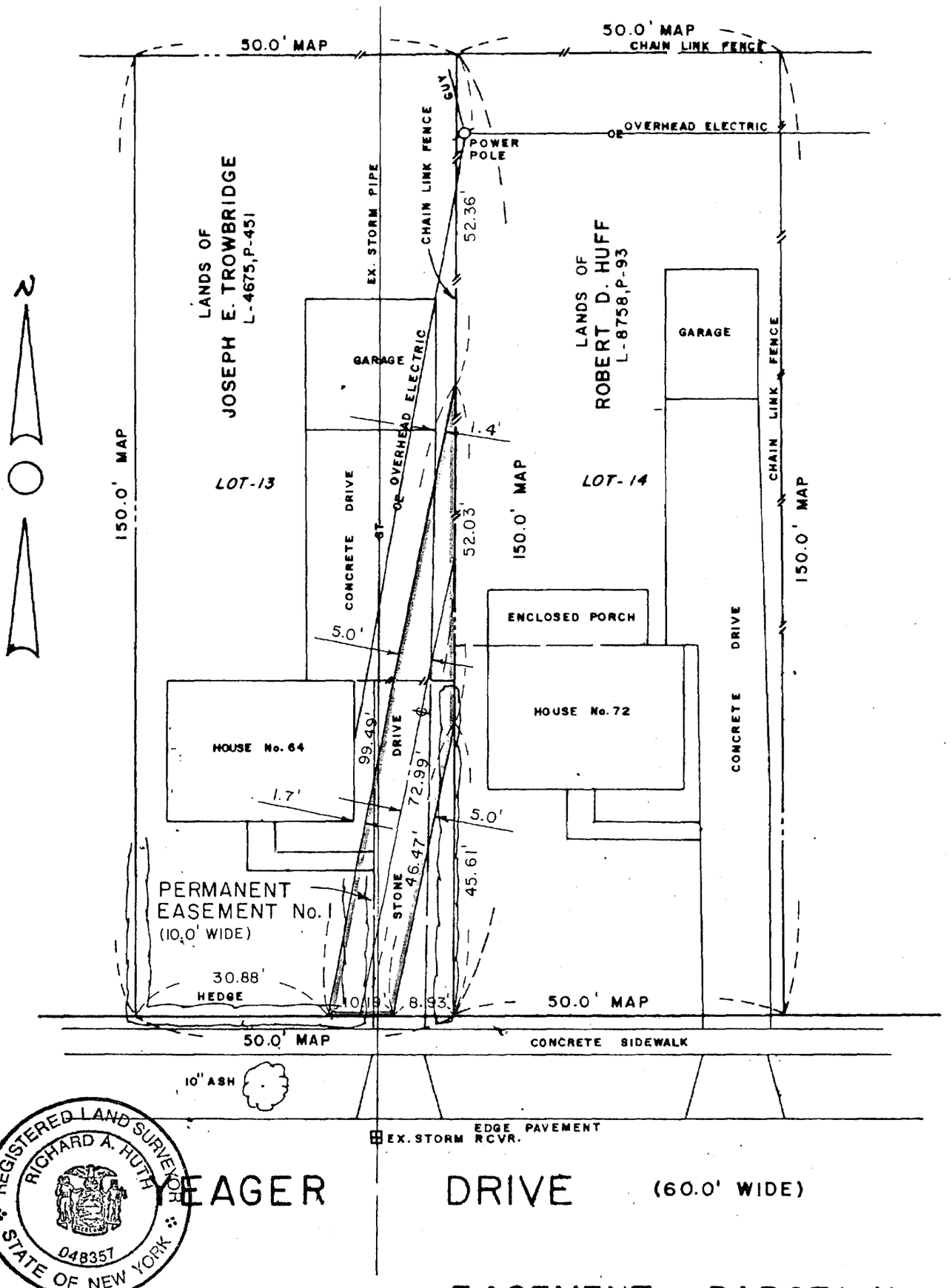
THENCE: Northeasterly, a distance of 99.49 feet to a point on the division line between subdivision Lot 13 on the west and subdivision Lot 14 on the east;

THENCE: Southerly along said division line a distance of 52.03 feet to a point which is 45.61 feet northerly from the northerly boundary of Yeager Drive as measured along the said division line;

THENCE: Southwesterly, a distance of 46.47 feet to the POINT OF BEGINNING.

RECEIVED
$ EXEMPT
REAL ESTATE
MAY 24 1984
TRANSFER TAX
19695 ERIE COUNTY

SCHEDULE B



REGISTERED LAND SURVEYOR
RICHARD A. HUTH
048357
STATE OF NEW YORK

EASEMENT - PARCEL No. 1

TOWN OF CHEEKTOWGA

DRAINAGE IMPROVEMENTS - YEAGER DRIVE
TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

PART LOT - 19, TWP - 11, R - 7
REFERENCE MAP - MAP COVER 1693

Pratt & Huth Associates
Engineers — Surveyors — Planners
138 Bryant Street • Buffalo, New York 14222 • (716) 884-0503

NOTE UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW

JOB NO 83046

DATE MARCH 21, 1984

SCALE 1" = 20'

ROBERT D. HUFF
AND
DEBORAH A. HUFF
his wife
TO
TOWN OF CHEEKTOWAGA

Dated: April 24, 1984

STATE OF NEW YORK
ERIE CO. CLERK'S OFFICE
Recorded in Liber 9333
page 513 of Deeds on the 24
day of May A.D., 1984
at 2:28 O'clock PM
and examined.
GENEVIEVE M. STAROSCIAK, County Clerk
COUNTY CLERK

Box #480 ENT 204

7-20.00-SC

EASEMENT

THIS INDENTURE, made and entered into as of the 24th day of APRIL, 1984 by and between ROBERT D. HUFF and DEBORAH A. HUFF, his wife, residing at 72 YEAGER DRIVE, in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Owners, and

TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Town.

FILED
ERIE COUNTY
CLERK'S OFFICE
1984 MAY 24 PM 2:28

FILED
ERIE COUNTY
CLERK'S OFFICE
1984 MAY 24 PM 2:28

WITNESSETH:

THAT the Owners, in consideration of the sum of One and no/100 ($1.00 & no more) Dollar and other good and valuable consideration paid by the Town, do hereby grant and release unto the Town a permanent right-of-way and easement for the purpose of constructing, operating and maintaining and, at its discretion, removing at its sole cost and expense an underground storm sewer and/or sanitary sewer pipeline and appurtenances thereto, in, across and under that portion of the real property of the Owners described in Schedule A and shown on Schedule B, which are annexed hereto and made a part hereof.

TOGETHER with the grant to the Town, its agents, servants and/or employees, of the right of reasonable ingress and egress over, and entry upon, the real property of the Owners.

RESERVING, to the Owners, their heirs and assigns, the right of reasonable ingress and egress over the easement herein granted unto the Town.

SUBJECT TO:

(a) the Town's maintenance of such storm sewer and/or sanitary sewer pipeline and appurtenances in good and proper condition, and

(b) the Town's causing any work performed in the exercise of the rights and privileges granted herein to be promptly completed, and causing all property of the Owners to be restored as nearly as possible to the condition the same was in immediately before the commencement of any such work, and

(c) the Town's requiring any contractor performing any such work to maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD the rights and easement herein granted unto the Town, its successors and assigns forever.

Any pipes and appurtenances laid or to be laid by or for the Town, its successors or assigns, and/or contractors, shall be and remain the property of the Town, its successors and assigns, forever.

AND the said Owners covenant as follows:

First: That said Owners are seized of the said premises in fee simple, and have good right to convey the same;

Second: that said Town shall quietly enjoy the said rights and easement;

Third: that said premises are free and clear from all liens and encumbrances in the portion of the Owners' real property described in the attached Schedule A;

Fourth: that the Owners will execute or procure any further necessary assurances of the title to said rights and easement; and

Fifth: that said Owners will forever warrant the title to the said rights and easement.

IN WITNESS WHEREOF, the Owners have hereunto set their hands and seals the day and year first above written.

Robert D. Huff [L.S.]

Deborah A. Huff [L.S.]

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

On this 24th day of April, Nineteen Hundred and Eighty-Four, before me, the subscriber, personally appeared ROBERT D. HUFF and DEBORAH A. HUFF, his wife, to me personally known, and known to me to be the same persons described in and who executed the within Instrument, and they acknowledged to me that they executed the same.

RECEIVED
$ EXEMPT
REAL ESTATE
MAY 24 1984
19694
TRANSFER TAX
ERIE
COUNTY

Kevin G. Schenk
Notary Public

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1986

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York and being part of Lot 19, Township 11, Range 7 of the Holland Land Company's Survey and further being part of subdivision Lot 14, a copy of said subdivision map being filed in the Erie County Clerk's Office under Map Cover 1693, bounded and described as follows:

BEGINNING AT A POINT on the division line between subdivision Lot 14 on the east and subdivision Lot 13 on the west at a distance of 45.61 feet northerly, measured along said division line from its intersection with the northerly boundary of Yeager Drive (being 60.0 feet wide).

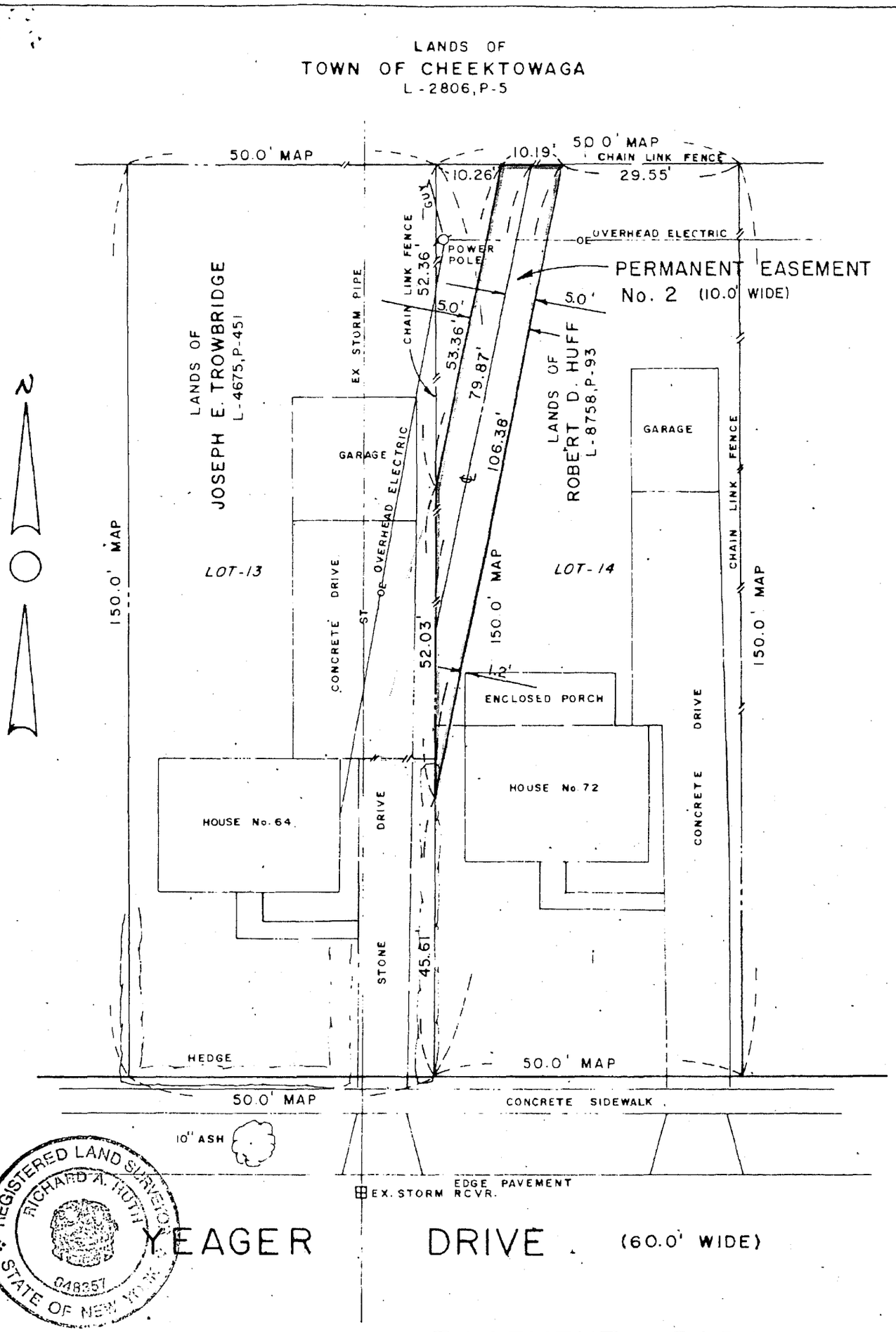
THENCE: Northerly along said division line a distance of 52.03 feet to a point;

THENCE: Northeasterly a distance of 53.36 feet to a point on the northerly boundary fo subdivision Lot 14;

THENCE: Easterly along the northerly boundary of subdivision Lot 14, a distance of 10.19 feet to a point which is 29.55 feet westerly from the northeasterly corner of subdivision Lot 14;

THENCE: Southwesterly, a distance of 106.38 feet to the POINT OF BEGINNING.

SCHEDULE B



REGISTERED LAND SURVEYOR
RICHARD A. HUTH
048357
STATE OF NEW YORK

EASEMENT - PARCEL No. 2

TOWN OF CHEEKTOWGA

DRAINAGE IMPROVEMENTS - YEAGER DRIVE
TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

PART LOT - 19, TWP - 11, R - 7
REFERENCE MAP - MAP COVER 1693

Pratt & Huth Associates
Engineers Surveyors Planners
138 Bryant Street • Buffalo New York 14222 • (716) 884-0503

JOB NO 83046 DATE MARCH 21, 1984

SCALE 1" = 20'

Item No. 23 Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 24 Motion by Councilman Johnson seconded by W.P. Rogowski

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, and

WHEREAS, application for said funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans for eligible Town homeowners, and

WHEREAS, housing rehabilitation is an eligible activity under the Community Development Block Grant Program, and

WHEREAS, the Town Community Development Director has received application(s) for assistance under said program and has determined that the owner-(s) of the property listed below are eligible for participation in the Town's Housing Rehabilitation Loan Program, NOW, THEREFORE, BE IT

RESOLVED that Community Development Housing Rehabilitation Loan funds, in the amount (s) listed below, be approved for the owner(s) of the property listed below:

955 Beach Road - $611.00

AND BE IT

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign a Loan Agreement with the owner(s) of the above listed property and any and all other necessary and related documents on behalf of the Town, AND BE IT

FURTHER RESOLVED that the Supervisor be and hereby is authorized to sign checks, prior to Town Board Warrant List approval, necessary for the timely disbursement of said loan funds, providing that the rehabilitation work to be performed has been carried out to the satisfaction of the Town Housing Inspectors and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 25 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding the cleaning up of vacant property located West of 131 Como Park Boulevard, Cheektowaga, New York, SBL #113.12-2-4, and according to the Assessors' Office is owned by J.H. Collins, c/o John N. Barnhart, Lancaster, New York, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by removeing 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.

Item No. 25 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 26 Motion by Supervisor Weber, seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following fund transfers are hereby approed and made a part hereof.

SPECIAL DISRICT FUND

508125-4543	(Sewer District No. 5-WWFR Remedial)	$3,500.00
508125-4964	(Sewer District No. 5-Roycroft Maint.)	$3,500.00

PART TOWN FUND

General Fund		$17,241.36
4010-4508	(Board of Health-Outside Medical Services)	$17,241.36

GENERAL FUND

2036.000	(Revenues-Sr. Citizens-Special Events)	$8,500.00
7620.4491	(Sr. Citizens-Special Events)	$8,500.00

HIGHWAY FUND

045130.2404	(Highway-Slope Mower)	$45,400.00
045130.2401	(Highway-Equipment)	$45,400.00

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 27 Motion by Supervisor Weber, seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to May 21, 1984 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$149,007.09
SPECIAL DISTRICTS FUND	103,527.81
HIGHWAY FUND	9,799.41
TRUST & AGENCY FUND	1,105.80
PART TOWN FUND	6,868.26
CAPITAL FUND	11,842.11
HUD-CDBG FUND	61,623.60
DEBT SERVICE FUND	487,335.00
HUD REHABILITATION FUND	3,508.90
SPECIAL ASSESSMENT FUND	936.90
	$835,554.88

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

III. FROM THE TABLE

Promotion to position of Captain in Police Department

Item No. 28 Motion by Councilman J. V. Rogowski seconded by Councilman Jaworowicz

WHEREAS, a vacancy currently exists in the position of Captain in the Cheektowaga Police Department due to the recent retirement of Captain William Towery, and

WHEREAS, John F. Schaller of 26 South Transithill Road, Cheektowaga, New York, who currently serves as a Lieutenant in the Cheektowaga Police Department, appears first on the Town Captain's Permanent Promotional Civil Service List, which was prepared by the Erie County Department of Personnel, and

WHEREAS, John F. Schaller has the experience, knowledge and training which will enable him to perform the duties of Captain in a manner most advantageous to the Town, and

WHEREAS, the Chief of Police of the Town of Cheektowaga has recommended that John F. Schaller be promoted to the position of Captain in the Cheektowaga Police Department, NOW, THEREFORE, BE IT

RESOLVED, that John F. Schaller be and hereby is promoted to the position of Captain in the Cheektowaga Police Department, effective immediately, at a salary in accordnace with the bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Captains' and Lieutenants' Association.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak

NAYES: 0

ABSENT: 0

EXCUSED: Councilman Kowal

IV. DEPARTMENTAL COMMUNCIATIONS

Item No. 29 Cheektowaga Planning Board: Minutes of meetings of March and April, 1984
Received and filed.

V. GENERAL COMMUNICATIONS

Item No. 30 Property owners on Nadine Drive: Petition requesting resurfacing on Nadine Drive.
Received and filed.

Item No. 31a Notice of Claim - Jackie A. Smith vs. Town of Cheektowaga
Copies were sent to: Supervisor Daniel E. Weber, Town Attorneys Office; Joseph A. Naples, Town Insurance Carrier; Thomas Johnson Jr., Councilman; Chester Bryan, Town Engineer.
Received and filed.

Item No. 31b Notice of Claim - Edward Joseph Berst vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; Town Attorneys Office; E.T. Clauss and Joseph Naples, Town Insurance Carriers; Thomas Johnson Jr., Councilman; Theodore DeFedericis, Chief of Police.
Received and filed.

* *

Motion by Councilman Johnson seconded by Councilman W.P. Rogowski to suspend the rules to include the following items.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

VI. SUSPENSION OF RULES

Item No. 32 Motion by Councilman J.V. Rogowski seconded by Councilman Jaworowicz

WHEREAS, a vacancy currently exists in the position of Lieutenant in the Cheektowaga Police Department due to the promotion of John F. Schaller to the position of Captain in such department, and

WHEREAS, this Town Board is interested in saving taxpayers' money wherever feasible, and

WHEREAS, by abolition of the vacant Lieutenant's position, the Town will save $30,030.50 and the services provided by the Cheektowaga Police Department will not be affected, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned vacant Lieutenant's position be and hereby is abolished, effective immediately.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 33 Motion by Councilman Gabryszak seconded by Councilman W.P. Rogowski

WHEREAS, the Town of Cheektowaga Disaster Coordinator desires to lease for a period of four (4) years, one (1), 1985 Model, 4-wheel drive Suburban for use by the Disaster Coordinatior,

NOW, THEREFORE BE IT,

RESOLVED, that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said lease of (1) one, 1985 Model, 4-wheel drive Suburban. Notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 4th day of June, 1984, at 11:00 A.M. Dylight Savings Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1984, at 11:00 A.M. Daylight Savings Time, at the Town Hall, corner of Broadway & Union Road, for the Lease of (1) one 1985 Model, 4 Wheel Drive Suburban, for use by the Disaster Coordinator. *(Lease Period - for four years.)

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

Item No. 33 Cont'd.

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 21, 1984

* *

*SEE AFFIDAVIT NEXT PAGE

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

Anna T. Mika, 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 May 24, 1984; last publication May 24, 1984; and that no more than six days intervened between publications.

Anna T. Mika

Sworn to before me this 25th

day of May, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1984, at 11:00 A.M. Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, for the Lease* of (1) one 1985 Model, 4 Wheel Drive Suburban, for use by the Disaster Coordinator. *(Lease Period — for four years.)

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

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

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

RICHARD M. MOLESKI
Town Clerk
DATED: May 21, 1984
PUBLISH: May 24, 1984

Item No. 33 Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski,J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 34

Motion by Supervisor Weber seconded by Unanimous by those Board members present:
Councilman Johnson
Councilman W.P. Rogowski
Councilman J.V. Rogowski
Councilman Jaworowicz
Councilman Gabryszak

WHEREAS, New York State Instant Lottery tickets have been printed in a satellite plant of Dittler Brothers located in the City of Tonawanda, County of Erie, New York, and

WHEREAS, Dittler Brothers has announced that it will cease printing New York State Instant Lottery tickets in New York and will move its entire operation to Oakwood, Georgia, and

WHEREAS, the employees of Dittler Brothers demand that printing of the New York State Instant Lottery tickets be performed within the boundaries of New York State, and

WHEREAS, these employees desire to remain employed at Dittler Brothers in the City of Tonawanda, New York, and continue to lead productive lives as New York State Taxpayers, and

WHEREAS, these employees are calling upon the general public, the media and local governmental bodies to support their actions to retain printing of New York State Instant Lottery tickets in New York State, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board does hereby voice its support for the employees of Dittler Brothers in the City of Tonawanda, New York, and BE IT FURTHER

RESOLVED that this Town Board hereby strongly urges the Governor, Senate and Assembly to support the employees of Dittler Brothers in their drive to retain the printing of New York State Instant Lottery tickets wihtin the boundaries of New York State, and BE IT FURTHER

RESOLVED that certified copies of this resolution be forwarded to Governor Mario Cuomo, State Senator Dale Volker and State Assemblyman Dennis Gorski.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz and Gabryszak
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Kowal

Item No. 35 Motion by Councilman Jaworowicz seconded by Councilman Gabryszak to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 11

CHEEKTOWAGA, NEW YORK
June 4, 1984

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of June 1984, at 7:00 o'clock P.M., Daylight Saving Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Sal LaGreca, Employment and Training Services Director II; Brian Lewandowski, Deputy Town Attorney; Earl Loder, Disaster Coordinator; Ronald Marten Building and Plumbing Inspector; Michael Miecznikowski, Director of Recreation; Al Thrun, Representative of Cheektowaga Traffic Safety; Julia Reinstein, Town Historian; Donald Wegner, Chairman of Zoning Board; Fred Wnek, Highway Superintendent; Bernard Wojtkowiak, Mayor of Sloan.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

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

ARTICLE VIII

Stop and Yield Intersections

Street	Direction	Entrance Street	Traffic Stops	Sign Location
KENVIEW BLVD.	North-south	WAINWRIGHT ROAD	Westbound	N.E. Corner
EAST TREEHAVEN ROAD	East-west	WAINWRIGHT ROAD	Northbound	S.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

A. No parking this side or one-side parking

KENVILLE ROAD	south side:	east from Eggert Road to north and south branches of Kenville Road.
KENVILLE ROAD	north side:	east from Eggert Road to north and south branches of Kenville Road.
KENVILLE ROAD	complete inner curblines of Kenville Road in project. Both sides of Kenville Road easterly form Eggert Road to junction of north and south branches of Kenville Road in project.	

Item No. 2 Cont'd.

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

A. No parking this side or one-side parking.

KENVILLE ROAD	north side:	from the east curbline of Eggert Road to the west curbline of Kenville Road.
KENVILLE ROAD	complete inner curbline of Kenville Road in project.	

* * * * * * * * * * *

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

Item No. 3 This being the time and place advertised for a public hearing relative to Unsafe Buildings and Collapsed Structures Ordinance regarding demolition and removal of a structure located at 71 Frederick Street, Cheektowaga, New York.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. At this time a petition was received by the Supervisor regarding the subject premises. 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 relative to Unsafe Buildings and Collapsed Structures Ordinance regarding demolition and removal of a structure located at 107 David Avenue, Cheektowaga, New York.

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

II. RESOLUTIONS

Item No. 5 Motion by Councilman Jaworowicz seconded by Councilman Johnson

WHEREAS, the Cheektowaga Chamber of Commerce, Cheektowaga Planning Board, Cheektowaga Traffic Safety Commission and Office of Building Inspector have been engaged during the past several months in a reformulation, amendment and revision of the provisions of the Zoning Ordinance of the Town of Cheektowaga pertaining to signs (hereinafter referred to as "SIGN ORDINANCE"); and

WHEREAS, this Town Board ahs called a Public Hearing to consider the advisability of adopting the SIGN ORDINANCE, and gave due notice thereof as required by law; and

WHEREAS, a Public Hearing on the proposed SIGN ORDINANCE was duly held by the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 21st day of May, 1984, at 7:00 P.M., at which Public Hearing all parties in interest and citizens had an opportunity to be heard and were heard; and

WHEREAS, the adoption of the SIGN ORDINANCE is in the best interests of the public in that it will promote traffic safety, require minimum safety standards and enhance the aesthetic quality of the Town of Cheektowaga;

NOW, THEREFORE, BE IT RESOLVED that the SIGN ORDINANCE of the Town of Cheektowaga is hereby adopted as follows:

AMENDMENTS TO THE
ZONING ORDINANCE

RESOLVED THAT:

The Zoning Ordinance of the Town of Cheektowaga, is hereby amended as follows:

1. Section 1-51 thereof, is hereby amended by deleting the phrase "classes defined as follows", at the end of the first sentence and inserting in its place the phrase "classification set forth in Section 1-52 and 1-53 below".

2. Section 1-55 thereof, which pertains to "Portable Signs", is hereby amended by deleting the current text in its entirety, and inserting the following in its place:

"1-55 Regulation of Signs - All signs erected, constructed, displayed or otherwise maintained in the Town of Cheektowaga, except those exempt under Section 11-10 (b), shall be erected, constructed or maintained in accordance with this ordinance:

A. (i) Any illuminated sign or lighting device shall only employ lights emitting a light of constant intensity and shall not be illuminated by or otherwise contain any flashing, intermittent, rotating, alternating or moving light, resemble, in any fashion, traffic-control devices or signs; or obscure the night vision of operators of motor vehicles; provided, however, that the Building Inspector may, in his discretion, permit signs which only convey the time and temperature.

(ii) The restrictions contained in Section 1-55 A (i) above shall not apply to any sign erected, constructed or maintained in the following "exempt zone":

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lots 13, 5, 78 and 77, Township 11, Range 7, of the Holland Land Company Survey, bounded along the northerly and southerly sides of Genesee Street, and more particularly bounded and described as follows:

BEGINNING at a point in the south right-of-way line of Genesee Street, said point being the intersection of the south right-of-way line of Genesee Street and the east right-of-way line of Dick Road, and extending easterly along the south right-of-way line of Genesee Street, for a distance of 8,487 feet, more or less;

THENCE, northwesterly along the center line of the Lehigh Valley Railroad, a distance of 100 feet more or less;

THENCE, westerly along the north right-of-way line at Genesee Street for a distance of 8,480 feet, more or less;

THENCE, southerly along the easterly right-of-way line of Dick Road for a distance of 100 feet, more or less, to the point of beginning;

provided however, that nothing contained above shall limit or otherwise restrict the authority of the Office of Building Inspector to issue permits for such signs.

B. Sign mounting structures and supports shall be designed and constructed to support live loads, dead loads and wind loads as required by the Building Inspector.

C. No sign shall be maintained at any location where by reason of its position, size, shape, color or appearance, it may obstruct, impair or be confused with any traffic control sign, signal or device or otherwise be positioned where it may interfere with, mislead or tend to confuse vehicular or pedestrian traffic.

D. No sign shall be attached to a utility pole or tree.

E. All signs utilizing electrical lighting shall be installed and maintained in accordance with the National Electrical Code, as amended and modified from time to time.

F. Signs utilizing electric power which are connected to a distant power source by means of an extension cord shall not be permitted if such extension cord lies exposed on the ground or is supported in the air by props.

G. No sign shall rotate or otherwise be in physical motion.

H. Signs, frames, mounts, and support structures shall be in a safe and structurally sound condition and maintained by replacement of defective or worn parts, painting, repainting, leveling and cleaning.

I. Signs, frames, mounts and support structures in disrepair or abandoned for sixty (60) days may be removed by the Town of Cheektowaga at the expense of the owner of the property upon which such sign is located in accordance with the procedures set forth in Ordinance No. 40 of the Cheektowaga General Town Ordinances which relates to unsafe and unsound buildings.

J. No sign shall be mounted in an inverted fashion or be mounted in a manner which is not at a 90° angle to a horizontal plane.

K. Signs erected, constructed or maintained in connection with any campaign for public office or trust shall only be placed on private property and shall be removed by the owner of the property upon which such sign is situated within two (2) days after the date of the election to which sign relates.

L. Search lights, rotating lights and flashing lights are not permitted for any purpose.

M. Signs containing manually interchangeable letters mounted on channels or carriers shall be constructed and/or maintained to protect individual letters from dislocation.

N. Temporary real estate signs shall not be placed on existing signs or their frames, mounts or supporting structures and shall be located between the sidewalk and building, or, if no building exists, such sign shall be located off the highway right-of-way".

3. A new Section 1-56, which pertains to Sign Permits, is hereby added to read as follows:

"1-56 Sign permits.

(a) No sign or support structure shall be erected, constructed or maintained without a permit issued by the Office of the Building Inspector. The Office of the Building Inspector shall assess a fee for the processing and issuance of such permits in such amount as the Town Board shall determine, by resolution, from time to time".

(b) In addition to the fee provided for above, an application for a use permit for each portable or temporary sign as provided in Section 6-033B, shall be accompanied by a deposit of $50.00. The deposit shall be refunded only if the sign is removed at or before end of the time permitted for display. A refund shall

be made upon a voucher approved by the Building Inspector . If the sign is not removed at or before the end of the permitted period, the deposit shall be forfeited and transferred to the Town General Fund. The forfeiture shall be civil in nature and in addition to all other penalties provided for as punishment for violation of this ordinance.

4. Section 6-032 thereof, which pertains to "Other Identification Signs", is hereby amended by deleting subsection (2) of paragraph (a) in its entirety and inserting in its place, the following:

"(2) No sign shall be placed in or project into any street right-of-way or other public property".

5. Section 6-032 thereof is hereby further amended by deleting the text of subsections (1) and (2) of paragraph (b) in its entirety and inserting in its place the following:

"(1) Wall Signs - Flat wall signs shall not exceed 20 percent of the wall area upon which they are attached and shall not exceed 200 square feet in total sign area whichever is the lesser.

(2) Permanent Free-Standing Sign - lettering or logo applied to a surface which is supported by a structure rjsing from the ground usually set in concrete shall not exceed 80 square feet in sign face (each face if double-sided sign) and not exceed 30 feet above the ground in overall height, provided that there shall not be more than one (1) permanent free-standing sign for any structure or connected building.

(3) Projecting signs shall not exceed 60 square feet for each face of the sign. The sign shall not project over a public right-of-way and the lowest edge of the sign and support must be not less than eight feet above ground level".

6. Section 6-033 thereof, which pertains to "Portable Signs", is hereby amended by deleting the current text in its entirety and inserting in its place the following provisions relating to "Specific Sign Conditions":

"6-033 Specific Sign Conditions:

A. Window Signs - lettered or neon sign are shall not exceed 40 per cent of the total glass area and be mounted behind the glass.

B. Portable or Temporary Business Signs - which are mounted on skids or of the "A-Frame" design and may be illuminated by continuous non-flashing lights are subject to the following conditions:

1. Each sign face shall not exceed forty (40) square feet.
2. One such sign per premises.
3. Sign and support must be anchored in accordance with the specifications set forth in Section 1-558.
4. Sign must conform to all provisions under Section 1-50.
5. A temporary or portable sign permit may be issued provided that only one such permit may be issued to a user in any calendar year and provided further that permits may not be issued for any period exceeding thirty (30) consecutive days.
6. In no instance shall a mobile business sign be permitted on the public right-of-way.
7. The applicant for said permit must provide verification from the sign manufacturer or supplier that said sign is in conformance with the National Electrical Code, as amended from time to time.

C. Pseudo-Signs - are those devices such as pennants, banners, streamers, flags, which may be employed to emphasize a special event or sale, shall be permitted for one (1) continuous week in one (1) calendar year, without a permit; provided any such signs are not mounted in violation of Section 1-55 C. Spinners, flashers, flares, large gas-filled balloons, search-lights, reflective materials are expressly prohibited under all circumstances.

1. Pennants, banners, streamers and flags shall be permitted without restriction where the product being displayed for sale is located within a zoning district permitting outside display and sales and is an integral part of the retailers merchandising sales area, and that said pennants, banners, streamers and flags are adhered directly to the merchandise offered for sale".

7. A new Section 6-034, which pertains to "Multiple Business Signs", is hereby added to read as follows:

> 6-034 - Multiple Business Sign - where several businesses or a business with several divisions occupies a single building, each business or division may participate in a consolidated free-standing support structure where the total sign area or the sums of any individual sign faces, shall not exceed 100 square feet per side.

8. Section 11-10 thereof, which pertains to "Definitions", is hereby amended to change the definition of "Sign" by numbering the first paragraph thereof (a) and by (1) inserting the phrase "including billboards" in the first sentence thereof after the word "structure" and before the word "upon", (2) deleting the second sentence thereof in its entirety and adding a new sentence; and (3) adding a new third sentence; so as to read as follows:

> "(a) A sign is any structure or part thereof, or any device attached to, painted on, or represented on a building or other structure, <u>including billboards</u>, upon which is displayed or included any letter, number, work, model, banner, flag, pennant, insignia, decoration, device or representation used as, or which is in the nature of an announcement, direction, advertisement, or other attention directing device. A sign shall not include a device located within a building except for signs within show windows visible on the outside. A motor vehicle or trailer shall be deemed a sign if it is lettered or displayed in such a fashion so as to attract attention and is utilized to advertise or otherwise call attention to a business located in, or event taking place in, the Town of Cheektowaga".

9. Section 11-10 thereof, which pertains to "Definitions", is hereby amended by adding a new paragraph (b) to the definition of "Signs" as follows:

> "(b) For the purpose of this ordinance, a sign does not include:

1. Flags, pennants, insignias or emblems of a duly constituted governmental body or agency.
2. Signs, whether permanent or temporary, placed by or at the direction of any duly constituted governmental body or agency for the purpose of regulation, direction or instruction including, but not limited to, traffic control signs, railroad warning signs, parking signs and legal notices.
3. Memorial plaques, markers, monuments and tablets.
4. Any signs otherwise required to be erected, constructed or maintained by any applicable law, rule, regulation, ordinance or order, provided that the content and/or size of any such sign does not exceed the requirements of such law, rule, regulation, ordinance or order.
5. Signs not exceeding three (3) square feet in total area which convey information necessary for the safety or convenience of the public including, but not limited to parking signs, rest room designations and signs designating loading areas
6. Signs, banners, pennants and decorations temporarily displayed, for a period not to exceed seven (7) days, in connection with local or national festivities, holidays or similar activities.
7. Signs which are accessory to churches, schools and civic, social and fraternal associations, and which do not exceed twelve (12) square feet in total area".

Item No. 5 Cont'd.

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the Town Board of the Town of Cheektowaga, held on June 4, 1984, 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, and

BE IF FURTHER RESOLVED, that the aforementioned SIGN ORDINANCE of the Town of Cheektowaga, New York shall take effect ten (10) days after said publication.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT NEXT PAGE

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

Ann E. Mika, 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 June 7, 1984; last publication June 7, 1984; and that no more than six days intervened between publications.

Ann E. Mika

Sworn to before me this 8th day of June, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

NOW, THEREFORE BE IT RESOLVED that the SIGN OR... 16-083 Specific Sign Conditions: ... removed by ... no later than ... painting, installation, leveling and ...

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 June, 1984 at 7:00 o'clock p.M. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Johnson

WHEREAS, the Cheektowaga Chamber of Commerce, Cheektowaga Planning Board, Cheektowaga Traffic Safety Commission and Office of Building Inspector have been engaged during the past several months in a reformulation, amendment and revision of the provisions of the Zoning Ordinance of the Town of Cheektowaga pertaining to signs (hereinafter referred to as "SIGN ORDINANCE"); and

WHEREAS, this Town Board has called a Public Hearing to consider the advisability of adopting the SIGN ORDINANCE, and gave due notice thereof as required by law; and

WHEREAS, a Public Hearing on the proposed SIGN ORDINANCE was duly held by the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 21st day of May, 1984, at 7:00 P.M., at which Public Hearing all parties in interest and citizens had an opportunity to be heard and were heard; and

WHEREAS, the adoption of the SIGN ORDINANCE is in the best interests of the public in that it will promote traffic safety, require minimum safety standards and enhance the aesthetic quality of the Town of Cheektowaga;

NOW, THEREFORE, BE IT RESOLVED, that the SIGN ORDINANCE of the Town of Cheektowaga is hereby adopted as follows:

AMENDMENTS TO THE
ZONING ORDINANCE

RESOLVED THAT:

The Zoning Ordinance of the Town of Cheektowaga, is hereby amended as follows:

1. Section 1-51 thereof, is hereby amended by deleting the phrase "classes defined as follows", at the end of the first sentence and inserting in its place the phrase "classification set forth in Section 1-52 and 1-53 below".

2. Section 1-55 thereof, which pertains to "Portable Signs", is hereby amended by deleting the current text in its entirety, and inserting the following in its place:

"1-55 Regulation of Signs — All signs erected, constructed, displayed or otherwise maintained in the Town of Cheektowaga, except those exempt under Section 11-10 (b), shall be erected, constructed or maintained in accordance with this ordinance:

A. (i) Any illuminated sign or lighting device shall only employ lights emitting a light of constant intensity and shall not be illuminated by or otherwise contain any flashing, intermittent, rotating, alternating or moving light, resemble, in any fashion, traffic-control devices or signs; or obscure the night vision of operators of motor vehicles; provided, however, that the Building Inspector may, in his discretion, permit signs which only convey the time and temperature.

(ii) The restrictions contained in Section 1-55 A (i) above shall not apply to any sign erected, constructed or maintained in the Street, said point being the intersection of the south right-of-way line of Genesee Street and the east right-of-way line of Dick Road, and extending easterly along the south right-of-way line of Genesee Street, for a distance of 8,487 feet, more or less;

THENCE, northwesterly along the center line of the Lehigh Valley Railroad, a distance of 100 feet more or less;

THENCE, westerly along the north right-of-way line at Genesee Street for a distance of 8,480 feet, more or less;

THENCE, southerly along the easterly right-of-way line of Dick Road for a distance of 100 feet, more or less, to the point of beginning;

provided however, that nothing contained above shall limit or otherwise restrict the authority of the Office of Building Inspector to issue permits for such signs.

B. Sign mounting structures and supports shall be designed and constructed to support live loads, dead loads and wind loads as required by the Building Inspector.

C. No sign shall be maintained at any location where by reason of its position, size, shape, color or appearance, it may obstruct, impair or be confused with any traffic control sign, signal or device or otherwise be positioned where it may interfere with, mislead or tend to confuse vehicular or pedestrian traffic.

D. No sign shall be attached to a utility pole or tree.

E. All signs utilizing electrical lighting shall be installed and maintained in accordance with the National Electrical Code, as amended and modified from time to time.

F. Signs utilizing electric power which are connected to a distant power source by means of an extension cord shall not be permitted if such extension cord lies exposed on the ground or is supported in the air by props.

G. No sign shall rotate or otherwise be in physical motion.

H. Signs, frames, mounts, and support structures shall be in a safe and structurally sound condition and maintained by replacement of defective or worn parts, painting, repainting, leveling and cleaning.

I. Signs, frames, mounts and support structures in disrepair or abandoned for sixty (60) days may be removed by the Townof Cheektowaga at the expense of the owner of thr property upon which such sign is located in accordance with the procedures set forth in Ordinance No. 40 of the Cheektowaga General Town Ordinances which relates to unsafe and unsound buildings.

J. No sign shall be mounted in an inverted fashion or be mounted in a manner which is not at a 90 degree angle to a horizontal plane.

K. Signs erected, constructed or maintained in connection with any campaign for public office or trust shall only be placed on private property and shall be removed by the owner of the property upon which such sign is situated within two (2) days after the date of the election to which sign relates.

L. Search lights, rotating lights and flashing lights are not permitted for any purpose.

M. Signs containing manually interchangeable letters mmounted on channels or carriers shall be constructed and/or maintained to protect individual letters from dislocation.

N. Temporary real estate signs shall not be placed on existing signs or their frames, mounts or supporting structures and shall be located between the sidewalk and building, or, if not building exists, such sign shall be located off the highway right-of-way".

3. A new Section 1-56, which pertains to Sign Permits, is hereby added to read as follows:

"1-56 Sign permits.

by a deposit of $50.00. The deposit shall be refunded only if the sign is removed at or before end of the time permitted for display. A refund shall be made upon a voucher approved by the Building Inspector. If the sign is not removed at or before the end of the permitted period, the deposit shall be forfeited and transferred to the Town General Fund. The forfeiture shall be civil in nature and in addition to all other penalties provided for as punishment for violation of this ordinance.

4. Section 6-032 thereof, which pertains to "other Identification Signs", is hereby amended by deleting subsection (2) of paragraph (a) in its entirety and inserting in its place, the following:

"(2) No sign shall be place din or project into any street right-of-way or other public property".

5. Section 6-032 thereof is hereby further amended by deleting the text of susbsections (1) and (2) of paragraph (b) in its entirety and inserting in its place the following:

"(1) Wall Signs — Flat wall signs shall not exceed 20 percent of the wall area upon which they are attached and shall not exceed 200 square feet in total sign area whichever is the lesser.

(2) Permanent Free-Standing Sign — lettering or logo applied to a surface whichis supported by a structure rising from the ground usually set in concrete shall not exceed 80 square feet in sign face (each face if double-sided sign) annot exceed 30 feet above the ground in overall height, provided that there shall not be more than one (1) permanent free-standing sign for any structure or connected building.

(3) Projecting signs shall not exceed 60 square feet for each face of the sign. The sign shall not project over a public right-of-way and the lowest edge of the sign and support must be not less than eight feet above ground level".

6. Section 6-033 thereof, which pertains to "Portable Signs", is hereby amended by deleting the current text in its entirety and inserting in its place the following provisions relating to "Specific Sign Conditions":

"6-033 Specific Sign Conditions:

A. Window Signs — lettered or neon sign are shall not exceed 40 percent of the total glass area and be mounted behind the glass.

B. Portable or Temporary Business Signs — which are mounted on skids or of the "A-Frame" design and may be illuminated by continuous nonflashing lights are subject to the following conditions:

1. Each sign face shall not exceed forty (40) square feet.

2. One such sign per premises.

3. Sign and support must be anchored in accordance with the specifications set forth in Section 1-55B.

4. Sign must conform to all provisions under Section 1-50.

5. A temporary or portable sign permit may be issued provided that only one such permit may be issued to a user in any calendar year and provided further that permits may not be issued for any period exceeding thirty (30) consecutive days.

6. In no instance shall a mobile business sign be permitted on the public right-of-way.

7. The applicant for said permit must provide verification from the sign manufacturer or supplier that said sign is in conformance with the National Electrical Code, as amended from time to time.

C. Pseudo-Signs — are those devices such as pennants, banners, streamers, flags, which may be employed to emphasize a special event or sale, shall be permitted for one (1) continuous week in one (1) calendar year, without a permit, provided any such signs are not mounted in violation of Section 1-55C. Spinners, flashers, flares,

dise offered for sale".

7. A new Section 6-034, which pertains to "Multiple Business Signs", is hereby added to read as follows:

6-034 — Multiple Business Sign — where several busineses or a business with several divisions occupies a single building, each business or division may participate in a consolidated free-standing support structure where the total sign area or the sums of any individual sign faces, shall not exceed 100 square feet per side.

8. Section 11-10 thereof, which pertains to "Definitions", is hereby amended to change the definition of "Sign" by numbering the first paragraph thereof (a) and by (1) inserting the phrase "including billboards" in the first sentence thereof after the word "structure" and before the word "upon", (2) deleting the second sentence thereof in its entirety and adding a new sentence; and (3) adding a new third sentence; so as to read as follows:

"(a) A sign is any structure or part thereof, or any device attached to, painted on, or represented on a building or other structure, including billboards, upon which is displayed or included any letter, number, work, model, banner, flag, pennant, insignia, decoration, device or representation use as, or which is in the nature of an announcement, direction, advertisement, or other attention directing device. A sign shall not include a device located within a building except for signs within show windows visible on the outside. A motor vehicle or trailer shall be deemed a sign if it is lettered or displayed in such a fashion so as to attract attention and is utilized to advertise or otherwise call attention to a business located in, or event taking place in, the Town of Cheektowaga".

9. Section 11-10 thereof, which pertains to "Definitions", is hereby amended by adding a new paragraph (b) to the definition of "Signs" as follows:

"(b) For the purpose of this ordinance, a sign does not include:

1. Flags, pennants, insignias or emblems of a duly constituted governmental body or agency.

2. Signs, whether permanent or temporary, placed by or at the direction of any duly constituted governmental body or agency for the purpose of regulation, direction or instruction including, but not limited to, traffic control signs, railroad warning signs, parking signs and legal notices.

3. Memorial plaques, markers, monuments and tablets.

4. Any signs otherwise required to be erected, constructed or maintained by any applicable law, rule, regulation, ordinance or order, provided that the content and/or size of any such sign does not exceed the requirements of such law, rule, regulation, ordinance or order.

5. Signs not exceeding three (3) square feet in total area which convey information necessary for the safety or convenience of the public including, but not limited to parking signs, rest room designations and signs designating loading areas

6. Signs, banners, pennants and decorations temporarily displayed, for a period not to exceed seven (7) days, in connection with local or national festivities, holidays or similar activities.

7. Signs which are accessory to churches, schools and civic, social and fraternal associations, and which do not exceed twelve (12) square feet in total area".

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the Town Board of the Town of Cheektowaga, held on June 4, 1984, 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

Item No. 6 Motion by Councilman Johnson seconded by Councilman Wm. Rogowski

WHEREAS, this Town Board duly held a public hearing on the 21st day of May, 1984 at 7:00 o'clock P.M. to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE X

Parking, Standing and Stopping

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

B. No Parking Anytime

DARTWOOD DRIVE	West side	from the south curbline of LeHarve Drive to a point 75+ feet south of the south curbline of LeHarve Drive

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 Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT NEXT PAGE.

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

Ann E. Miko, 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 June 7, 1984; last publication June 7, 1984; and that no more than six days intervened between publications.

Ann E. Miko

Sworn to before me this 8th day of June, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 June, 1984 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Daniel E. Weber.
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Kowal
Seconded by Councilman Gabryszak

WHEREAS, this Town Board duly held a public hearing on the 21st day of May, 1984 at 7:00 o'clock P.M. to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Town Board determine that it is in the public interest to adopt the following amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X
Parking, Standing and Stopping

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

B. No Parking Anytime.

DARTWOOD DRIVE, West side, from the south curbline of LeHarve Drive to a point 75± feet south of the south curbline of LeHarve Drive

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...

Supervisor		
Weber	Voting	AYE
Councilmen:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 4, 1984, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 6, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of June, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 7, 1984

Item No. 7 Motion by Councilman Kowal seconded by Councilman Gabryszak

WHEREAS, this Town Board duly held a public hearing on the 21st day of May, 1984 at 7:00 P.M. Eastern Daylight Saving Time 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 101. All-night parking (winter parking ban between the hours of 1:00 A.M. and 6:00 A.M.) shall be amended by deleting therefrom the words "December 1st to March 15th" and by adding thereto the words "November 1st to April 1st".

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 Councy, 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 Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT NEXT PAGE

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

Ann E. Mika, 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 June 7, 1984; last publication June 7, 1984; and that no more than six days intervened between publications.

Ann E. Mika

Sworn to before me this 8th day of June, 1984.

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 June, 1984 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Daniel E. Weber.
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak
ABSENT: 0

Motion by Councilman Kowal
Seconded by Councilman Gabryszak

WHEREAS, this Town Board duly held a public hearing on the 21st day of May, 1984 at 7:00 o'clock P.M. 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 101. All-night parking (winter parking ban between the hours of 1:00 A.M. and 6:00 A.M.) shall be amended by deleting therefrom the words "December 1st to March 15th" and by adding thereto the words "November 1st to April 1st".

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...

Supervisor		
Weber	Voting	AYE
Councilmen:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 4, 1984, 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. 7, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of June, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 7, 1984

Item No. 8 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, James L. Busshart has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by him and located at 2804 Union Road, Cheektowaga, New York which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of May, 1984 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to strict adherence to the landscape plan submitted, and on the condition that the property be used solely for oil changes and related lubricant services (all other automotive uses shall be prohibited), and

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

NOW, THEREFORE, BE IT RESOLVED, that the application of James L. Busshart for the rezoning form C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board and subject to the applicant receiving written approval from the New York State Department of Transportation with regards to the location of the driveway and drainage into a State storm system, and BE IT FURTHER

RESOLVED, that upon the aforesaid approval of the State Department of Transportation, the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

*SEE LEGAL DESCRIPTION ON NEXT PAGE.

Part of Lot 15, Township 11, Range 7 of a Holland Land Company Survey bounded and described as follows: Beginning at East line of said Lot 15, East line being also the center line of Union Road, East 634.56 feet Northerly from Southeast corner of said lot 15, thence Northerly along East line of lot 15, 175 feet to South line of land deeded by Christiana Lenz to Ernest J. Buchwald and Marion, his wife by deed recorded in Erie County Clerk's Office Liber 5702, Deed page 13, dated February 24, 1955, thence Westerly along South line to land deeded to Ernest J. Buchwald And Marion, his wife, 233.03 feet to a point distant 200 feet, proceed as measured along said South line, Westerly along West line of Union Road, proceed at a road 66 feet wide, proceed thus Southerly parallel with East line of lot 15, 175 feet then Easterly parallel with South line of land deeded to Ernest J. Buchwald and Marion, his wife as foresaid 233.03 feet to the East line of lot 15 at the point of beginning, being the same property as deeded to Bi Lo Stations Inc. May 9, 1969, recorded Liber 7237 Page 165 in Erie County Clerk's Office, New York.

NO. 12

Item No. 8 Cont'd.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT NEXT PAGE.

No. 12

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

Anna F. Mika, 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 June 7, 1984; last publication June 7, 1984; and that no more than six days intervened between publications.

Anna F. Mika

Sworn to before me this 8th

day of June, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

NO. 12

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 4th day of June, 1984 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor:
Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, James L. Busshart has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by him and located at 2804 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of May, 1984 at 8:30 o'clock P.M. after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to strict adherence to the landscape plan submitted, and on the condition that the property be used solely for oil changes and related lubricant services (all other automotive uses shall be prohibited), and

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

NOW, THEREFORE, BE IT RESOLVED that the application of James L. Busshart for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the conditions as recommended by the Cheektowaga Planning Board and subject to the applicant receiving written approval from the New York State Department of Transportation with regards to the location of the driveway and drainage into a State storm system, and BE IT FURTHER

RESOLVED, that upon the aforesaid approval of the State Department of Transportation, the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

Part of Lot 15, Township 11, Range 7 of a Holland Land Company Survey bounded and described as follows: Beginning at East line of being also the center line of Union Road, East 634.56 feet Northerly from Southeast corner of said lot 15, thence Northerly along East line of lot 15, 175 feet to South line of land deeded by Christiana Lenz to Ernest J. Buchwald and Marion, his wife be deed recorded in Erie County Clerk's Office Liber 5702, Deed page 13, dated February 24, 1955, thence Westerly along South line of land deeded to Ernest J. Buchwald And Marion, his wife, 233.03 fet to a point distant 200 feet, proceed as measured along said south line, Westerly along West line of Union Road, proceed at a roat 66 feet wide, proceed thus Southerly parallel with East line of lot 15, 175 feet then Easterly parallel with South line of land deeded to Ernest J. Buchwald and Marion, his wife as foresaid 233.03 feet to the East line of lot 15 at the point of beginning, being the same property as deeded to Bi Lo Stations Inc. May 9, 1969, recorded Liber 7237 Page 165 in ERie County Clerk's Office, New York.

Upon roll call...

Supervisor Weber	Voting	AYE
Councilman:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 6

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 4, 1984, 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 4th day of June, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 7, 1984

No. 12

Item No. 9 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, James L. Busshart has applied for a Special Permit for an automotive lubrication center on property located at 2804 Union Road, Cheektowaga, New York pursuant to Section 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 7th day of May, 1984 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to strict adherence to the landscape plan submitted and on the condition that the property be used solely for oil changes and related lubricant services (all other automotive uses shall be prohibited). and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 2804 Union Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the avove-noted conditions as recommended by the Cheektowaga Planning Board and subject to the applicant receiving written approval from the New York State Department of Transportation with regards to the location of the driveway and drainage into a State storm system.

*SEE LEGAL DESCRIPTION ON NEXT PAGE.

Part of Lot 15, Township 11, Range 7 of a Holland Land Company Survey bounded and described as follows: Beginning at East line of said Lot 15, East line being also the center line of Union Road, East 634.56 feet Northerly from Southeast corner of said lot 15, thence Northerly along East line of lot 15, 175 feet to South line of land deeded by Christiana Lenz to Ernest J. Buchwald and Marion, his wife by deed recorded in Erie County Clerk's Office Liber 5702, Deed page 13, dated February 24, 1955, thence Westerly along South line to land deeded to Ernest J. Buchwald And Marion, his wife, 233.03 feet to a point distant 200 feet, proceed as measured along said South line, Westerly along West line of Union Road, proceed at a road 66 feet wide, proceed thus Southerly parallel with East line of lot 15, 175 feet then Easterly parallel with South line of land deeded to Ernest J. Buchwald and Marion, his wife as foresaid 233.03 feet to the East line of lot 15 at the point of beginning, being the same property as deeded to Bi Lo Stations Inc. May 9, 1969, recorded Liber 7237 Page 165 in Erie County Clerk's Office, New York.

Item No. 9 Cont'd.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT NEXT PAGE.

Upon roll call ... Voting AYE

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

Ann T. Mika, 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 June 7, 1984; last publication June 7, 1984; and that no more than six days intervened between publications.

Ann T. Mika

Sworn to before me this 8th

day of June, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 4th day of June, 1984 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor:
Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz
Seconded by Councilman J.V. Rogowski

WHEREAS, James L. Busshart has applied for a Special Permit for an automotive lubrication center on property located at 2804 Union Road, Cheektowaga, New York pursuant to Section 6-01 and 6-02 of the Zoning Oridnance of the Town of Cheektowaga, said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 7th day of May, 1984 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to strict adherence to the landscape plan submitted, and on the condition that the property be used solely for oil changes and related lubricant services (all other automotive uses shall be prohibited), and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 2804 Union Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board and subject to the applicant receiving written approval from the New York State Department of Transportation with regards to the location of the driveway and drainage into a State storm system.

Part of Lot 15, Township 11, Range 7 of a Holland Land Company Survey bounded and described as follows: Beginning at East line of being also the center line of Union Road, East 634.56 feet Northerly from Southeast corner of said lot 15, thence Northerly along East line of lot 15, 175 feet to South line of land deeded by Christiana Lenz to Ernest J. Buchwald and Marion, his wife be deed recorded in Erie County Clerk's Office Liber 5702, Deed page 13, dated February 24, 1955, thence Westerly along South line of land deeded to Ernest J. Buchwald And Marion, his wife, 233.03 fet to a point distant 200 feet, proceed as measured along said south line, Westerly along West line of Union Road, proceed at a roat 66 feet wide, proceed thus Southerly parallel with East line of lot 15, 175 feet then Easterly parallel with South line of land deeded to Ernest J. Buchwald and Marion, his wife as foresaid 233.03 feet to the East line of lot 15 at the point of beginning, being the same property as deeded to Bi Lo Stations Inc. May 9, 1969, recorded Liber 7237 Page 165 in Erie County Clerk's Office, New York.

Upon roll call...

Supervisor Weber	Voting	AYE
Councilman:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 6
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 4, 1984, 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. 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 4th day of June, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 7, 1984

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Board of Fire Commissioners of Bellevue Fire District No. 9, Cheektowaga, New York, at a special meeting held on the 30th day of May, 1984, duly adopted, subject to permissive referendum, a resolution authorizing the withdrawal of THIRTY THOUSAND FIVE HUNDRED DOLLARS ($30,500.) plus accumulated interest from the capital reserve fund entitled, "BELLEVUE FIRE DISTRICT NO. 9 BUILDING AND GROUNDS MAINTENANCE RESERVE FUND", and said monies are to be used to improve the parking area adjoining the Fire Hall located at 511 Como Park Boulevard, Cheektowaga, New York, with stone and any other resurfacing and paving materials, and to paint the exterior of the fire hall, and install a fire security alarm system, windows, doors, and other miscellaneous repairs and refurbishing of said fire hall.

By Order of the Board of Fire Commissioners of Bellevue Fire District No. 9, Cheektowaga, New York

By: Bernard Ruda,
Fire District Secretary

PUBLISH: June 7, 1984

NO. 12

Item No. 10 Motion by Councilman Jaworowicz, seconded by Councilman J.V. Rogowski

WHEREAS, the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York, requires that unsafe buildings be safe and secured repaired, demolished or removed, and

WHEREAS, records kept by the Office of the Assessor identify Michael Pimpo as the owner of a structure located at 102 Brookedge Road, Cheektowaga, New York, and

WHEREAS, an inspection of such premises was conducted on April 23, 1984 by the Office of Building and Plumbing Inspections, and

WHEREAS, such inspection found the structure to be vacant, deteriorated, open to the weather and/or unauthorized entry and a fire hazard, and

WHEREAS, notice was sent to the owner and posted on the premises that securing of the dwelling is necessary, and

WHEREAS, such notice further state that upon the neglect or refusal of the owner, the Town of Cheektowaga will board up the dwelling with all costs assessed against the land on which the structure is located, NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the provisions of the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York, a hearing be held on the 18th day of June at 7:00 o'clock P.M. Eastern Daylight Saving Time, at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest shall have an opportunity to be heard.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 11a Motion by Councilman Jaworowicz, seconded by Councilman Johnson

WHEREAS, the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York requires that unsafe buildings be made safe and secured, repaired, demolished or removed, and

WHEREAS, Richard E. Brendel and One, who according to records kept by the Office of the Assessor, are the owners of an unsafe building located at 107 David Avenue, Cheektowaga, New York; and said Richard E. Brendel and One have failed and neglected to demolish and remove said unsafe structure, and

WHEREAS, a hearing was held before the Town Board on June 4, 1984, at 7:00 P.M., at which time all persons having an interest in this building were given the opportunity to be heard, NOW, THEREFORE, BE IT

RESOLVED, that this building be demolished and removed and that all costes involved in the demolition and removal be assessed against the land on which the building is located.

Upon roll call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 11b Motion by Councilman Jaworowicz, seconded by Councilman W.P. Rogowski

WHEREAS, the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York, requires that unsafe buildings be made safe and secured, repaired, demolished or removed, and

No. 12

Item No. 11b Cont'd.

WHEREAS, Gerald R. Helenbrook II, who according to records kept by the Office of the Assessor, is the owner of an unsafe building located at 71 Frederick Street, Cheektowaga, New York; and said Gerald R. Helenbrook II has failed and neglected to demolish and remove said unsafe structure, and

WHEREAS, a hearing was held before the Town Board on June 4, 1984, at 7:00 P.M., at which time all persons having an interest in this building were given the opportunity to be heard, NOW, THEREFORE, BE IT

RESOLVED that this building be demolished and removed and that all costs involved in the demolition and removal be assessed against the land on which the building is located.

Motion by Supervisor Weber, seconded by Councilman Johnson to amend the above resolution, and the vote was taken as follows:

WHEREAS, the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York, requires that unsafe buildings be made safe and secured, repaired, demolished or removed, AND

WHEREAS, Gerald R. Helenbrook II, who according to records kept by the Office of the Assessor, is the owner of an unsafe building located at 71 Frederick Street, Cheektowaga, New York; and said Gerald R. Helenbrook II has failed and neglected to demolish and remove said unsafe structure, AND

WHEREAS, a hearing was held before the Town Board on June 4, 1984, at 7:00 P.M., at which time all persons having an interest in this building were given the opportunity to be heard, NOW, THEREFORE, BE IT

RESOLVED that Gerald R. Helenbrook II be given fourteen days from the date of this resolution in which to demolish and remove the unsafe building located at 71 Frederick Avenue, AND, BE IT FURTHER

RESOLVED, that, if Mr. Helenbrook does not have the aforesaid building demolished and removed within this fourteen day period, then the Town Building Inspector be directed to have this building demolished and removed and all costs involved shall be assessed against the land on which the building is located.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

Item No. 12 Motion by Councilman W.P. Rogowski, seconded by Councilman Johnson

WHEREAS, bids were duly received and opened by the Town Clerk on May 21, 1984 for the furnishing of pressure treated lumber for the Town of Cheektowaga for the year 1984 AND

WHEREAS, the Cheektowaga Youth Bureau has analyzed, tabulated and reported on said bid proposals,

NOW, THEREFORE, BE IT RESOLVED that the Cheektowaga Town Board award the contract for the furnishing of pressure-treated lumber to the lowest bidder being:

Forest Materials
1665 Harlem Road
Cheektowaga, NY 14206

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

NO. 12

Item No. 13 Motion by Councilman Johnson seconded by Councilman J.V. Rogowski

WHEREAS, by resolution dated May 21, 1984, bids were called for for the purchase of smoke detectors for the Smoke Detectors for the Needy Program, and

WHEREAS, on June 4, 1984 at 11:00 A.M., the Town Clerk, at a public bid opening held in the Council Chambers at the Cheektowaga Town Hall, such sealed bids were opened, read and referred to Matthew D. Kawczynski, Town Fire Inspector, for analysis, tabulation and report, and

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

RESOLVED, that the Town Board hereby chooses to award the bid for smoke detectors for Alternated A to:

Thruway Builders Supply Corporation
3360 Walden Avenue
Buffalo, New York 14043

at a unit bid price of $8.45 per smoke detector; said bidder being the lowest responsible bidder meeting specifications, and BE IT FURTHER

RESOLVED, that the moneys for the purchase of the aforesaid smoke detectors be appropriated from the Town and Community Development Block Grant fund accounst established by the Town Accounting Department for the Smoke Detectors for the Needy Program.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman W.P. Rogowski seconded by Councilman Jaworowicz

WHEREAS, the sole bid was received by the Cheektowaga Town Clerk and was publicly opened and read on May 21, 1984, for bus transportation to and from Camp Crabapple from July 9, 1984 to August 17, 1984 as a result of advertisement therefore, and

WHEREAS, such bid was referred to Bridget Lynch of the Cheektowaga Youth Bureau for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to the sole bidder, COTTRELL BUS SERVICE, 2306 Walden Avenue, Cheektowaga, New York 14225, at a total bid price of $5,025.00; said bidder being the sole responsible bidder meeting specifications.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

NO. 17

Item No. 15 Motion by Councilman Johnson seconded by Councilman W.P. Rogowski

WHEREAS, by resolution dated January 3, 1984, Fidelity and Deposit Company of Maryland was designated to provide a Public Employees' Blanket Bond covering all officers and employees of the Town, AND

WHEREAS, by resolution dated April 2, 1984, this Town Board awarded insurance coverage for the Public Employees' Blanket Bond to Peerless Insurance Company, AND

WHEREAS, it has been recommended that it should be made clear that Peerless Insurance Company, as of March 30, 1984, is the designated insurance company for purposes of the Town's Public Employees' Blanket Bond, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga, pursuant to Section 25 of the Town Law and Section 11(2) of the Public Officers Law, hereby approves the execution of a Public Employees' Blanket Bond issued by the Peerless Insurance Company, a surety company authorized to transact business in the State of New York, covering all officers and employees, including the Supervisor, Deputy Supervisor, Town Clerk, Superintendent of Highways, Receiver of Taxes and two Justices of Peace for the sum of $100,000.00 per occurrence, AND, BE IT FURTHER

RESOLVED, that the aforementioned undertaking shall include an additional coverage of $200,000.00 each for the following officers of the Town:

Supervisor
Deputy Supervisor
Receiver of Taxes

AND, BE IT FURHTER

RESOLVED, that the expense of the aforementioned undertakings shall be a charge against the Town of Cheektowaga, AND, BE IT FURTHER

RESOLVED, that the aforementioned undertakings shall be effective March 30, 1984 replacing previously approved Bonds issued by the Fidelity and Deposit Company of Maryland on the same date.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski,J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

Item No. 16 Motion by Councilman Kowal seconded by Supervisor Weber

WHEREAS, there currently exists a vacancy in the position of Clerk in the Cheektowaga Police Department, AND

WHEREAS, Section 55-a of the Civil Service Law of the State of New York authorizes and encourages municipalities to create and fill positions with individuals certified under such law, AND

WHEREAS, this Town Board is interested in changing the title of the aforesaid vacant position in ghe Cheektowaga Police Department from Clerk to Clerk/ Section 55-a AND

WHEREAS, the Erie County Department of Personnel has approved the creation of a Clerk/Section 55-a position in the Town Police Department, NOW, THEREFORE BE IT

Item No. 16 Cont'd.

RESOLVED, that the presently vacant position of Clerk in the Cheektowaga Police Department be and hereby is abolished, effective immediately, AND, BE IT FURTHER

RESOLVED, that the position of Clerk/Section 55-a be and hereby is created in the Cheektowaga Police Department, effective immediately.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Kowal seconded by Coucnilman Gabryszak

WHEREAS, there is an opening in the Central Garage for a Auto Mechanic, AND

WHEREAS, the job opportunity has been posted on bulletin boards in accordance with the Cheektowaga Employees Association agreement, NOW, THEREFORE, BE IT

RESOLVED that the following is hereby appointed to the position of Auto Mechanic at the wages shown in the wage schedule of the Cheektowaga Employees Association agreement. Said appointment shall become effective June 5, 1984:

Richard R. Basher

Cheektowaga, NY 14227

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Motion by Councilman J.V. Rogowski seconded by Councilman Jaworowicz not to read names on hiring resolutions.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak

Item No. 18a Motion by Councilman W.P. Rogowski seconded by Councilman Gabryszak

BE IT RESOLVED that the following employees be terminated by the Recreation Department effective Juen 4, 1984:

Kimberly Bannister
Norman Bitterman
Thomas Block
Kevin Boniszewski
Samuel Burgio
Diane Catalfu
Mary Anne Coombe
Mary Lou Czajka
Lawrence Darmstedter
David Darnley
Paul Dennis
David Durolek
Mark Fuller
Jeffery Garbacz
Daniel Gasiewicz
Barbara Gemerek
Kim Geddes
Nancy Grzybek
Deborah Healy

NO. 12

Item No. 18a Cont'd.

Keith Healy
Gerald Hickson
Sharon Kensy
John Kirisits
John Koprevich
Robert Kowalewski
David Kowalewski
Dawn Kramer
Robert Kryszak
Michelle Kunkel
Dean Lach
Robert Maue
Ronald Morcio
Joseph Nowak
Peter Odrobina
Charles Olday Jr.
Timothy Pawlak
Melissa Prorok
Ronald Ruggiero
Barbara Rusin
Denise Rutkowski
Norbert Rzeski
Karen Spaulding
Bruce Stolinski
Frances Strauss
Greg Todaro
Carmella Tramont
Anthony Trzepkowski
Nadine Verga
Michael Wagner
Albert Wingerter
Andrew Wlodarczyk
Joseph Wojcik
Lise Woolrich
Carol Mamarino
David Zack

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski,J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 18b Motion by Councilman Gabryszak seconded by Councilman Kowal

BE IT RESOLVED, that the following individuals be and hereby are terminated as Seasonal Employees in the Sanitation Department as listed below effective as follows:

Johnson, Bill
(Effective 6/29/84)
Kwiatkowski, Joe
(Effective 6/29/84)
Lodyga, John
(Effective 6/1/84)
Lorka, Ken
(Effective 6/29/84)
Somogye, Richard
(Effective 6/15/84)
Strzelczyk, Paul
(Effective 6/29/84)

Item No. 18b Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 18c Motion by Councilman W.P. Rogowski seconded by Councilman Johnson

BE IT RESOLVED that the following individuals, hired as Seasonal Employees, be and hereby are terminated in the various Departments as listed:

FACILITIES DEPARTMENT - PARKS DIVISION	EFFECTIVE
Robert Kwiatkowski	5/18/84
Gregory Szafranski	6/20/84
Gregory Borgosz	5/26/84
Kenneth Jeffords	5/20/84
James Brudek	5/18/84

FACILITIES DEPARTMENT - STREET LIGHT MAINTENANCE DIVISION	
Stephen Dunkowski	6/19/84
Richard Majtyka	5/22/84
Dale Brewer	5/23/84

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogwoski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman W.P. Rogowski seconded by Councilman Gabryszak

BE IT RESOLVED that Michael Bernal, , Cheektowaga, New York be hired as a Program Coordinator for the Youth Bureau's Cheektowaga Conservation Corps (C.C.C.) Program (7310.1811) effective June 18, 1984 at the salary rate of $6.50 per hour.

BE IT FURTHER RESOLVED that the below listed individuals be hired at the salary rates and levels prescribed below, effective for the period of June 18, 1984 to September 7, 1984:

TRAINEE SUPERVISORS - $5.50 per hour - 7310.1811
Level 1

Robert Boyle
Jack Hornung
Jim Hornung
Martin Snyder

TRAINEE SUPERVISORS - $5.00 per hour - 7310.1812
Level II

Ann Marie Shields

TRAINEE SUPERVISOR (Alternate) - $5.50 per hour - 7310.1811
Level I

David Herweg

Item No. 19 Cont'd.

YOUTH LEADERS - $3.50 per hour - 7310.1812

Mark Kwandrans
Thomas Sienkiewicz
Brian Mikler
Linda Piepszny
Kimberly Holtyn
David Kowalewski
Julie Egan

YOUTH LEADERS (Alternates) - $3.50 per hour - 7310.1812

Paul Sutton
Jeffrey Kaczorowski

Administrative Intern - $4.00 per hour - 7310.1804

Kathleen Fincel

BE IT FURTHER RESOLVED that Carol Yamarino, Cheektowaga, New York, be transferred from her position with the Recreation Department as a Recreation Supervisor - Community Center to the Youth Bureau as a Trainee Supervisor - Level II at a salary rate of $5.00 per hour (7310.1812)

BE IT FURTHER RESOLVED that the following part time administrative interns be placed in a seasonal status effective June 4th thru August 31, 1984

Janet Pawelczak
Mark Vedella

AND BE IR FURTHER RESOLVED that Carol White be transferred from a seasonal basis to a part time status effective June 18th.

BE IT FURTHER RESOLVED that the following individual be hired for the Day Camp for Developmentally Disabled Youth at the title of Counselor at a salary rate of $3.50 per hour (7310.1802)

Joann Burgio

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

Item No. 20a Motion by Councilman W.P. Rogowski seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Departments as listed:

CENTRAL GARAGE - $3.10 per hour	EFFECTIVE
Marty Gawel	Immediately
Jim Charvat	Immediately
WASTEWATER TREATMENT PLANT - $3.10 per hour	
William Rieck	Immediately
Bruce Blachowski	Immediately

Item No. 20a Cont'd.

FACILITIES DEPARTMENT - $3.10 per hour	EFFECTIVE
David Uhl	5/24/84
Tabitha Foks	Immediately
Richard Floss	5/31/84
Ronald M. Kasprzak	Immediately

FACILITIES DEPARTMENT - Beach & Pool (7110.1623) - $5.00 per hour	
Raymond Schieder	Immediately

ASSESSOR'S OFFICE - $3.10 per hour	
Lisa Shciavone	6/25/84

FACILITIES DEPARTMENT - $3.75 per hour	
Carolyn J. Kszanak	5/23/84

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 20b Motion by Councilman W.P. Rogowski seconded by Councilman Johnson

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1984 summer program:

POOL DIRECTOR - $285.00 per week - 9 weeks - A7180.1902
Brian Hansen

SPECIAL EVENTS SUPERVISOR - $210.00 per week - 9 weeks - A7180.1902
John Hartman

POOL SUPERVISORS - $185.00 per week - 9 weeks - A7180.1902 - T. Park pool
Deborah Binner
Charles Olday, Jr.

POOL SUPERVISORS - $175.00 per week - 9 weeks - A7180.1092 Dingens & Maryvale
Thomas Gagola
Catherine Giles
Michelle Kunkel
Deborah Mahony
Peggy Anne MCDonnell

LIFEGARUDS - $3.35 with WSI - $3.10 without WSI - A7180.1903
Mark Angrisano
Charles Ashton
Stephan Blachowski
Peter Catalfu
Deborah Chimes
Daniel Conley
Scott Dibble
Karen Dixon
Roberta Epel
Sharon Gandy
Lynda Germann
Linda Glasser
Thomas Glasser
Candace Gorzynski
Karen Healy
Robert Heary
Melinda Heath
Richard Horvatis

Item No. 21b Cont'd.

Susan Ippolito
Susan Jagodzinski
Lynne Jasinski
Cheryl Jaworowicz
Laurie Kabel
Paul Kmiotek
Kathleen Koeppel
Christine Kolasny
Joseph Kwiatkowski
Paul Lewandowski
Michelle Leszczynski
Mary Jo Lipowski
Daniel Lyons
Mia Marsh
Arthur Caprio Jr.
Lynnette Mazurek
Lynnette McNary
Ronald Mederski
Stephanie Michalski
Pamela Miller
Lisa Miranda
Thomas Mohr
Scott Pleban
Brian Russ
Carol Schaeder
Michael Schlager
Eric Solberg
Stacey Striegel
Dan Szczodrowski
Kimberly Van Gulik
Lucy Vero
Diane Zablotyn

LIGEGUARDS - Alternates
Cheryl Ballo
Barbara Barrett
Andrew Beiger
Kara Conboy
Todd Flanders
Ann Fox
Julie Szybinski
Leigh Wilkinson

TENNIS COURT SUPERVISORS - $175 per week - 8 weeks - A7140.1613
Patrick Hickey
Matthew Thormahlen

TENNIS COURT INSTRUCTORS - $150 per week - 8 weeks - A7140.1613
Brian Cleary
Lynn Staszak

ARTS & CRAFTS SUPERVISORS - $175 per week - 8 weeks - A7140.1613
Mary Anne Coombe
Mary Lou Czajka
Nancy Grzybek
Sharon Kensy
Barbara Majchrzak
Mark Popiela
Karen Spaulding

NO. 12

Item No. 20b Cont'd.

PLAYGROUND SUPERVISORS - $175 per week - 8 weeks - A7140.1613
Thomas Block
Diane Catalfu
Carl Giambelluca
James Harris
Peter Odrobina
Barbara Rusin
Joseph Wojcik

SPECIAL EVENTS SUPERVISORS - $175 per week - 8 weeks - A7140.1613
Mark Kensy
Dean Lach
Kathryn Paulus

ASSISTANT SOFTBALL COORDINATOR - $5.00 per hour - A7140.1622
Richard Andrzejewski

CULTURAL CENTER SUPERVISOR - $4.25 per hour - A7140.1614
David Darnley

RECREATION LEADERS - $4.25 per hour - A7140.1615
Kimberly Bannister
Brian Bauer
Connie Burg
Andrew Gill
Joseph Matalone
Thomas Ronald
Nadine Verga
Jaonna Viverto

GYMNASTICS INSTRUCTOR - $5.00 per hour - A7140.1615
Colleen Tonsoline

SOCCER COORDINATOR - $4.25 per hour - A7140.1614
Mark Fuller

RUTHER, BE IT RESOLVED, that the above personnel be terminted effective September 4, 1984.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES 0
ABSENT: 0

Item No. 21 Motion by Councilman Gabryszak Councilman Johnson

WHEREAS, Section 142(4) of the Highway Law presently authorizes towns in the County of Erie, with the exception of the Town of Lancaster, to expend a sum not exceeding $150,000 without a town election, for the purpose of housing and storing machinery, tools, implements and equipment, AND

WHEREAS, Section 142(4) of the Highway Law further authorizes towns in the County of Erie, with the exception of the Town of Lancaster, to expend a sum not exceeding $50,000 without a town election, for the purpose of making captial improvements to any building used for housing and storing machinery, tools, implements and equipment, AND

Item No. 21 Cont'd.

WHEREAS, Assembly Bill A.11633 has been introduced which would amend Highway Law, Section 142(4) by authorizing the Town of Cheektowaga, without a town election, to expend a sum not exceeding $450,000 for the purpose of housing and storing machinery, tools, implements and equipment and making capital imporvements thereto, AND

WHEREAS, the Town Board pursuant to Section 40 of the Municipal Home Rule Law may request the New York State Legislature to enace a special law relating to the property or affairs of a local government, AND

WHEREAS, such request is necessary because the Town of Cheektowaga does not have the power to amend Section 142(4) of the Highway Law by local law, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby strongly request the Assembly to enact Assembly Bill A.11633, AND, BE IT FURTHER

RESOLVED, that certified copies of this resolution be forwarded to State Assemblyman Dennis Gorski and State Senator of Dale Volker.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, previously it had been required by the Erie County Board of Elections that the Town of Cheektowaga maintain and operate lll polling places for the purpose of registering voters each year, AND

WHEREAS, more than one-half of the qualified voters are registered in the Town of Cheektowaga as required by the laws of the State of New York as a prerequisite for consolidation, AND

WHEREAS, the consolidation of lll Election Districts will result in substantial savings of approximately $25,000, AND

WHEREAS, the consolidation will also eliminate and reduce many of the functional details; namely,

1. The manpower requirements
2. Distribution of supplies to election inspectors
3. Mailing of notices to polling places and election inspectors.
4. Rental of polling places
5. Use of Town recreational and facility buildings.
6. Various processing details
7. Many other time-consuming and operational requirements for the purpose of registration.

AND

WHEREAS, Federal legislation has provided for mail-in registration which has proved highly successful in that many citizens have made use of this procedure for registration, AND

Item No. 22 Cont'd.

WHEREAS, the Town Clerk has petitioned the Erie County Board of Elections for permission to consolidate for registration purposes, AND

WHEREAS, the Erie County Board of Elections has granted said permission to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is authorized to consolidate for Registration Days only the 111 Election Districts to one central location, namely, the Council Chambers, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogwoski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Johnson seconded by Councilman Kowal

WHEREAS, this Town Board adopted the Flood Damage Prevention Ordinance to promote the public health, safety and general welfare of its citizenry, AND

WHEREAS, said ordinance regulates the development of areas of special flood hazard identified by the Federal Emergency Management Agency providing for sound use of flood prone areas, AND

WHEREAS, Mrs. Bonnie Pfohl has submitted a Development Permit Application to the Town Engineer and has requested a variance from the provisions of Section 5.2-1 of the Flood Damage Prevention Ordinance to enable construction of a residential structure with a partial basement below the level of the base flood elevation on property located at #130 Pfohl Road, said property being located in an area of special flood hazard, AND

WHEREAS, the Town Engineer has reviewed the technical data contained on the Development Permit Application and has made a recommendation relative to the variance request as outlined in the attached letter dated May 31, 1984 and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the variance request of Mrs. Pfohl permitting construction of a home with partial basement in the flood hazard area on property located at #130 Pfohl Road be granted with the following conditions attached so as to adhere to the purpose and intent of this ordinance.

1) The partial basement shall be limited to an area not to exceed 12'x 12' required to permit installation of utilities and shall not be used as a habitable room or for storage purposes.
2) Foundation walls shall be cast in place concrete impermeable to the passage of water and having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. The concrete foundation walls shall extend a minimum of one foot above the Base Flood Elevation. Any openings for crawl space ventilation and/or access shall be located a minimum of one (1) foot above the Base Flood Elevation.
3) A sump pump installation shall be required in the partial basement to protect the proposed furnace and other utilities.

Item No. 23 Cont'd.

4) Upon granting of this variance, the applicant is hereby given notice that the structure will be permitted to be built with the lowest floor elevation of the partial basement four (4) feet below the Base Flood Elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

5) Applicant shall comply with Section 4.3-3 of the Town Flood Damage Prevention Ordinance pertaining to submission of as-built floor elevation upon completion.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 24 Motion by Councilman Johnson seconded by Councilman Kowal

WHEREAS, the Town Board of the Town of Cheektowaga, as Sewer Commissioners for and on behalf of the Cochrane Street Sewer District and Cheektowaga Sanitary Sewer Districts Nos. 2, 4, 5, 6, 7 and its extensions, and 8 (hereinafter called the "Town"), and the Buffalo Sewer Authority (hereinafter called the "Authority") have previously entered into an Agreement to have the Authority receive and treat the Town's sanitary sewerage, and

WHEREAS, the Authority, as the State Pollution Discharge Elimination System permit holder for the Buffalo municipal sewerage system, has primary responsibility for insuring that a pretreatment program is implemented throughout its service area and is applicable to all industrial users, and

WHEREAS, it is necessary for the Town and the Authority to formally provide for the implementation and enforcement of such pretreatment program in the Town, and

WHEREAS, the attached Agreement between the Town and the Authority has been prepared by the Town Attorney and approved by the Town Engineer and spells out the respective duties of the Town and the Authority in regards to the implementation and enforecement of a pretreatment program in the Town, NOW, THEREFORE, BE IT

RESOLVED, that the members of the Town Board of the Town of Cheektowaga, as Sewer Commissioners for and on behalf of the Cochrane Street Sewer Districts Nos. 2, 4, 5, 6, and 7 and its extensions, and 8, be and hereby are authorized and directed to execute the attached Agreement between the Town and the Authority and any and all other papers necessary to effectuate the attached Agreement.

*SEE NEXT (12) TWELVE PAGES FOR AGREEMENT

AGREEMENT

MADE AND ENTERED into as of this 4th day of June, 1984, by and between

BUFFALO SEWER AUTHORITY

a body corporate and politic, constituting a public benefit corporation, created by and organized and existing pursuant to Title 8 of the Public Authorities Law of the State of New York, with its principal offices at 1038 City Hall, Buffalo, New York, by Gillman J. Laehy, its General Manager, hereinafter sometimes called the "Authority",

party of the first part

and

THE TOWN OF CHEEKTOWAGA

a domestic municipal corporation having its principal office at Town Hall, Broadway and Union Roads, Cheektowaga, New York, as well as the Town Board of the Town of Cheektowaga as Sewer Commissioners for and on behalf of the Cochrane Street Sewer District and Cheektowaga Sanitary Sewer Districts No. 2, 4, 5, 6, 7 and its Extensions, and 8, hereinafter sometimes called the "Town",

party of the second part,

W I T N E S S E T H :

WHEREAS: The Town of Cheektowaga on behalf of the Cochrane Street Sewer District and the Buffalo Sewer Authority have previously entered into an Agreement on the 24th of October, 1979 to have the Authority receive and treat the Dis-

trict's sanitary sewerage; and

WHEREAS; The Town of Cheektowaga on behalf of Cheektowaga Sanitary Sewer Districts No. 2, 4, 5, 6, 7 and 7 Extension No. 1, 2, Extension Village of Depew et al. and the Buffalo Sewer Authority have previously entered into an Agreement on the 1st day of June, 1976 to have the Authority receive and treat the Districts' sanitary sewerage; and

WHEREAS: The Buffalo Sewer Authority - as the SPDES permit holder for the Buffalo municipal sewerage system - has primary responsibility for insuring that a pretreatment program is implemented and enforced throughout its service area and is applicable to all industrial users; and

WHEREAS: It is consequently necessary to formally provide for the implementation and enforcement of said pretreatment program in the District,

NOW THEREFORE: For and in consideration of the mutual covenants and conditions herein contained, the parties hereto agree as follows:

REGULATION (LAW)

1. The Town shall adopt a law regulating sewer use, which requires compliance with applicable BSA Sewer Regulations and any amendments, except to the extent that the Regulations or Sewer Use Law of the Town or a local subscribing district are more stringent with respect to quantity or quality of wastewater, in which event, the most stringent shall apply. Any proposed amendment or modification to the BSA Sewer Regulations shall be referred to the Town for an advisory report prior to any public hearing on said changes.

2. The Town shall be responsible for compliance by all Users in the Town with all pertinent local, State and Federal laws and regulations. The BSA, as the State Pollutant Discharge Elimination System (SPDES) Permit holder, shall have paramount responsibility and jurisdiction, as defined within this agreement, for compliance by all Users with all such laws and regulations.

PRETREATMENT PROGRAM ADMINISTRATION AND COORDINATION

3. The Town shall secure a completed joint Town of Cheektowaga/Buffalo Pollutant Discharge Elimination System (BPDES) Permit application from each Industrial User in the Town and submit copies of such applications to the BSA for review within thirty (30) days of their receipt. Any deficiencies in the permit application must be corrected within

thirty (30) consecutive calendar days. Subsequent to their review, the BSA shall identify Industrial Users which require waste stream sampling and analysis. The Town shall be responsible for requiring the Industrial User to provide such sampling and analysis within a time frame agreed to by all parties. Such sampling and analysis shall be performed in accordance with the BSA "Sampling Measurement and Analytical Guidelines Sheet" and the Town shall submit a copy of the results to the BSA for review within ten (10) working days of their receipt. Subsequent to their review of the sampling and analysis results, the BSA shall identify Industrial Users which will require a BPDES Permit. Either the Town or BSA may suspend or revoke the permit.

4. Within fourteen (14) consecutive working days of receipt of a determination from the BSA of the requirement for a BPDES Permit the Town shall prepare, and submit for BSA review and approval, draft BPDES Permits for each of the Users identified in the paragraph above. The BSA will complete its review within fourteen (14) consecutive working days and notify the Town of the Permit approval status. Any deficiencies in the Draft Permit must be corrected within thirty (30) consecutive calendar days. The official BPDES Permit will be signed by the BSA General Manager and the Town Engineer of the Town of Cheektowaga. A completely signed copy shall be promptly forwarded to the Industrial User by certified mail. The Town shall retain

the original Permit on file with a copy to the BSA. Compliance Schedules, if required, shall be signed by an authorized representative of the Industrial User. The Town will transmit copy of waste hauler permits when issued.

5. The Town shall, as a condition of each Permit, require the Industrial User to submit periodic monitoring reports to the Town. The Town shall provide copies of these reports to the BSA for review and approval within ten (10) consecutive working days of their receipt.

6. The Town shall require a Compliance Schedule for each Industrial User when appropriate. This Schedule shall be made a condition of each User's BPDES Permit and subject to BSA review and approval. The Town shall receive periodic compliance progress reports from the User, set forth by applicable law, and forward copies of these reports to the BSA for review within ten (10) consecutive working days of their receipt. The Town shall notify the BSA immediately when any User falls behind in its Compliance Schedule or when compliance has been achieved.

7. All requests for time extensions for compliance shall be subject to the approval of the BSA General Manager which shall not be unreasonably withheld.

8. The Town shall notify the BSA, on a monthly basis, of all new industries and waste haulers which propose to connect or discharge to the Town. The Town also shall provide the BSA with copies of all information governing potential discharges

from new and existing industries and waste haulers to the Town's sewer system.

9. The Town shall be responsible for all Industrial User compliance and enforcement inspections. The Town shall give the BSA reasonable notice of all enforcement inspections that are planned. The BSA reserve the right to accompany the Town representative during any and all inspections.

10. Random surveillance and monitoring of Industrial User discharges within the Town will be performed by the BSA to determine compliance or non-compliance with discharge limits and prohibitions. The BSA shall give reasonable notice to the Town prior to performing such activities. Town representatives may accompany the BSA personnel. In addition, USEPA and NYSDEC representatives bearing proper credentials and identification, shall also be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and review and copying of records, analytical data and charts related to wastewater discharge monitoring.

11. Any other procedural requirements as set forth in 40 CFR 403 and not specifically addressed herein shall be jointly implemented by the Town and the BSA.

12. The Town shall submit to the BSA an annual status report of pretreatment program activities performed within the Town during the previous twelve (12) months.

13. Authorized representatives of the BSA, USEPA, and

NYSDEC bearing proper credentials and identification shall be given access at any time during normal working hours to all Town pretreatment program operation and enforcement file records for purpose of review and copying.

PRETREATMENT PROGRAM REMEDIES

14. Whenever the Town knows, or has reason to know, that an Industrial User violation has occurred in its sewer districts, the Town shall immediately notify the BSA of such occurrence.

15. The Town shall take all necessary action to effectively halt any Industrial User discharge in the Town which is in violation of the Town's and/or BSA use regulations, whichever is more stringent. The Town shall inform the BSA of the actions taken to bring a violator into compliance.

16. The Town agrees that if the Town does not effectively halt a violation, then the BSA is empowered to immediately initiate the direct actions and remedies, as set forth in Article X of the BSA Sewer Regulations, to discontinue the violation.

17. The Town agrees that, in the event the BSA incurs any fines, penalties or other costs for violation of its SPDES Permit, which is causally related to Industrial Users' discharges within the Town, the Town shall reimburse the BSA for such fines, penalties or other costs.

18. In the event that any discharge from the Town is

determined by the BSA General Manager to present an imminent endangerment to the public health or welfare, the BSA is empowered, after giving verbal notice to the Town and the Industrial Users, to immediately enter upon any premises in the Town for the purpose of locating and effectively halting such discharge.

Also, the BSA is empowered, after giving formal notice to the Town and the Industrial User, to enter upon any premises in the Town for the purpose of halting or preventing any discharge which, in the opinion of the BSA General Manager, presents an imminent endangerment to the environment or which threatens to interfere with the operation of the BSA Treatment Plant. The Town and the Industrial Users shall have the opportunity to respond to the notice before any such action is taken.

19. In the event of any sewage treatment plant interference or any other sewage facility problem related to wastewater discharges, the Town shall allow the BSA to conduct sampling and inspection to identify the cause and source of the problem.

20. The Town shall indemnify the BSA for costs of any damages to the BSA sewage conveyance system or treatment plant or disruption of treatment or operations caused by an Industrial User discharge violation within the Town.

21. Failure on the part of the Town to comply with any

provision of this agreement may be punishable by a fine of up to $1,000.00 per day for each day that the violation occurs, regardless of the fact that the BSA's SPDES Permit may not be violated. The amount of all fines shall be assessed by and payable to the BSA.

22. The BSA reserves the right to become a party to any legal action involving a violation of this agreement initiated by the Town against an Industrial User in the Town's service area.

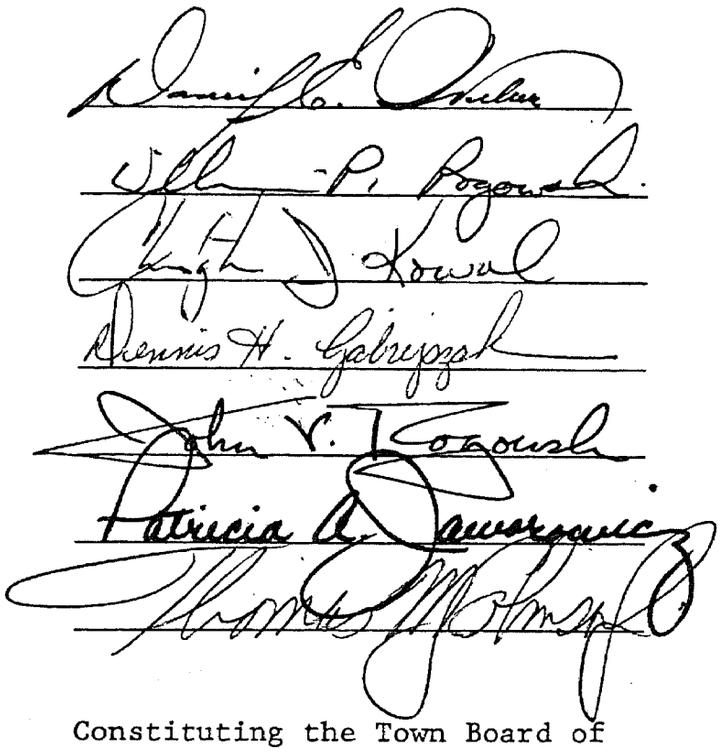
In Witness Whereof, the party of the first part has caused these presents to be executed by its General Manager thereunto duly authorized by Resolution of the Buffalo Sewer Authority adopted at a meeting held on the 22 day of February, 1984, and the members of the Town Board of the Town of Cheektowaga for and on behalf of the Town of Cheektowaga and the Cochrane Street Sewer District and Cheektowaga Sanitary Sewer Districts No. 2, 4, 5, 6, 7, and its Extensions, and 8 have hereunto set their respective hands and seals, all on the day of the date of this Agreement.

Seal

BUFFALO SEWER AUTHORITY

By Gilbert J. Lacky
It's General Manager

Seal



Constituting the Town Board of the Town of Cheektowaga acting for and on behalf of the Cochrane Street Sewer District and Cheektowaga Sanitary Sewer Districts No. 2, 4, 5, 6, 7, and its Extensions, and 8.

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

On this 14th day of June, 1984, before me personally came GILLMAN J. LAEHY, to me known, who being by me duly sworn, did depose and say that he resides in the City of Buffalo, New York; that he is the General Manager of the Buffalo Sewer Authority, the corporation described in and which executed the above instrument; that he knows the seal of such corporation; that the seal affixed to said instrument is such corporation seal, and that it was so affixed by resolution of the Board of the Buffalo Sewer Authority, and that he signed his name thereto by virtue of said resolution.

Richard C Lunghino
Notary Public, Erie County,
New York.
My commission expires_____

RICHARD C. LUNGHINO
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1986

STATE OF NEW YORK)
COUNTY OF ERIE) SS.:
TOWN OF CHEEKTOWAGA)

On this 4th day of June, 1984, before me personally came DANIEL E. WEBER, THOMAS M. JOHNSON, JR., WILLIAM P. ROGOWSKI, JOHN V. ROGOWSKI, PATRICIA A. JAWOROWICZ, CHRISTOPHER J. KOWAL, and DENNIS H. GABRYSZAK, to me known, who being by me duly sworn, did depose and say that they reside in the Town of Cheektowaga, Erie County, New York, that they are members of the Town Board of the Town of Cheektowaga, and they duly adknowledged to me that they executed said Agreement for and on behalf of the Cochrane Street Sewer District and Cheektowaga Sanitary Sewer Districts No. 2, 4, 5, 7, 7, and its Extensions, and 8 of the Town of Cheektowaga.

Kevin G. Schenk
Notary Public, Erie County
New York.
My commission expires 3/31/86

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19

Item No. 24 Cont'd.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 25 Motion by Councilman Johnson seconded by Councilman Kowal

WHEREAS, the Town Board of the Town of Cheektowaga, as Sewer Commissioners for and on behalf of the Cochrane Street Sewer District and Cheektowaga Sanitary Sewer Districts Nos. 2, 4, 5, 6, 7 and its extensions, and 8 (hereinafter called the "Town") and the Buffalo Sewer Sewer Authority (hereinafter called the "Authority") have previously entered into an Agreement to have the Authority treat the Town's sanitary sewerage, and

WHEREAS, the Authority is required by Part 403 of Title 40 of the Code of Federal Regulations (General Pretreatment Regulations for Existing and New Sources of Pollution) to establish a Publicly Owned Treatment Works (POTW) Pretreatment Program, and

WHEREAS, the Authority, as the State Pollution Discharge Elimination System permit holder for the Buffalo municipal sewerage system, has primary responsibility for insuring that a pretreatment program is implemented throughout its service area and is applicable to all industrial users, and

WHEREAS, the service area agreement by and between the Authority and the Town will be amended to provide for implementation of the pretreatment program in the Town, and

WHEREAS, the proper execution of the pretreatment program requirements and activities will require the commitment of personnel and expenditures of funds, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga, as Sewer Commissioners for and on behalf of the Cochrane Street Sewer District and Cheektowaga Sanitary Sewer Districts Nos. 2, 4, 5, 6, 7 and its extensions, and 8, is commetted to provide its fair share of the man-hours and monies necessary for the implementation and continuing operation of the pretreatment program.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES:	0
ABSENT:	0

Item No. 26 Motion by Supervisor Weber seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, and

WHEREAS, application for said funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans for eligible Town homeowners, and

WHEREAS, housing rehabilitation is an eligible activity under the Community Development Block Grant Program, and

WHEREAS, the Town Community Development Director has received application(s) for assistance under said program and has determined that the owner(s) of the property listed below are eligible for participation in the Town's Housing Rehabilitation Loan Program, NOW, THEREFORE, BE IT

RESOLVED, that Community Development Housing Rehabilitation Loan funds, in the amount(s) listed below, be approved for the owner(s) of the property listed below:

187 Lee Street $710.00

Item No. 26 Cont'd.

AND BE IT

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign a Loan Agreement with the owner(s) of the above listed property and any and all other necessary and related documents on behalf of the Town, AND BE IT

FURTHER RESOLVED that the Supervisor be and hereby is authorized to sign checks, prior to Town Board Warrant List approval, necessary for the timely disbursement of said loan funds, providing that the rehabilitation work to be performed has been carried out to the satisfaction of the Town Housing Inspectors and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Johnson seconded by Councilman J.V. Rogowski

WHEREAS, the Town of Cheektowaga, through the Office of Community Development, and with the participation of M & T Bank, operates a Housing Rehabilitation Loan Program, and

WHEREAS, the maximum amount of funds an eligible homeowner-occupant is currently able to make application for is $6,000, and

WHEREAS, the Town Director of Community Development has recommended that the maximum loan limit be raised to $8,000 for housing rehabilitation loans provided in conjunction with M & T Bank and for direct Town payback loans, and

WHEREAS, such an increase would allow greater flexibility in accomplishing program objectives and making necessary and required repairs on owner-occupied residential structures in the Town, NOW, THEREFORE, BE IT

RESOLVED that the maximum limit on loans made through M & T Bank and direct Town payback loans made under the Town's Housing Rehabilitation Loan Program be raised to $8,000 and that the Supervisor be and hereby is authorized and directed to execute an Amendment to the Agreement between the Town of Cheektowaga and M & T Bank, dated November 29, 1983, pertaining to said Loan Program regarding said loan maximum limit increase.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Supervisor Weber seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following fund transfer is hereby approved and made a part hereof.

COMMUNITY DEVELOPMENT FUND

From:	1982-83 (Depew:	Drainage-Scajaquada Creek)	$15,000.00
To:	1982-83 (Depew:	Removal of Architectural barriers)	$15,000.00

No. 12

Item No. 28 Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Supervisor Weber seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to June 4th, 1984 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$1,540,848.17
SPECIAL DIST. FUND	532,481.63
HIGHWAY FUND	324,411.40
TRUST AND AGENCY FUND	66,586.63
PART TOWN FUND	37,653.88
COMMUNITY DEVELOPMENT FUND	18,220.58
	$2,520,202.29

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 30 Building Permits
Received and Filed

Item No. 31 Councilman Gabryszak: Report of meeting with Federal Officials to discuss appropriation of Community Development Block Grant Funds.

IV. GENERAL COMMUNICATIONS

Item No. 32 New York State Department of Transportation: Notice of Order: Genesee Street.

Item No. 33 New York State Department of Transportation: Letter regarding Baisley Bus LInes Co. for Temporary Certificate of public convenience.

Item No. 34a Notice of Claim: Helen F. Chmura vs Town of Cheektowaga.
Copies were sent to Supervisor Daniel E. Weber, Town Attorneys. Joseph Naples; Town Insurance Carrier, Councilman Thomas Johnson, Sewer Department.
Received and filed.

Item No. 34b Notice of Claim: Helen L. Frys vs Town of Cheektowaga.
Copies were sent to Supervisor Deniel E. Weber, Town Attorneys, Joseph Naples; Town Insurance Carrier, Councilman Thomas Johnson, James Matecki; Facilities Department, Michael Miecznikowski; Recreation Department.
Received and filed.

No. 12

Item No. 35 — Kathleen Pautler, Deborah Stanley, Donna Donahue, Karen Bauer, residents of Arthur Musarra Parkway and Zent Court request to speak regarding removal of barricades.
Copies were sent to: Supervisor Daniel E. Weber, Council Office, Highway Department, Traffic Safety Commission and Town Attorneys.
Received and filed.

Item No. 36 — Letters from residents on Arthur Musarra Parkway and Zent Court regarding barricades.
Copies were sent to: Supervisor Daniel E. Weber, Council Office, Highway Department, Traffic Safety Commission and Town Attorneys,
Received and filed.

Item No. 37 — Letter from Town resident regarding: Zoning of 74 Avery Place.
Copies were sent to: Supervisor Daniel E. Weber, Council Office, Zoning Board, Town Attorneys and Building Inspector, Ronald Marten.
Received and filed.

* *

Motion by Supervisor Weber seconded by Councilman J.V. Rogowski to suspend rules to include the following items.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

* *

V. SUSPENSION OF RULES

Item No. 38 — Appointment to Chief of Police.

Motion by Councilman J.V. Rogowski seconded by Councilman Jaworowicz

WHEREAS, effective July 1, 1984, there will exist a vacancy in the position of Chief of Police in the Cheektowaga Police Department, and

WHEREAS, Captain Robert M. Lis appears first on the eligible list resulting from the Civil Service examination for Chief of Police in the Town of Cheektowaga, and

WHEREAS, Captian Robert M. Lis has performed all duties assigned to him in an exemplary manner, and

WHEREAS, Chief Theodore DeFedericis has recommended that this Board appoint Captain Robert M. Lis to the position of Chief of Police in the Cheektowaga Police Department, and

WHEREAS, this Board believes that Captain Robert M. Lis is the best qualified candidate for the position of Chief of Police in the Town of Cheektowaga, NOW, THEREFORE, BE IT

Item No. 38 Cont'd.

RESOLVED, that Robert M. Lis of 31 McParlin Avenue, Cheektowaga, New York 14225 be and hereby is appointed to the position of Chief of Police of the Town of Cheektowaga, effective July 1, 1984.

Upon Roll Call....

AYES: Councilmen Johnson, J.V. Rogowski, Jaworowicz
NAYES: Supervisor Weber, Councilmen W.P. Rogowski, Kowal and Gabryszak
ABSENT: 0

THIS RESOLUTION WAS DENIED

Item No. 39 Appointment to Assistant Chief of Police

This item was withdrawn.

Item No. 40 Appointment of Chief of Police

Motion by Supervisor Weber seconded by Councilman W.P. Rogowski

WHEREAS, there will exist a vacancy in the office of Chief of Police for the Town of Cheektowaga, New York, as of July 1, 1984, due to the retirement of Theodore DeFedericis; and

WHEREAS, Captain Leonard J. Smolarek has served in the Cheektowaga Police Department since January 1, 1949, most recently as Captain in Command, Airport Division; and

WHEREAS, Leonard J. Smolarek is currently on the Civil Service eligible list for the Chief of Police; and

WHEREAS, Leonard J. Smolarek by virtue of his experience, qualifications, and past record of service to the Cheektowaga Police Department, in particular, and the Town of Cheektowaga, in general is well suited and highly qualified to serve as Chief of Police;

NOW, THEREFORE, BE IT RESOLVED that Leonard J. Smolarek is hereby appointed to the position of Chief of Police effective July 1, 1984.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen W.P. Rogowski, Kowal and Gabryszak
NAYES: Councilmen Johnson, J.V. Rogowski and Jaworowicz
ABSENT: 0

Item No. 41 Appointment of Assistant Chief of Police

Motion by Supervisor Weber seconded by Councilman W.P. Rogowski

WHEREAS, upon the retirement of Assistant Chief John B. Gruber, on February 4, 1984, a vacancy was created in the position of Assistant Chief of Police in the Cheektowaga Police Department, and

WHEREAS, such vacancy has not been filled yet by this Board, and

Item No. 41 Cont'd.

WHEREAS, Captain Robert M. Lis, appears on the eligible list resulting from the Civil Service examination for Assistant Chief of Police in the Town of Cheektowaga, and

WHEREAS, Captain Robert M. Lis, has performed all duties assigned to him in an exemplary manner, and

WHEREAS, this Board believes that Captain Robert M. Lis is the best qualified candidate for the position of Assistant Chief of Police in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that Robert M. Lis of Cheektowaga, New York 14225, be and hereby is appointed to the position of Assistant Chief of Police, effective immediately.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 42 Authorize Supervisor to sign amendment to agreement regarding drainage improvements along southerly section of Cedargrove Heights.

Motion by Councilman Johnson seconded by Councilman Kowal

WHEREAS, there is need for obtaining engineering services for a project to porvide drainage improvements along the southerly section of Cedargrove Heights, which project will also provide relief for the existing sanitary sewer inflow and infiltration problem, AND

WHEREAS, this Town Board had approved a previous contract with the firm of Nussbaumer & Clarke, Inc. for survey work and plans as approved on February 22, 1983, AND

WHEREAS, modifications to the design of said project and the preparation of plans, specifications, contract documents, construction stake-out and services during construction are now required, AND

WHEREAS, the firm of Nussbaumer & Clarke, Inc. has submitted a proposal to the Town to provide said ingineering services for a fee of $12,350.00, NOW, THEREFORE, BE IT

RESOLVED, that the previous contract with the firm of Nussbaumer & Clarke, Inc. as approved on February 22, 1983, is hereby amended to include additional design modifications and the preparation of plans, specifications, contract documents, construction stake-out and services during construction as outlined in their proposal dated May 31, 1984, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign the agreement with Nussbaumer & Clarke, Inc. for said additional services for a fee of $12,350.00, AND, BE IT FURTHER

RESOLVED, that said fee for engineering services shall be transferred from the Sewer District #5 Account 508125.4543

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 43 Motion by Supervisor Weber unanimous second to adjourn in memory of Dr. Victor Reinstein, physician, attorney and philanthropist and Edmund Mietlicki, Cheektowaga police dispatcher.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 12

CHEEKTOWAGA, NEW YORK
June 18, 1984

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 of 18th day of June, 1984 at 7:00 o'clock P.M., Eastern Daylight Savings Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson Jr.
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Services Director II; Robert Lis, Assistant Chief of Police; Ronald Marten, Building and Plumbing Inspector; Julia Reinstein, Town Historian; Al Thrun, Representative of Traffic Safety Commission; Fred Wnek, Highway Superintendent; Pat Wojcik, Recreation Supervisor, Senior Citizens; Barney Wojtkowiak, Mayor of Sloan.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing relative to Unsafe Buildings and Collapsed Structures Ordinance regarding demolition and removal of a structure located at 102 Brookedge Road, Cheektowaga, New York.

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

II. RESOLUTIONS

Item No. 3 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, Willow Run Building Sites, Inc. (John Ogiony, President) has made application and requested the rezoning of property located at 1024 French Road from R-Residential to RC-Restricted Business, said applicant being the owner of property aforementioned NOW, THEREFORE, BE IT

RESOLVED that the Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 2, 1984 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Weber, Councilman Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR AFFIDAVIT

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

Anna F. Mika, 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 June 21, 1984; last publication June 21, 1984; and that no more than six days intervened between publications.

Anna F. Mika

Sworn to before me this 22nd day of June, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

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 2nd day of July 1984, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Willow Run Building Sites, Inc. (John Ogiony President) to Rezone from R-Residential District to RC-Restricted Business District on property located at 1024 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.

FRENCH ROAD
CHEEKTOWAGA

ALL OF THAT PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 50, Township 10, Range 7, bound and described as follows:

COMMENCING AT A POINT on the south line of Lot 50, said line also being the center line of French Road (80.0' wide) said point being 1,770.64' east of the southwest corner of Lot 50; said point also being the southeast corner of lands conveyed to Theodore Gajewski, by Deed recorded in the Erie County Clerk's Office in Liber 6573 of Deeds at Page 483; thence northerly at right angles to the center line of French Road, 40.0' to a point on the north line of French Road; said point being the POINT OF BEGINNING: thence continuing north at right angles to the center line of French Road, 362.50' to a point on the south line of Map Cover No. 2291; thence east, at right angles, and along said south line of Map Cover No. 2291, 436.25' to a point; thence south at right angles, 362.50' to a point on the north line of French Road, said point also being the intersection of the north line of French Road and the west line of lands conveyed to John P. Bohn, by Deed recorded in the Erie County Clerk's Office in Liber 6085 of Deeds at Page 53; thence west along the north line of French Road, 436.25' to the POINT OF BEGINNING.

Containing 3.63± Acres

Subject to easements for drainage purposes granted to the County of Erie, by easement recorded in Liber 7901 of Deeds, at Page 225.

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:
Daniel E. Weber

Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 21, 1984

Item No. 4 Motion by Councilman Jaworowicz seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 4th day of June, 1984 at 7:00 P.M. Eastern Daylight Saving Time 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 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

Street	Direction	Entrance Street	Traffic Stops	Sign Location
KENVIEW BLVD.	North-south	WAINWRIGHT ROAD	Westbound	N.E. Corner
EAST TREEHAVEN ROAD	East-west	WAINWRIGHT ROAD	Northbound	S.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

A. No parking this side or one-side parking

KENVILLE ROAD	south side:	east from Eggert Road to north and south branches of Kenville Road
KENVILLE ROAD	north side:	east from Eggert Road to north and south branches of Kenville Road
KENVILLE ROAD	complete inner curblines of Kenville Road in project. Both sides of Kenville Road westerly from Eggert Road to junction of north and south branches of Kenville Road in project.	

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

A. No parking this side or one-side parking.

KENVILLE ROAD	north side:	from the east curbline of Eggert Road to the west curbline of Kenville Road.
KENVILLE ROAD	complete inner curbline of Kenville Road in project.	

Section 2. Time to take effect.

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

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

Section 3. Territorial Application.

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

Item No. 4 Cont'd.

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 Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT NEXT PAGE.

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

Anna F. Mika, 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 June 21, 1984; last publication June 21, 1984; and that no more than six days intervened between publications.

Anna F. Mika

Sworn to before me this 22nd

day of June, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

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 June, 1984 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Daniel E. Weber.
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 4th day of June, 1984 at 7:00 o'clock P.M. Eastern Daylight Saving Time 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

Street: KENVIEW BLVD.; Direction: North-south; Entrance Street: WAINWRIGHT ROAD; Traffic Stops: Westbound; Sign Location: N.E. Corner

Street: EAST TREEHAVEN ROAD; Direction: East-west; Entrance Street: WAINWRIGHT ROAD; Traffic Stops: Northbound; Sign Location: S.E. Corner

ARTICLE X
Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

A. No parking this side or one-side parking

KENVILLE ROAD, south side: east from Eggert Road to north and south branches of Kenville Road

KENVILLE ROAD, north side: east from Eggert Road to north and south branches of Kenville Road

KENVILLE ROAD, complete inner curblines of Kenville Road in project. Both sides of Kenville Road easterly from Eggert Road to junction of north and south branches of Kenville Road in project.

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

A. No parking this side or one-side parking.

KENVILLE ROAD, north side: from the east curbline of Eggert Road to the west curbline of Kenville Road.

KENVILLE ROAD complete inner curbline of Kenville Road in project.

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...

Supervisor Weber	Voting	AYE
Councilmen:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 18, 1984, 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 4th day of June, 1984.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 21, 1984

Item No. 5 Motion by Councilman Johnson seconded by Councilman Kowal

WHEREAS, there is need for the furnishing, installation and reconstruction of existing sidewalk, including incidental piping, miscellaneous grading and seeding along the Walden Avenue area and various other locations, AND

WHEREAS, funding for said sidewalk construction has been budgeted under the Community Development Block Grant Program, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the construction of new sidewalks, notice to be published in the CHEEKTOWAGA TIMES, BUFFALO EVENING NEWS and the BUFFALO CRITERION, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 2nd day of July, 1984 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

*SEE NEXT PAGE FOR COPY OF NOTICE TO BIDDERS.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on July 2, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing, installation and reconstruction of existing sidewalk including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of $20.00. Non-bidders will be refunded $10.00 upon return of contract documents within 30 days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required by the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES, ARE EXPLAINED IN THE SPECIFICATIONS.

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

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

Richard M. Moleski
Town Clerk

DATED: June 18, 1984

AN EQUAL OPPORTUNITY EMPLOYER

Item No. 5 Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT NEXT PAGE

Notice to Bidders

Sealed proposals will be received by the Town of Cheektowaga on July 2, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing, installation and reconstruction of existing sidewalk including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of $20.00. Non-bidders will be refunded $10.00 upon return of contract documents within 30 days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent [5%] of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty [60] days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required by the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commission must be paid to laborers and mechanics engaged in the construction of 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES, ARE EXPLAINED IN THE SPECIFICATIONS.

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

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

Richard M. Moleski
Town Clerk

STATE OF NEW YORK

Erie County, City of Buffalo ss.

The BUFFALO CRITERION

823-25 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 20th day of June, 19 84 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 27th **day of**

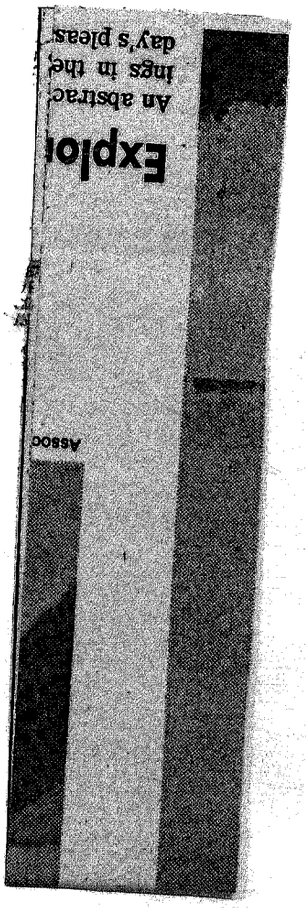
August, 19 84

Frank E Merriweather

~~Notary Public~~

Commissioner of Deeds

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 ~~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 XXXXXXXXX weeks, the first~~ insertion being on the 21st day of June 1984 ~~and the last insertion being on the XXXXXXXX

State of New York
ERIE COUNTY
CITY OF BUFFALO } ss.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on July 2, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing, installation and reconstruction of existing sidewalk including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of $20.00 Non-bidders will be refunded $10.00 upon return of contract documents within 30 days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required by the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES, ARE EXPLAINED IN THE SPECIFICATIONS.

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 12, 1984

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 XXXXXXXXXX successive weeks, the first~~ insertion being on the 21st day of June 1984 ~~and the last insertion being on the XXXXXXXXX

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

Anna F. Mika, 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 June 21, 1984; last publication June 21, 1984; and that no more than six days intervened between publications.

Anna F. Mika

Sworn to before me this 22nd day of June, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

LEGAL NOTICE

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on July 2, 1984 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing, installation and reconstruction of existing sidewalk including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of $20.00. Non-bidders will be refunded $10.00 upon return of contract documents within 30 days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5 percent) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100 percent of the contract price will be required by the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES, ARE EXPLAINED IN THE SPECIFICATIONS.

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 18, 1984
PUBLISH: June 21, 1984
AN EQUAL OPPORTUNITY EMPLOYER

Item No. 6 Motion by Councilman W.P. Rogowski seconded by Councilman Gabryszak

BE IT RESOLVED that the Town Clerk be 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, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on July 2, 1984 at 11:00 A.M. Daylight Savings Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.

*SEE NEXT PAGE FOR COPY OF NOTICE TO BIDDERS

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on July 2, 1984 at 11:00 a.m. Daylight Savings Time at Town Hall, corner of Broadway and Union Road for football equipment.

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

The bidder agrees to make every effort to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the item originally designated.

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

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

Richard Moleski,
Town Clerk

Item No. 6 Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT NEXT PAGE.

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

Anna E. Miko, 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 June 21, 1984; last publication June 21, 1984; and that no more than six days intervened between publications.

Anna E. Miko

Sworn to before me this 22nd

day of June, 1984

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1985

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board Town of Cheektowaga on July 2, 1984 at 11:00 A.M., Daylight Savings Time at Town Hall, corner of Broadway and Union Road for football equipment.

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

The bidder agrees to make every effort to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the item originally designated.

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

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 21, 1984

Item No. 7 Motion by Councilman Gabryszak seconded by Councilman Kowal

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of diesel fuel, unleaded gasoline, motor oils and misc. oils, lubricants and anti-freeze for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at 11:00 A.M. on July 2, 1984 at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

THE TOWN OF CHEEKTOWAGA hereby requires sealed bids for the purchase of diesel fuel oil, unleaded gasoline, kerosene oil, hydraulic oil, motor oil, lubriplate, permanent anti-freeze etc. for the use of the Cheektowaga Highway Department.

Specifications and information are available at the office of the Superintendent of Highways, Alfred F. Wnek, whose office is located at 3145 Union Road, Town of Cheektowaga, NY 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of opening, July 2nd, 1984 at 11:00 A.M. in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked with the name of the bidder also marked "SEALED BIDS FOR UNLEADED, GASOLINE, DIESEL FUEL AND VARIOUS OILS AND LUBRICANTS, FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

The Town of Cheektowaga reserves the right to reject any or all bids if it be in the public interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids, also to include the name and address of bidder.

RICHARD M. MOLESKI
TOWN CLERK

Dated: June 18, 1984
Published: June 21, 1984

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT NEXT PAGE

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

Ann E. Mika, 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 June 21, 1984; last publication June 21, 1984; and that no more than six days intervened between publications.

Ann E. Mika

Sworn to before me this 22nd day of June, 19 84

Dorothy J. Turner

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

DOROTHY J. TURNER
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 85

LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA
HIGHWAY DEPARTMENT

THE TOWN OF CHEEKTOWAGA hereby requires sealed bids for the purchase of diesel fuel oil, unleaded gasoline, kerosene oil, hydraulic oil, motor oil, lubriplate, permanent anti-freeze etc. for the use of the Cheektowaga Highway Department.

Specifications and information are available at the office of the Superintendent of Highways, Alfred F. Wnek, whose office is located at 3145 Union Road, Town of Cheektowaga NY 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening, July 2nd, 1984 at 11:00 a.m. in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked "SEALED BIDS FOR UNLEADED GASOLINE, DIESEL FUEL AND VARIOUS OILS AND LUBRICANTS, FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

The Town of Cheektowaga reserves the right to reject any or all bids be it in the public interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids, also to include the name and address of bidder.

RICHARD M. MOLESKI
Town Clerk

DATED: June 18, 1984
PUBLISH: June 21, 1984

Item No. 8 Decision on Unsafe Building and Collapsed Structures Ordinance regarding 102 Brookedge Road.

Moved by Councilman Jaworowicz seconded by Supervisor Weber to table this item.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Johnson seconded by Councilman Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of the Yeager Drive Drainage Improvements Project, which bids were duly received and publicly opened on June 4, 1984, AND

WHEREAS, said bids were referred to the consulting firm of Pratt & Huth Associates 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 June 14, 1984, AND

WHEREAS, said report recommends that, based on the availability of funds, the contract consisting of Proposal A and Proposal B, Alternate No.1, be awarded to C.M.H. Company, Inc. 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 Yeager Drive Drainage Improvements Project be and hereby is awarded to C.M.H. Company, Inc. 590 Cayuga Creek Road, Cheektowaga, New York 14227 for the bid price of $140,710.00 for Proposal A and Proposal B, Alternate 1, said bid being the lowest meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, sign the Agreement with C.M.H. Company, Inc. for the construction of the Yeager Drive Improvements Project, AND, BE IT FURTHER

RESOLVED, that funding for this construction project is thru the Community Development Block Grant Budget.

*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 14, 1984

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Yeager Drive Drainage
Improvements Project

Gentlemen:

On June 4, 1984 bids were received and publicly opened for the Yeager Drive Drainage Improvements Project. Nine (9) bids were submitted for this project which consisted of Proposal A, Proposal B Alternate No. 1 and Proposal B Alternate No. 2.

Proposal A of this project involves the installation of a reinforced concrete storm sewer along the north side of Yeager Drive easterly from Beach Road a distance of approximately 1,400 feet. Proposal B Alternate No. 1 of this project includes a detention pond and drainage swale to be constructed on Town owned property, parallel to the northern property line of the Yeager Drive properties. Proposal B Alternate No. 2 of this project involves a detention pond with a combination storm sewer and swale design.

The following is a listing of bids received on June 4, 1984:

TOTAL	TOTAL PROPOSAL A	PROPOSAL B ALTERNATE 1	PROPOSAL B ALTERNATE 2	PROPOSAL A PLUS PROPOSAL B ALTERNATE 1	PROPOSAL A PLUS PROPOSAL B ALTERNATE 2
C.M.H. Co., Inc.	100,760.00	39,950.00	56,600.00	140,710.00	157,360.00
Samcost Constr.	105,481.15	37,203.00	50,750.05	142,684.15	156,231.20
Seacoast Constr.	107,520.00	55,345.00	74,160.00	162,865.00	181,680.00
A & M Contracting	110,276.00	36,295.00	50,665.00	146,571.00	160,941.00
M. Falgiano Const.	124,380.00	76,832.50	94,384.50	201,212.50	218,764.50
Cimato Brothers	126,557.50	72,025.00	89,790.00	198,582.50	216,347.50
M.C. Morgan Cont.	141,481.75	57,296.50	85,546.50	198,778.25	227,028.25
Jobrien Const.	142,325.00	57,600.00	75,860.00	199,925.00	218,185.00
L.D.C. Constr.	145,791.70	33,525.00	45,022.50	179,316.70	190,814.20
Engineer's Estimate	$92,960.00	$37,750.00	$54,690.00	$130,710.00	$147,650.00

The above bids were reviewed and tabulated by the consulting engineering firm of Pratt & Huth Associates. Based on the availability of funds budgeted for this project under the Community Development Block Grant Program, it is the recommendation of this department that the contract consisting of Proposal A and Proposal B Alternate 1 be awarded to C.M.H. Company, Inc., 590 Cayuga Creek Road, Cheektowaga, New York 14227 for their submission of the lowest total bid price of $140,710.00 meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

William R. Pugh

BY: William R. Pugh
Junior Engineer

WRP:dms

Item No. 9 Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Gabryszak seconded by Councilman Kowal

WHEREAS, bids were duly received by this Town Board at a public bid opening held on June 4, 1984, at the Town Hall, for the purchase of a 1972 Used Paver 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 bid be awarded to Gateway Equipment Corp., 1875 Harlem Road, Cheektowaga New York as follows:

One Used Asphalt Paver, Model SB-140	$47,000
Trade in - 1970 Blaw Knox Paver PF65	10,000
	$37,000

said bidder being the sole, lowest responsible bidder meeting specifications.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Kowal seconded by Supervisor Weber

WHEREAS, by resolution dated June 4, 1984, the position of Clerk 55-a was created in the Cheektowaga Police Department, and

WHEREAS, Patricia Ann Wnek has applied for such position and has been certified by the State Education Department, Office of Vocational Rehabilitation, as being qualified and able to perform the duties of the Clerk 55-a in the Cheektowaga Police Department, effective immediately.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Supervisor Weber seconded by Councilman Kowal

WHEREAS, the term of Arnold F. Kogut as a member of the Board of Assessment Review of the Town of Cheektowaga has expired, and

WHEREAS, Arnold F. Kogut has performed his duties as a member of the Board of Assessment Review in an exemplary manner, and

WHEREAS, this Board is desirous of retaining Arnold F. Kogut as a member of the Board of Assessment Review, NOW, THEREFORE, BE IT

Item No. 12 Cont'd.

RESOLVED, that Arnold F. Kogut of 97 Alpine Place, Cheektowaga, New York 14225 be and hereby is reappointed as a member of the Board of Assessment Review of the Town of Cheektowaga for a term ending April 12, 1989.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman Gabryszak seconded by Councilmen Kowal

WHEREAS, a need exists in the Sanitation Department for the position of a Senior Clerk-Typist, AND

WHEREAS, the necessary PO-17 forms have been sent to the Erie County Department of Personnel, and the County has approved creation of this position, NOW THEREFORE BE IT

RESOLVED, that the position of Senior Clerk-Typist in the Sanitation Department be and hereby is created, and BE IT FURTHER

RESOLVED, that in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, this position be posted for a period of ten days.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

* *

Moved by Councilman J.V. Rogowski seconded by Councilman Jaworowicz to dispense with the reading of the names on items 14 thru 18.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

* *

Item No. 14 Motion by Councilman Kowal seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the various Departments as listed:

SANITATION DEPARTMENT	EFFECTIVE
Douglas Champagne	6/2/84
Robert Ostempowski	6/9/84
Ray Zurowski	6/11/84
Tim Churchill	6/13/84
John Wieberg	7/13/84

Item No. 14 Cont'd.

FACILITIES DEPARTMENT - PARKS DIVISION	EFFECTIVE
Kenneth Stoller	6/4/84
Thomas Chirico	6/10/84

FACILITIES DEPARTMENT - STREET LIGHT MAINTENANCE DIVISION	
James Wozniak	6/9/84
David Zolnowski	5/8/84
Eugene Ruszkowski	6/19/84
Paul Pokorski	5/8/84

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman W.P. Rogowski seconded by Councilman Gabryszak

BE IT RESOLVED that the below listed individuals be hired for the Youth Bureau's Cheektowaga Conservation Corps. Program, at the designated titles and salaries:

SUMMER TRAINEES - $3.10 per hour - 7310.1812

Thomas Allen
Craig Brandon
Karen Ramback
Michael Ptak
Ed Maturski
Sandra Hearn
Daniel McManus
Michele Norris
Ronald Ruggerio
Kenneth A. Kilanowski
Mark Zelasko
Paul Kwiatkowski
Robert Beresniewicz
James Wiedemer
Bernard Wipperman
Nancy Andrzejewski
David Pohle
Mark Melber
Robert Germann
Carmela Stallone
Dale Fritzinger
David Lisiecki
Duane Sawyer
Thomas Koprevich
Tim Wozniak
Wayne Knolhoff
Paul Gordon
Timothy Stevens
Brian Drzymala
Deana Bakowski
Christopher Kowalewski
Susan Sulzbach
Robert Havernick
Jeffery Tokasz
Brian Szymanski
Mark Rydzynski

Item No. 15 Cont'd.

SUMMER TRAINEES - $3.10 per hour - 7310.1812

Timothy Shaw
David Lacki
Daniel Tatta
Timothy Labenski
Kenneth Ostempowski
Jeremy Gawronski
Jeffrey Bobeck
John Kozlowski
Brian Anderson
Bob Lewandowski
Ronald Dombrowski
Karl Schafer
Raymond Arne III
Thomas Simano
Richard Musielak
Michael Janik
Keith Ackerman
Scott Slazak
Suzanne Leszczynski
Renee Dudzinski
John Fenske

ALTERNATES - $3.10 per hour - 7310.1812

Michelle McIntosh
Timothy Dusza
Kelley Getz
Christopher Bystrak
Paul Banaszak
Timothy Klembczyk
Lynn Bretl
James Nowak
Karen Chmura
Gary Dudas
Thomas Berkhoudt
Mark Hoffman
Brian Kelly
Lunn Schwenk
Larry Osswald
Richard DiTondo

BE IT RESOLVED that the following individuals be terminated from the Adapted Recreation Program (7310.1803):

SENIOR COUNSELORS at $4.00 per hour

Mark Popiela

COUNSELOR at $3.50 per hour

Camille Leszczynski

COUNSELOR AID

Cathy Cashdollar

Item No. 15 Cont'd.

WHEREAS, Bonnie Lynch previously upgraded to the position of Counselor was erroneously hired at a rate of pay of $3.00 per hour,

BE IT RESOLVED, that the hourly rate of pay be corrected to reflect the actual rate of $3.50 per hour, and BE IT

RESOLVED that the following individual's be placed in a seasonal status effective June 18th thru September 14th, and transferred to line item 7310.1812

Carol Lawida Richard Depczynski

BE IT FURTHER RESOLVED, that Gwen Gies' rate of pay be corrected to $4.00 per hour, AND BE IT

FURTHER RESOLVED that Lisa Dombrowski of be transferred from the Adapted Recreation Program (7310.1803) to the Developmentally Disabled Day Camp (7310.1802) at a rate of $4.00 per hour.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J. V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman W.P. Rogowski seconded by Councilman Johnson

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1984 summer programs:

Basket Checkers - A7180.1901 - $2.25 per hour

Nancy Abbarno
James Binner
Therese Campanelli
Carl Chowaniec
James Crean
Amy Danner
Darren De Santis
Janice Germann
Carol Gallagher
Michelle Gennocro
Cheryl Gould
Debra Grierson
Lesa Hojnicki
Michael Jakubik
Denise Juszkiewicz
Michael Kochanski
Kelly Kornecki
Susan Kosnik
Kimberly Kotowski
Sheila Krzemein
Audrey Kubiak
Cheryl Kucharski
Timothy Leahy, Jr.
Nancy Matyjasik
Kim Meyer
John Mueller
Elizabeth Nichy
Jamie Raiser
Suzette Sacilowski
Anthony Scanzuso
Thomas Simmeth

Item No. 16 Cont'd.

Basket Checkers Cont'd.

Raymond Sliwinski
Sharon Sliwinski
Daniel Smyntek
Matthew Tytka
Stephen Upchurch
Susanna Vero
Karen Widelski
Dawn Sacilowski
Jeffrey Zaleski
Sandra Moskal
Paul Fronczak

Basket Checker Alternates

Kelly Archangel
Jim Bates
Allen Blackhall
Rob Bonczkiewicz
Deborah Braniecki
Lynda Burke
Barbara Drzymala
Renee Dudzinski
Kevin Flens
Elizabeth Frank
Michael Gemerek
Scott Jeziorski
Glenn Malek
Kimberly Oryszak
Gregory Osswald
Steven Pawig
Dennis Pieszala
John Piscitello
Diane Pogorzala
Cheryl Renner
Karyn Russell
Lynette Schrader
Darlene Sikorski
Christine Somogye
Darrell Stachura
Mark Urbanski
Kelly Wach
Michelle Wilczewski
Peter Zelasko
Tim Ziskowski
Gina Browing
Gary Powers
Michael Showalter

LIFEGUARDS - $3.35 with WSI - $3.10 without WSI - A7180.1903

Elizabeth Barnas
Randolph Bogacki

ASSISTANT GYMNASTICS INSTRUCTOR - A7140.1615 - $3.10 per hour

Lisa Najewski

Item No. 16 Cont'd.

RECREATION ATTENDANTS - I.D. PERSONNEL - A7140.1614 - $3.10 per hour

Kim Geddes
Barbara Gemerek
Jeff Swiatek

RECREATION ATTENDANTS - CLERICAL - A7140.1614 - $3.10 per hour

Helen Nikiel
Renee Siwula

RECREATION ATTENDANTS - $3.10 per hour - A7140.1614

Keith Ackerman
David Bonfessuto
Kevin Boniszewski
Sandra Braunscheidel
Susan Ciezak
Mark Cleary
Barbara Coia
Julianne Conway
Susan Delano
Bonnielyn Dietl
Kim Fenski
Renee Ferraraccio
Therese Frank
Jeffrey Garbacz
Cynthia Gehl
Steve Gemerek
Victor Horst
Gerald Igoe
Robert Igoe
Ann Marie Jenczka
David Kogut
Robert Zozell
Nancy Kubiak
Martin Leszczynski
Mark Lina
Sean Lizak
Joanne Lynch
Amy Martin
Jude Melin
Gary Mercurio
Timothy Miller
Elaine Myszka
Diane Nelson
Jacquelyn Nietopski
Daniel Olejncizak
Denise Pajak
Scott Pilat
Joseph Poniatowski
Theodore Przybyl
Ronald Raczyk
Kathy Ritter
Sheila Rosenberry
Christine Safe
Susan Sansone
Kevin Schmitt
Thomas Schumacher
Edward Skierczynski
Alan Skierczynski

Item No. 16 Cont'd.

RECREATION ATTENDANTS Cont'd.
Bonnie Sweeney
Thomas Taberski
David Tomasello
Michael Tontillo
Danielle Wichlacz
Andrew Wlodarczyk
Kevin Wojcinski
Patricia Zbytek
Jay Zengerski
Samuel Burgio

RECREATION ATTENDANTS - ALTERNATES
Susan Braunscheidel
Liliena Destro
Deborah Garrett
Darryl Gorski
Jeanine Hanner
Mary Beth Hopkins
Ronald Kasprzak
Dawn Kramer
Michael Marino
Barbara Roos
Elaine Ruszczyk
Christine Schmidt
Kim Marie Stang
Dixie Sweeney
Peter Szalasny
Sandra Szczygielski
Linda Wopperer
Mark Wilczewski
Donald E. Tom

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Gabryszak seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the various Departments as listed at a rate of $3.10 per hour:

SANITATION DEPARTMENT

John Jaroszewski	6/25/84
Scott Prell	6/25/84
Thomas Chirico	6/11/84
Daniel T. Weber	6/18/84
Michael Thompson	6/19/84
John Pochylski	6/7/84
Fred Mueller	6/7/84
Michael Carlin	6/7/84
Anthony Wdowik	6/18/84
Kenneth Lorka	7/2/84
Richard Urbanski	6/21/84
Gregory Szafranski	Immediately
David Kreuzer	Immediately
Daniel Giczkowski	Immediately
David Marzak	Immediately
Richard Somogye	Immediately

Item No. 17 Cont'd.

FACILITIES DEPARTMENT - PARKS DIVISION

Kenneth Cieply	Immediately
Robert Binner	Immediately
Keith Zogaria	Immediately
Ted Maziarz	Immediately
Anthony Kostyo	Immediately
Robert Zilliox, Jr.	Immediately
William J. Wnuk	Immediately
MArk J. Krieger	Immediately

FACILITIES DEPARTMENT - STREET LIGHT MAINTENANCE DIVISION

Stephen Dunkowski	Immediately
David Bielewski	Immediately
Paul Kwiatkowski	Immediately
Michael Schulenberg	Immediately

JUSTICE COURT

Jennifer Ruda	6/25/84
Nancy Pajak	6/11/84

FACILITIES DEPARMTENT - BUILDING MAINTENANCE DIVISION - $3.75 per hour

Linda Ruhland	Immediately

POLICE DEPARTMENT - DOG CONTROL OFFICE - $4.00 per hour

Eugune Ruszkowski	6/19/84

AND

BE IT FURTHER RESOLVED that Ronald Lynch, , be and hereby is transferred from the Facilities Department - Parks Department (7110.1491) to the Facilities Department - Street Light Maintenance Division (02-905182-1-1-1492), effective immediately.

Upon Roll Call....
AYES: Supervsior Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman J. V. Rogowski seconded by Councilman Jaworowicz

WHEREAS, funds are presently available under the Buffalo - Cheektowaga - Tonawanda Consortium, Summer Youth Program, and,

WHEREAS the Summer Youth Program starts on July 2nd, 1984 with participants working a maximum of 32 hours per week at $3.35 per hour, NOW THEREFORE BE IT,

RESOLVED that the following persons will be hired based on fund abailability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

Azzarello, Mark
Azzarello, Michael
Balthasar, Mary
Batycki, Suzanne
Beiter, Sally
Bielanin, Kirk
Bojanek, Anthony
Booker, Kimberly M.
Borucki, Theresa
Brant, John

Item No. 18 Cont'd.

Brant, Kimerly
Bren, Anthony
Buchanan, Cheryl
Buck, Nathan
Budzich, Mike
Budziszewski, John
Capozzi, Alan
Carroll, James
Casey, Wayne
Castiglione, Kimberly
Cavese, Tina
Ciemcioch, Richerd
Cimicato, Thaomsa
Clement, Cynthia
Clement, Guy
Colgrove, Christine
Colgrove. Patricia
Conley, Timothy
Connors, David
Couto, Anthony
Couto, Randall
Cramer, Edward
Czamara, James
Davey, Shirley
Davis, Lisa
Davis, Lori
Dequire, David
Dibble, Daniel
Dibble, Donna
Dibble, John
Dibble, Lynn
Dibble, Mark
Dick, Kevin
Dietl, David
Dillon, David
Dillon, Scott
DiPirro, Christopher
Dippold, Robert III
DiRosa, Gene
Dobmeier, Thomas
Dombrowski, Jamie
Drzymala, Brian
Drzymala, Christine
Dudzinski, Renee
Dungan, Jeffrey
Dunkle, Kimberly
Dyson, Sue
Eagle, Lisa
Eagle, Peter
Eagle, Timothy
Edwards, Jeff
Eich, Denise
Espe, Alfred
Falacaro, Michael
Fechter, Ronald
Ferris, Robert
Filippi, Peter
Frontera, Daniel
Frontera, Kristen
Gaczewski, Scott
Gawron, Edward
Gee, Brian
Gee, Diana
Geisler, Allen

Item No. 18 Cont'd.

Gerlach, John
Gerlach, Joseph
Gibala, Audrey
Gibala, Celeste
Gibala, Lori
Gibbons, Mary Jean
Billman, Lawrence
Gisel, Karen
Gorenflo, Eric
Graham, Charles
Graham, Renee
Grimm, Wayne
Gwitt, Michael
Hayes, Kelly
Hayes, Michael
Hayes, Mick
Hayes, Patrick
Hemmerling, Donald
Hencker, Mary Ann
Higgins, Brien
Higgins, Steven
Higgins, Gary
Hinca, Bonnie
Hinca, Geraldine
Hornung, Derrick
Huber, Walter
Huynh, Dung
Johnson, Judith
Juergens, Pamela
Juliano, Michele
Kasinski, Paul
Kerwin, Darin
Kirchner, Brian
Keopnick, Lisa
Kopcinski, Eric
Kopp, Russell
Kopnecki, Kathleen
Kozak, Darlene
Kozlowski, John
Krause, Denise
Krempa, Karen
Krempa, Kim
Kush, Robert
Lagambina, Anthony
LaGambina, Sal
Larkman, Kelly
Lattuca, Gregory
Lauber, Lynn
LeBarron, Rachel
Levorchick, Carla
Loschiavo, David
Loschiavo, Steven
Lucas, Dean
Lucas, Sherry
Lukowski, Donna
Luman, Pamela
Majka, Henry
Malkowski, John
Malkowski, Karl Jr.
Marasciulo, Richard
Mariani, John
Marranco, Paul
Martel, Laura
Matela, Kenneth
Mazikowski, Maria

Item No. 18 Cont'd.

McDonald, Michael
McGowan, Kathleen
McNary, Jackie
Meissner, Ann
Merlette, Barbara
Merlino, David
Michalski, Mark
Mielcarek, Brian
Miga, Michael
Mohr, Kimberlee
Moran, James
Mularski, Joel
Nawrocki, James
Nero, Lisa
Nero, Wayne
Paul Newman
Nowak, Jacqueline
Nowak, Julianne
Nowicki, Heidi
Nowicki, Jody
Nowicki, Wendy
Obstarczyk, Jeffrey
Oleszkowski, Paul
Oliver, Eileen
Orlowski, Dawn
Oryszak, Jeffrey
Pajax, Alex
Paradowski, Dennis
Perry, Jennifer
Peters, Rodney
Pielich, Jeffrey
Pielich, John
Pierce, Sandra
Pilski, Peter
Podladek, Shari
Ponter, Richard
Poplawski, Karen
Post, Martin
Punturiero, Jeffrey
Punturiero, Valerie
Puszert, Shelley
Putvin, Donna
Radecki, Scott
Rapp, Julie
Rapp, Rena
Rappold, Eileen
Richards, Norman
Ridolfi, James
Riedel, Gary
Ritter, Kathy
Robichaud, Thomas
Roll, Frederick
Romans, Judy
Rudolph, Glenn
Ruth, Cyril
Saar, Donna
Sammer, Kim
Santana, Candace
Santana, Ellen
Sauer, Brian
Schrader, Eric

Item No. 18 Cont'd.

Schultz, Patricia
Schupp, Kenneth
Sciandra, Kimberly
Selbert, Lawrence
Selbert, Robert
Shivens, Kathy
Sieber, Jill
Siller, Scott
Simonds, Lisa
Sisti, Christopher
Skubinski, Lisa
Slachciak, Timothy
Sneck, James
Soemann, Timothy
Stevens, David
Stevens, Mark
Stock, Clayton
Stock, Pamela
Strozewski, Thomas
Surdej, Audrey
Swiatkowski, Kevin
Taton, Edward
Taton, Tammie
Than, Michael
Tomasello, David
Toy, Timothy
Trimper, Sherry
Tymorek, Wayne
Uhl, David
Ulatowski, Diane
Waag, Yvonne
Wach, John
Wach, Kelly
Walterich, Brian
Walters, Williams
Wangler, Michael
Warchol, Sharon
Weindel, Lynn
Werts, Charles
Wetzler, Jeffrey
Williams, Dennis
Wittmer, Dale
Wittmeyer, Robert
Wojnar, Brian
Wutz, Michael
Zagst, David
Zglinicki, Jacob
Ziejewski, Robert
Zipp, Jodi
Zipp, Judy
Allis, Craig
Anglum, Maureen
Archangel, Kelly
Au, Geoffrey
Bey, Barbara
Blair, Barbara
Brant, Michelle
Chapman, Jeffrey
Ciszak, David
Gott, Joseph
Gumulak, Paul
Hoddick, Lynn
Jakubik, David
Jankowski, Mary

Item No. 18 Cont'd.

Jankowski, Sherry
Kulczyk, Daniel
Kupczyk, Barbara
Lutz, Anthony
Marranco, Samuel
Mason, Tracie
Petrillo, Virginia
Robichaud, Dawn
Russo, John
Wesolowski, Cindy
Yogerst, Earl Jr.

SUMMER YOUTH STAFF - with a starting date of June 25, 1984

Principal Counselor at $8.35 per hour

Peter Tonsoline

Senior Counselor at $7.50 per hour

Vincent Frisicaro

Monitor at $5.65 per hour

Susanmarie Caruso

Senior Advisor at $5.50 per hour

Michael Alessi

Advisor at $4.75 per hour

Donna Sitarek
Synthia LaBruno
Linda MacVittie

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Gabryszak seconded by Councilman Kowal

WHEREAS, the Erie County Superintendent of Highways has recommended, pursuant to Section 115b of the Highway Law of the State of New York, to amend the map of the Erie County Road System as follows:

Delete: Delevan Avenue, County Road 193, from Pine Ridge Road to Eggert Road, the same being a distance of 0.34 miles;
Delete: Sugar Street, County Road 311, from Pine Ridge Road to Eggert Road, the same being a distance of 0.48 miles;
Add: Dick Road, a Town Highway from Broadway to Walden Avenue the same being a distance of 0.34 miles; and

WHEREAS, the Superintendent of Highways of the Town of Cheektowaga has been notified of and concurs with the aforementioned recommendation of the County Superintendent of Highways, on the condition that the County Superintendent of Highways resurface the above referenced portion of Delevan Avenue and perform curb replacement along such road, and

Item No. 19 Cont'd.

WHEREAS, this Town Board is agreeable to the transfer of the above mentioned County and Town roads, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the following County highways and designates them as Town Highways:

1. Delevan Avenue, County Road 193, from Pine Ridge Road to Eggert Road, the same being a distance of 0.34 miles; and
2. Sugar Street, County Road 311, from Pine Ridge Road to Eggert Road, the same being a distance of 0.48 miles

upon the following conditions:

1. Dick Road, from Broadway to Walden Avenue, the same being a distance of 0.34 miles, be accepted by the County and be added to the map of the Erie County Road System, thereafter to be maintained by Erie County; and
2. The County of Erie resurface Delevan Avenue, from Pine Ridge Road to Eggert Road, and perform curb replacement along such in a manner acceptable to Town Superintendent of Highways,

and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Leonard V. Saniewski, Deputy Commissioner-Highways, Erie County Office Building, 95 Franklin St., Buffalo, N.Y. 14202.

Motion by Councilman Johnson, seconded by Councilman Kowal to amend the above resolution, and the vote was taken as follows:

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

THE AMENDED RESOLUTION IS AS FOLLOWS!

* *

Motion by Councilman Gabryszak seconded by Councilman Kowal

WHEREAS, the Erie County Superintendent of Highways has recommended, pursuant to Section 115b of the Highway Law of the State of New York, to amend the map of the Erie County Road System as follows:

Delete: Delevan Avenue, County Road 193, from Pine Ridge Road to Eggert Road, the same being a distance of 0.34 miles;
Delete: Sugar Street, County Road 311, from Pine Ridge Road to Eggert Road, the same being a distance of 0.48 miles;
Add: Dick Road, a Town Highway from Broadway to Walden Avenue, the same being a distance of 0.34 miles; and

WHEREAS, the Superintendent of Highways of the Town of Cheektowaga has been notified of and concurs with the aforementioned recommendation of the County Superintendent of Highways, on the condition that the County Superintendent of Highways resurface the above referenced portion of Delevan Avenue and perform curb replacement along such road, and

WHEREAS, this Town Board is agreeable to the transfer of the above mentioned County and Town roads, NOW, THEREFORE, BE IT

AMENDED RESOLUTION Cont'd.

RESOLVED that this Town Board hereby accepts the following County highways and designates them as Town highways:

1. Delevan Avenue, County Road 193, from Pine Ridge Road to Eggert Road, the same being a distance of 0.34 miles; and
2. Sugar Street, County Road 311, from Pine Ridge Road to Eggert Road, the same being a distance of 0.48 miles

upon the following conditions:

1. Dick Road, from Broadway to Walden Avenue, the same being a distance of 0.34 miles, be accepted by the County and be added to the map of the Erie County Road System, thereafter to be maintained by Erie County; and
2. The County of Erie resurface Delevan Avenue, from Pine Ridge Road to Eggert Road, restore drainage system, and perform curb replacement along such road in a manner acceptable to the Town Superintendent of Highways,

and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Leonard V. Saniewski, Deputy Commissioner-Highways, Erie County Office Building, 95 Franklin Street, Buffalo, N.Y. 14202.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

* *

Item No. 20 Motion by Councilman Johnson seconded by Councilman W.P. Rogowski

WHEREAS, by deed recorded in the Erie County Clerk's Office on March 26, 1968 in Liber 7453 of Deeds at Page 117, the Town of Cheektowaga acquired a 7.89 acre landlocked parcel of land to the southeast of John C. Stiglmeier Park for use as park land, and

WHEREAS, the Central Council of Volunteer Firemen of the Town of Cheektowaga has requested this Town Board to name the aforesaid parkland in memory of those who have loyally served the Town as volunteer firemen, and

WHEREAS, this Town Board considers such request to be a feasible and honorable means of expressing the Town's gratitude to the many volunteer firemen, past and present, of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby names the above described parkland "Cheektowaga Volunteer Firemen's Memorial Park", effective immediately.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Jaworowicz seconded by Councilman Johnson

WHEREAS, this Town Board previously retained the law firm of Lipsitz, Green, Fahringer, Roll, Schuller & James to represent the Town in obtaining a permanent appropriation of land from Hatch Mobile Trailer Park, Inc. for the purpose of locating a sewer pump and lift station for Sanitary Sewer District No. 8 on property located at 4945 Genesee Street in the Town, and

WHEREAS, retained counsel have informed the Town that, after extended negotiations, Hatch Mobile Home Trailer Park, Inc. has agreed to accept the Town's original offer of $500.00 for such permanent appropriation, and

WHEREAS, this Town Board is agreeable to remitting the sum of $500.00 to Hatch Mobile Home Trailer Park in full settlement and compromise of said proceedings, NOW, THEREFORE, BE IT

RESOLVED, that the Town hereby accepts the aforesaid settlement offer of Hatch Mobile Trailer Park, Inc. in the sum of $500.00, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign any and all agreements, stipulations and other documents necessary to consummate the aforementioned settlement and to obtain the property rights to the above noted land of Hatch Mobile Home Trailer Park, and BE IT FURTHER

RESOLVED, that the aforesaid sum of $500.00 be appropriated from Sanitary Sewer District No. 8 budget.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak.
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Johnson seconded by Councilman Jaworowicz

WHEREAS, the Idylwoods Monarchs, a Senior Cititzen and Pre-Retirement organization, will be holding their annual Ethnic Festival at the Idylwoods Apartment Complex on June 23 and 24, 1984, AND

WHEREAS, the Idylwoods Monarchs, as part of their celebration, will be sponsoring a parade commencing at 10:00 A.M. on Satruday, June 23, 1984, AND

WHEREAS, the parade will begin at the Garden Village Plaza parking lot and proceed east on French Road to the Idylwoods Apartment Complex, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law by providing conspicuous detour signs to prevent traffic delay on French Road.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, The National Advertising Company has requested permission to erect two 12 ft. x 25 ft. billboard signs on the West side of Old Union Road 900 ft. South of the intersection with Union Road, said signs to be mounted on a single steel pole, have a maximum height of 25 ft. above grade and be set back a minimum of 25 ft. from the front property line, AND

Item No. 23 Cont'd.

WHEREAS, said application was referred to the Building Inspector of the Town of Cheektowaga, AND

WHEREAS, said Building Inspector has recommended approval of the sign application, NOW, THEREFORE, BE IT

RESOLVED, that The National Advertising Company be and is hereby granted permission to erect the afore mentioned billboard signs in the manner as specified above.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Jaworowicz seconded by Councilman J.V. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding the cleaning up of vacant property located between 22-30 Ely Road, Cheektowaga, New York, S.B.L.#114.07-3-18, and according to the Assessors' Office is owned by Margaret Martyniuk & One, 511 Rowley Road, Depew, New York 14043, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by removing the dense brush and accumulated rubbish from 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 Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman J.V. Rogowski seconded by Counailman Jaworowicz

WHEREAS, the Cheektowaga Police Department has received a grant from the County of Erie for the acquisition, installation and maintenance of a MRD Communication System within the Town of Cheektowaga; and

WHEREAS, in order for such communication system to be fully operational, it will be necessary to locate and maintain antenna facilities at the South Line Volunteer Fire Company and at the Greater Buffalo International Airport; and

WHEREAS, the Town Attorney's office has completed negotiations with both the South Line Volunteer Fire Company and Greater Buffalo International Airport relating to the installation and maintenance of communication antennas at their facilities at no cost to the Town;

NOW, THEREFORE, BE IT RESOLVED that the Supervisor of the Town of Cheektowaga is hereby authorized, directed and empowered to execute the various agreements between the Town of Cheektowaga and South Line Volunteer Fire Company and the Town of Cheektowaga and the Greater Buffalo International Airport pertaining to the installation and maintenance of communications antennas at their facilities, a copy of which agreement is annexed hereto.

*SEE NEXT (9) NINE PAGES FOR A COPY OF AGREEMENT

Item No. 25 Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 26 Approval of Snow plowing contract with Erie County

This item was withdrawn.

Item No. 27 Motion by Councilman Johnson seconded by Councilman Gabryszak

WHEREAS, a sanitary sewer cave-in had been reported at the intersection of Wildy Street and Gualbert Avenue, AND

WHEREAS, M.C. Morgan Contractors was requested by the Town Engineer to excavate and make the necessary repairs to the sanitary sewer system, AND

WHEREAS, upon excavation it was determined that there was excessive inflow-infiltration from a Town storm sewer into the manhole at that location and to the sanitary sewer, AND

WHEREAS, the Town Engineering Department determined that this was a Town related problem and emergency repairs should be effected to restore the sewer and roadway to full use and prevent heavy inflow-infiltration, NOW, THEREFORE, BE IT

RESOLVED, that the vouches of M.C. Morgan Contractors, Inc. in the amount of $6,243.24 to make the necessary sanitary and storm sewer repairs as directed by the Town Engineer be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that payment for said emergency sewer repair be and hereby is chargeable to Sanitary Sewer District No. 5 Emergency Repair Budget Item 508125,4438.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Supervisor Weber seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to June 18th 1984 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$ 74,520.77
SPECIAL DISTRICTS FUND	124,316.71
HIGHWAY FUND	21,348.25
FEDERAL REVENUE SHARING FUND	1,870.34
TRUST AND AGENCY FUND	2,534.31
PART TOWN FUND	1,598.22
HUD-CDBG FUND	31,217.78
CAPITAL FUND	9,886.92
	$267,298.92

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

III. GENERAL COMMUNICATIONS

Item No. 29 Town of Concord: Copy of resolution opposing Erie County Legislatures position of having final say in approving or disapproving community development projects as selected by individual local governments.
Received and Filed.

Item No. 30 Town of Evans: Copy of resolution requesting Erie County Legislature to request County Executive to activate Erie County Solid Waste Management Committee.
Received and Filed.

Item No. 31 Petition from residents of Rossler, Claude Drive and Wagner Street regarding problem with cats.
Received and Filed.

Item No. 32 Verified Complaint: Richard D. Hawes, Individually and as father and natural guardian of Laura Hawes, Infant vs. Town of Cheektowaga.
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Councilman J.V. Rogowski, seconded by Councilman Johnson to suspend the rules to include the following (3) three items.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Councilman Kowal seconded by Councilman Jaworowicz

WHEREAS, by resolution dated January 16, 1984, this Town Board accepted the terms and conditions of a certain compromise and settlement agreement executed by Ralph Reister, laborer, Department of Sanitation, and approved by the Town of Cheektowaga Employee's Association, AND

WHEREAS, paragraph 5(e) of the aforementioned agreement provides for Mr. Reister's immediate termination as an employee of the Town in the event that his "attendance at work becomes staggered due to a recurrence of (his) past problems and/or illness", AND

WHEREAS, Mr. Reister's attendance at work has become unsatisfactory under the aforementioned provision, NOW, THEREFORE, BE IT

RESOLVED, that Ralph Reister residing at Depew, New York, be and hereby is terminated as an employee of the Town of Cheektowaga effective immediately and BE IT FURTHER

RESOLVED, that the Town Clerk forward a copy of this resolution to Ralph Reister, the Town of Cheektowaga Employee's Association, as well as Mr. William L. Wielinski, Supervising Accountant.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 34 Motion by Supervisor Weber seconded by Councilman W.P. Rogowski

WHEREAS, Holiday Lumber Company, Inc., 1380 French Road, needs to make a 22' X 70' addition to its existing building in order to comply with its agreement with the True Value Hardware Corporation, AND

WHEREAS, such an easterly extension will bring the new addition to approximately 42' from top of bank of Slate Bottom Creek, AND

WHEREAS, other businesses in the area extend up to 32' of the top bank, AND

WHEREAS, the Engineering Department is in the process of submitting to this Town Board recommended changes in the Drainage Systems Ordinance, which revisions would permit variances to the presently required 50' top of bank requirements where such building set backs are consistent with other buildings in the proximity of a waterway, AND

WHEREAS, Holiday Lumber Company, Inc. is required to make its building extension in the shortest time possible, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board approves the granting of a permit for the easterly extension of the Holiday Lumber Company, Inc. building at 1380 French Road up to approximately 42' of top of bank of Slate Bottom Creek.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Unanimous seconded by Unanimous

WHEREAS, the County of Erie has been conducting a county-wide re-evaluation project since 1971 to assist cities, towns and villages situated in the County in the reassessment and update of current property assessment practices; and

WHEREAS, the current re-evaluation project, with the assistance of local assessors, is scheduled to continue for a four year period to the completion of the project; and

WHEREAS, in order to complete this task, the County of Erie is attempting to establish a Re-evaluation Consortium with the various cities, towns and villages situated within the County, which Consortium will have the responsibility for carrying on the re-evaluation project to completion; and

WHEREAS, the County of Erie has requested the Town of Cheektowaga to participate in such Consortium; and

WHEREAS, the Town Board of the Town of Cheektowaga has reviewed the proposal of the County of Erie for the creation of a county-wide Consortium, and will agree to participate in the same subject to certain terms and conditions;

NOW, THEREFORE, BE IT RESOLVED that the Town of Cheektowaga does hereby consent to become a member of the above mentioned Consortium upon the following terms and conditions:

1. The Town of Cheektowaga shall pay to the County of Erie the sum of $1.00 per parcel per year for a period of five years for each parcel of property within the Town of Cheektowaga which is re-evaluated pursuant to the county-wide re-evaluation program;

Item No. 35 Cont'd.

2. The County Legislature of the County of Erie approves a bond issue to fund the completion of the county-wide re-evaluation program and firmly commits to its share of the total bond costs which is estimated to be approximately 2.5 million dollars;

3. The costs set forth in paragraph 1 above will be the sole amount that will be payable by the Town of Cheektowaga in connection with its activities as a member of the Consortium;

4. Any additional costs, whether anticipated or unanticipated, that may develop or evolve with respect to the completion of the county-wide re-evaluation program will be borne solely by the County of Erie, and no other cost other than those set forth in paragraph 1 above will accrue to the Town of Cheektowaga;

5. The information gathered and developed as a result of the county-wide re-evaluation program will constitute the complete and necessary information required by the sole assessor of the Town of Cheektowaga for the purpose of properly assessing all properties within the town;

6. The information to be gathered and developed by the county-wide re-evaluation program will be furnished to the Town of Cheektowaga within a three year period from the date of this resolution;

7. The information that is gathered and developed by the county-wide re-evaluation program will be complete and accurate and may be immediately utilized by the sole assessor of the Town of Cheektowaga; and

8. Should the County fail in any of the obligations stated above, the County of Erie will pay to the Town of Cheektowaga, upon written demand, the sum of $168,000.00, or reimburse the Town of Cheektowaga for funds expended under the Consortium to date, whichever is greater.

AND, BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Cheektowaga is hereby directed, empowered and authorized to advise the County Executive of the County of Erie of the desire of the Town of Cheektowaga to participate in the Consortium subject to the terms and conditions outlined above; and be it further

RESOLVED, that a certified copy of this resolution be sent to the County Executive of the County of Erie by the Town Supervisor along with a request that the County respond within ten (10) days to the acceptability of the terms and conditions outlined in this resolution.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 36 Motion by Supervisor Weber, seconded by Councilman Kowal to adjourn the meeting in memory of Mrs. Hattie Zablotny, wife of the Late John Zablotny, past Highway Superintendent.

RICHARD M. MOLESKI
Town Clerk

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SUSPENSION OF RULES

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32	Change date of Town Board Session	18-19
33	Hiring under Buffalo-Cheektowaga-Tonawanda-Consortium, Summer Youth Program	19-20
34	Authorize Town Fire Inspector to send analysis of Town Fire Prevention code to State Fire Prevention and Building Code Council	20
35	Affirmation of declaration of environmental non-significance re: Foreign Trade Zone in vicinity of Greater Bufalo International airport	21
36	Authorize Supervisor to communicate to Foreign Trade Zone Board the Towns support for creation of a Foreign Trade Sub-Zone	21-22
37	Memorialize County of Erie to make application to Foreign Trade Zone Board for designation of site within Town as Foreign Trade Sub-Zone	22
38	Authorization for Arthur Blachowski to attend Level I Traffic Certification School	23
39	Decision on Rezoning - Indian Road and Broadway	23-25
40	Decision on special permit - Indian Road and Braodway	26-27
	Meeting No. 15 August 6, 1984	
41	Military leave of absence for employee in Facilities Dept.	18
42	Extension of sick leave for employee in Assessor's Office	18-19
43	Proclaim August as National Polish American Heritage month in the Town of Cheektowaga	19
	Meeting No. 16 August 20, 1984	
30	Acceptance of easements re: Cedargrove Heights Drainage Improvements-South Section	10
	Clean-up of properties at the following locations	
31a	44 Park Avenue	10-11
31b	230 Barbados	11
31c	3412 Broadway	11
31d	1281-1287 Walden Avenue	12
31e	67 Homewood	13
31f	1125 George Urban Blvd.	
32	Call for public hearing to amend the Traffic Ordinance: Art. XIII-Truck Exclusions	13-14
33	Change date of Town Board Meeting	14
34	Abolish Captain position in Police Department	14
	Meeting No. 17 September 4, 1984	
26	Reclassification of job titles in Town Attorney's Office	16
27	Create one (1) mechanic position in Highway Department	16
28	Authorize employee to attend seminar in Greece, N.Y.	17
29	NOTICE TO BIDDERS - ten(10) new single axle trucks for Highway	17-18
30	Extension of sick leave for employee in Sanitation Department	19
31	Town authorization to repair driveway approach at 67 Marlene	19
32	Hiring of employee in Sewer Maintenance Department	19-20