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SUSPENSION OF RULES
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Meeting No. 1 January 6, 1986

1 Rezoning of areas fronting on or near Losson Road

Meeting No. 4 February 19, 1986

1 Rezoning from C-Retail Business District to CM-General Commercial District and Special Use Permit for motor vehicle sale service and related uses on property located between Como Park Boulevard and Bennett Road, known as Appletree Mall

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PUBLIC HEARINGS

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MEETING NO. 1
January 6, 1986

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 6th day of January, 1986 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; James Kirisits, Town Attorney; Casey Kozminski, Sole Assessor; Sam LaGreca, Employment and Training Director II; Earl Loder, Disaster Preparedness Coordinator; Ronald Marten, Building Inspector; Michael Miecznikowski, Recreation Director; Carl Perlino, Chairman of Traffic Safety Commission; Ray Pugh, Member of Planning Commission; Julia Reinstein, Town Historian; Leonard J. Smolarek, Chief of Police; Al Thrun, Member of Traffic Safety Commission; Alfred Wnek, Highway Superintendent; Patricia Wojcik, Recreation Supervisor, Senior Citizens; Bernard J. Wojtkowiak, Mayor of Sloan; and Ronald Zoeller, Sanitation Foreman.

I. PUBLIC HEARING

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, 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 amendment being as follows:

ARTICLE VIII

Street	Direction	Entrance Street	Traffic Stops	Sign Location
DOUGLAS DRIVE	North-south	Lynnette Court	Westbound	N.E. Corner
CLEVELAND DRIVE	East-west	Colonial Court	Southbound	N.W. Corner
BIGELOW ROAD	East-west	Bigelow Road	Northbound	S.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102 Parking prohibited in designated locations shall be amended by adding thereto the following:

A. No parking this side or one-side parking

MARYVALE DRIVE	North side:	from the east curb line of Pine Ridge Road to the west curb line of Harlem Road.
MARYVALE DRIVE	South side	from the west curbline of Harlem Road westerly to a point 424 feet to the west.

Item No. 2 Cont'd.

BIGELOW ROAD	South side	from the east curb line of Mapleview Road to the north curb line of Huth Road.

F. Miscellaneous signs

(6) No parking or standing

MEDINA STREET	East side	from the south curb line of William Street southerly 142 feet from William Street
ALASKA STREET	West side	from the south curb line of William Street southerly 150 feet from William Street.

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

II. RESOLUTIONS

Item No. 3 Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the regular Town Board meetings of the Town of Cheektowaga shall be held on the first and third Mondays of the month during the year 1986 at 7:00 P.M.; to be held in the Council Chambers, Town Hall, Cheektowaga, 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. 4 Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the Town Board shall hold work sessions every second Saturday of the month at 10:00 A.M. during the year 1986; said work sessions shall be held in the Council Chambers, Town Hall, Cheektowaga, 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. 5 Motion by Supervisor Weber Seconded by Councilman W. Rogowski

BE IT RESOLVED that the Marine Midland N.A. (Cheektowaga Office), Liberty National Bank and Trust Company (Harlem Road Office), Key Bank (Cheektowaga Office), Chase Lincoln First Bank of Western New York N.A. (Depew Office), Manufacturers and Traders Trust Company (Airport Plaza Office), Citibank (Airport Plaza), and Manufacturers Hanover Trust Company Western N.A. (Depew Office), as designated depositories of the Town of Cheektowaga be and they hereby are requested, authorized and directed to honor checks, notes and other instruments for the payment of money against Town funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of Daniel E. Weber, Supervisor.

And the Marine Midland Bank N.A. (Cheektowaga Office), Liberty National Bank and Trust Company (Harlem Road Office), Key Bank (Cheektowaga Office), Chase Lincoln First Bank of Western New York N.A. (Depew Office), Citibank (Airport Plaza), and Manufacturers and Traders Trust (Airport Plaza Office), shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes and other instruments, regardless of by whom or by what means

Item No. 5 Cont'd.

the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen or specimens duly certified to or filed with the said banks by the Supervisor, the Town Clerk or other officers 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. 6 Motion by Councilman W. Rogowski Seconded by Councilman Johnson

WHEREAS, Section 24, paragraph 11 of the Town Law empowers the Town Board to designate as the official paper of the Town any newspaper regularly published in the Town if such newspaper has been entered as Second Class Mail material, and

WHEREAS, the CHEEKTOWAGA TIMES, is published and circulated on a regular weekly basis in the Town of Cheektowaga, and

WHEREAS, the office of said newspaper is located in the Town, NOW, THEREFORE, BE IT

RESOLVED that the CHEEKTOWAGA TIMES, located at 343 Maryvale Drive, be and hereby is designated as the official paper of the Town of Cheektowaga.

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

Item No. 7 Motion by Councilman W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the salaries of the following Town officials be and hereby are established and set forth as follows, effective January 1, 1986:

Supervisor	$42,679.00
Budget Director	$ 9,048.00
Councilmen (6)	$13,846.00
Receiver of Taxes	$28,875.00
Town Clerk	$32,000.00
Highway Superintendent	$36,577.00
Town Justices (2)	$29,163.00

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

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

BE IT RESOLVED that James J. Kirisits of Cheektowaga, New York be and hereby is re-appointed Town Attorney, effective January 1, 1986.

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 Jaworowicz Seconded by Councilman W. Rogowski

BE IT RESOLVED that Kevin G. Schenk of ,

Item No. 9 Cont'd.

Cheektowaga, New York be and hereby is re-appointed Deputy Town Attorney.

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 Termination of Prosecuting Attorney to Town Justice Court.

Motion by Councilman J. Rogowski Seconded by Supervisor Weber to table the above 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. 11 Authorize Supervisor to execute agreement for provision of services of Prosecuting Attorney to Town Justice Court.

Motion by Councilman J. Rogowski Seconded by Supervisor Weber to table the above 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. 12 Re-appointment of Prosecuting Attorney to Town Justice court.

Motion by Councilman W. Rogowski Seconded by Councilman Kowal to table the above 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. 13 Appointment of Deputy Town Attorney.

Motion by Councilman Johnson Seconded by Councilman Gabryszak to table the above 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. 14 Motion by Councilman J. Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that Chester L. Bryan of Cheektowaga, New York be and hereby is re-appointed Town Engineer, effective January 1, 1986.

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 Jaworowicz Seconded by Councilman Johnson

Item No. 15 Cont'd.

BE IT RESOLVED that the following individuals be and hereby are reappointed as Town Bingo Inspectors, effective January 1, 1986:

Kenneth Jeffords	Cheektowaga, N.Y.
Stanley Sliwinski, Jr.	Cheektowaga, N.Y.
Charlotte Janiak	Cheektowaga, N.Y.
Longin M. Olech	Cheektowaga, N.Y.

and, BE IT FURTHER

RESOLVED that Jacqueline Blachowski of , Cheektowaga, New York be and hereby is appointed as Town Bingo Inspector, effective immediately,

and, BE IT FURTHER

RESOLVED that Alexander Mazgajewski of , be and hereby is appointed Bingo Inspector Chairman, effective January 1, 1986.

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 Johnson Seconded by Councilman Gabryszak

WHEREAS, Ernest A. Holfoth has submitted a proposal to the Town for the provision of risk management and insurance-related services for 1986 for $18,000.00, and

WHEREAS, Mr. Holfoth has performed such services for the Town in previous years and this Town Board has found his services invaluable, and

WHEREAS, this Board desires to continue to retain Mr. Holfoth's services in 1986, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Consulting Agreement with Ernest A. Holfoth for the calendar year 1986.

*SEE NEXT THREE (3) PAGES FOR COPY OF CONSULTING AGREEMENT.
Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

EAH

ERNEST A. HOLFOTH, CPCU, ARM

MUNICIPAL AND CORPORATE RISK MANAGEMENT
GENERAL AND LIFE INSURANCE CONSULTANT

4947 LAKE SHORE ROAD, HAMBURG, NEW YORK 14075 TELEPHONE: (716) 627-5828

December 12, 1985

CONSULTING AGREEMENT

CLIENT Town of Cheektowaga

ADDRESS Broadway and Union Road, Cheektowaga, NY 14227

I, Ernest A. Holfoth (or successor corporation), CONSULTANT, agree to provide Risk Management and/or General Insurance and/or Employee Benefits Insurance Consulting Services as described below:

Effective from January 1, 1986 to December 31, 1986

For a fee of $18,000, payable $1,500 monthly,

plus actual expenses for: (1) telegraph, long distance telephone, express delivery, and photocopy services; (2) travel and lodging outside of the CLIENT's local area (automobile @ 22¢ per mile, parking and tolls); and (3) other direct expenses incurred at the request of the CLIENT. Travel time during business hours is chargeable.

SPECIFIED SERVICES Risk management services as described in the attached list in coordination with the Town's Insurance Agents Committee and supervisory risk management for the self-insured portion of the Town's general program.

Inspections: Neither the right to make inspections, nor the making thereof, nor any advice resulting therefrom shall constitute an undertaking on behalf of or for the benefit of the CLIENT or others to determine or warrant that its property or operations are safe, healthful, or are in compliance with any law, rule, or regulation.

This Agreement may be terminated by either party by giving reasonable notice to the other.

Ernest A. Holfoth

Ernest A. Holfoth, CPCU, ARM

Accepted by Daniel C. Sitler Supervisor 1/6/86

Name Title Date

EAH

ERNEST A. HOLFOTH, CPCU, ARM

MUNICIPAL AND CORPORATE RISK MANAGEMENT
GENERAL AND LIFE INSURANCE CONSULTANT

4947 LAKE SHORE ROAD, HAMBURG, NEW YORK 14075 TELEPHONE: (716) 627-5828

RISK MANAGEMENT AND GENERAL INSURANCE MANAGEMENT SERVICES

1. Review and analyze the present risk management and general insurance program and report findings and recommendations for improvements and cost savings possibilities.

2. Identify and evaluate the (insurable) risks of loss (or loss exposures) and recommend methods of preventing, reducing, self-assuming, funding and/or transferring such risks.

3. Establish and maintain a reasonable general insurance management program that will include the following activities:

a. Review all general insurance policies for accuracy and negotiate corrections, improvements, and appropriate modifications for effective protection.

b. Review insurance rating classifications, experience and other premium modifications and exposure bases data for accuracy and possible cost reductions.

c. Check current (and previous) premium computations, adjustments, audits and other available rating data for possible premium credits.

d. Assist in establishing insurance values.

e. Check premium billings for conformity with insurance policies and allocate premium and/or loss costs as desired.

f. Develop required background information and prepare competitive bidding specifications for insurance, evaluate bids and proposals received, and recommend appropriate action (when bidding is advisable).

g. Negotiate insurance renewals and changes, as appropriate.

h. Prepare summaries of insured and self-insured risks of loss and assist in maintaining other suitable general insurance records.

4. Determine, review, and evaluate paid and reserved (open) losses and negotiate with your agent(s) and/or insurer(s) to remove any incorrect or inappropriate claims and loss costs that may be affecting present (and future) insurance costs.

5. Establish appropriate accident and loss reporting and recording procedures and periodically prepare summaries of insured and self-assumed loss costs.

6. Establish and supervise reasonable safety, loss prevention and loss reduction programs to reduce insured and self-assumed loss costs. Also, evaluate agent and insurer provided safety and risk management services and compare them with available alternative services.

7. Study feasibility of any cost savings of alternative risk financing/funding techniques, including use of deductibles, self-insurance, pooling and safety groups.

8. Assist legal counsel, accountants, architects, and engineers with insurance related matters in the preparation and analysis of leases, other contracts, financial reports and records, new project plans or proposals, applications for funds and the like. Also, assess the impact of new projects and undertakings on the risk management/insurance program.

9. Assist in maintaining appropriate employee benefit programs.

10. Organize the above activities into a practical risk management program that can, subsequently, be maintained by less experienced personnel with reduced advisory services.

11. Periodically report findings, recommendations, and results in an objective and impartial manner.

CPCU is the professional designation of Chartered Property Casualty Underwriter, and ARM is the designation Associate in Risk Management.

Item No. 17 Motion by Supervisor Weber Seconded by Councilman W. Rogowski

WHEREAS, the Town Board desires the services of a Certified Public Accounting firm for the services in the area of:

A. Annual Audit - A complete certified audit of the Town's records will be performed to include:
   a. Preparation of the Annual Financial Report to the New York State Department of Audit and Control.
   b. Preparation of audit report on regular Town Audit.
   c. Preparation of management letter relative to regular audit.
   d. Newly required compliance audit of major Federal programs in conformity with "Single Audit Act"

B. Consultive Services - Periodic consultation will be provided to the Supervisor, and the Town Accountant on areas such as:
   Federal Revenue Sharing, State Revenue Sharing, borrowings, legislative developments and other areas as requested.

C. Benefit Basis Budget Preparation - Assistance will be provided to the Supervisor, Town Board and Town Accountant in various phases of the preparation of the 1987 benefit basis budget.

D. Mid-Year Review and Forecast - The firm will provide reviewed financial statements of the Town operating funds as of June 30, 1986 and also a compilation forecast for those funds through December 31, 1986.

E. Ad Valorem Budget Consultation - Additionally, the firm will review the 1987 tentative Ad Valorem budget and meet with the Town Board to report as to our observations and recommendations on that document. They will provide any additional budgetary consulting services as requested at that time.

and

WHEREAS, the Town Board desires to retain the services of KMG Main Hurdman, CPA's for those services, NOW, THEREFORE, BE IT

RESOLVED that KMG Main Hurdman be retained for the year 1986 at an annual fee of $40,950.00 to be paid $8,400.00 a month in January, February and March and $1,750.00 for the remaining 9 months to cover services A through C above; that service D above be invoiced at $4,800.00 when such service is provided; and that service E above be invoiced at a standard per diem rate when the service is performed.

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

Item No. 18 Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that Christopher J. Kowal, , Cheektowaga, New York be and hereby is granted a leave of absence from his position as Laborer in the Sanitation Department without pay, for a period not to exceed one year, retroactive to January 1, 1986.

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. Rogowski Seconded by Supervisor Weber to dispense with the readings of the names on items 19 and 20 inclusive.

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

* *

Item No. 19A Motion by Councilman W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as employees in the Department of Senior Services effective January 1, 1986.

William Przybyla
Charlotte Heeb

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

Item No. 19B Motion by Councilman Gabryszak Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals, hired as Seasonal Employees, be and hereby are terminated effective as follows:

SANITATION DEPARTMENT

Daminski, Jerry	1/10/86
Krajewski, Larry	1/24/86
Kreuzer, Dave	1/17/86
Krzeminski, Joe	1/24/86
Kwiatkowski, John	1/31/86
Orlikowski, Dave	1/17/86
Sliwinski, Ray	1/24/86
Strzelczyk, Paul	1/17/86

MAIN PUMP STATION

Leroy Linkner	1/17/86
Darlene Hoffman	1/17/86

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. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the following rates:

	EFFECTIVE
PARKS DIVISION - #01-007110-1-0-1491-001 - $3.10 per hour	
Douglas Dixon	1/6/86
Richard Coffta	1/5/86
John Kochel	1/6/86
Joseph Burgio	1/6/86

Item No. 20A CONT'D.

PARKS DIVISION	-	#01-007110-1-0-1391-001	-	$4.00 per hour
Carol Brinkworth				1/6/86
BUILDING MAINTENANCE DIVISION	-	#01-001625-1-0-1391-001	-	$4.00 per hour
Linda Ruhland				1/6/86
BUILDING MAINTENANCE DIVISION	-	#01-001625-1-0-1491-001-		$4.00 per hour
Josephine Ratajczak				1/6/86

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. Rogowski Seconded by Councilman Jaworowicz

BE IT RESOLVED that the individuals listed on the attached sheet be and hereby are hired as (seasonal) part-time clerical employees to assist Joan E. Dudek, Receiver of Taxes and Assessments, in the 1986-87 tax collection on an as-needed basis at a per diem salary as determined by the Town Board.

SEASONAL/PART TIME CLERICAL EMPLOYEES
TAX OFFICE

Jankowski, Arlene C.
Jaroszewski, Patricia
Nowicki, Alice
Piffl, Waltraud
Trautmann, Margaret
Melber, Susan
Miller, Patricia
Ratajczak, Katherine A.
Ross, Sandra Marie
Sajdak, Irene
Urbanski, Mary
Wiedemer, Barbara
Wojtkowski, Joan
Wichlacz, Elizabeth Marie
Rzepka, Paulette
Bobek, Edwina
Burke, Colleen
Caprio, Kathleen
Clark, Beatrice
Cosimano, Patricia
Filippi, Carol
Gielinski, Dorothea
Glascott, Geraldine
Kantowski, Eleanore
Malkiewicz, Carol
McCabe, Lucille
McGuire, Ann
Magiena, Florence
Ring, Emilie

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

Item No. 20C Motion by Councilman Johnson Seconded by Councilman Kowal

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

Item No. 20C

	EFFECTIVE
SEWER MAINTENANCE DEPARTMENT - $3.10 per hour	
Paul Kalczynski	1/7/86
MAIN PUMP STATION - $3.10 per hour	
	Retroactive
Tod Brudz	12/23/85
David Kumpf	12/16/85
Brian Mirkiewicz	12/09/85

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 Gabryszak

WHEREAS, the Erie County Board of Elections has notified the Town that any re-drawing of election district boundaries must be done before January 15, 1986 or else they will not be able to be re-drawn until 1991, and

WHEREAS, the Board of Elections has also notified the Town that a recent amendment to the State Election Law requires boundaries of all election districts to follow "visible geographic features", and

WHEREAS, the Town Clerk has recommended that certain election districts in Town be re-drawn to accomodate an increase in registered voters caused by the building of new subdivisions, and

WHEREAS, the Town Engineer's Office has prepared the necessary "visible geographic features" legal descriptions for the re-drawing of Election Districts Nos. 1, 2, 67, 74, 85, 102, 105 and 106 in the Town, and

WHEREAS, the re-drawing of such Election Districts, as described on the attached sheet entitled "Town of Cheektowaga Election Districts to be Re-Drawn" comply with the State Election Law and address those districts where significant changes in the number of registered voters are expected in the next few years, and

WHEREAS, if such election districts are not re-drawn at this time, the Town will have to wait until 1991 to do so, and

WHEREAS, this Town Board is desirous of re-drawing Election Districts Nos. 1, 2, 67, 74, 85, 102, 105 and 106, NOW, THEREFORE, BE IT

RESOLVED that Election Districts Nos. 1, 2, 67, 74, 85, 102, 105 and 106 be and hereby are re-drawn as shown on the attached sheet entitled Town of Cheektowaga Election Districts to be Re-Drawn", and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the Erie County Board of Elections before January 15, 1986.

*SEE NEXT TWO (2) PAGES FOR "TOWN OF CHEEKTOWAGA ELECTION DISTRICTS TO BE RE-DRAWN"

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

TOWN OF CHEEKTOWAGA
ELECTION DISTRICTS TO BE RE-DRAWN

DISTRICT NO. 67 - Beginning at the point of intersection of the centerline of Union Road and Cayuga Creek, thence southerly along the centerline of Union Road to the centerline of French Road, thence easterly along the centerline of French Road, to the back lot lines of lots on the east side of Garden Village Drive, thence southerly along said lot lines to the southerly boundary line of the Town of Cheektowaga, thence westerly and northerly along the Cheektowaga Town line to the centerline of Cayuga Creek, thence northeasterly along the centerline of Cayuga Creek to the point of beginning.

DISTRICT NO. 106 - Beginning at the point of intersection of the centerline of Union Road and the centerline of Losson Road, thence easterly along the centerline of Losson Road to the back lot lines on the east side of Hillpine Road, thence southwesterly along said lot lines to the centerline of Union Road, thence northerly along the centerline of Union Road to the point of beginning.

DISTRICT NO. 105 - Beginning at the point of intersection of the centerline of William Street and the centerline of Union Road, thence southwesterly and westerly along the centerline of William Street to the centerline of the New York State Thruway, thence southerly and southwesterly along the centerline of the NYS Thruway to the centerline of Harlem Road, thence southerly and southwesterly along the centerline of Harlem Road to the southerly boundary line of the Town of Cheektowaga, thence easterly along the southerly line of the Town of Cheektowaga to the centerline of Cayuga Creek, then easterly and northeasterly along the centerline of Cayuga Creek to the centerline of Union Road, thence northerly along the centerline of Union Road to the point of beginning.

DISTRICT NO. 74 - Beginning at the point of intersection of the centerline of Transit Road with the northerly boundary line of the Town of Cheektowaga, thence southerly along the centerline of Transit Road to the northerly boundary of the Village of Depew, thence westerly, southerly, westerly, southerly and westerly along the boundary line of the Village of Depew to the centerline of Penn Central Railroad, thence northwesterly along the centerline of Penn Central Railroad to the west line of Lot 74 of the Holland Land Company's Survey, thence northerly along said lot line to the centerline of Genesee Street, thence southwesterly along the centerline of Genesee Street to the centerline of Cayuga Road, thence northerly along the centerline of Cayuga Road to the northerly boundary of the Town of Cheektowaga, thence easterly and northerly along the boundary of the Town of Cheektowaga to the centerline of the NYS Thruway, thence easterly along the centerline of the NYS Thruway to the centerline of Ellicott Creek (the northerly boundary line of the Town of Cheektowaga), thence southeasterly along the centerline of Ellicott Creek to the centerline of Youngs Road, thence northerly along the centerline of Youngs Road to the northerly boundary line of the Town of Cheektowaga to the point of beginning.

DISTRICT NO. 102 - Beginning at the point of intersection of the centerline of Union Road and the centerline of Losson Road, thence northerly along the centerline of Union Road to centerline of Como Park Boulevard, thence easterly along the centerline of Como Park Boulevard to the centerline of Borden Road, thence southerly along the centerline of Borden Road to the Reservation line,

thence westerly along the Reservation line, to a line which is the extension of back lot line on the east side of Hillpine Road, thence southwesterly along this extension of the back lot line on the east side of Hillpine Road to the centerline of Losson Road, thence westerly along the centerline of Losson Road to the point of beginning.

DISTRICT NO. 2 - Beginning at the point of intersection of the centerline of Union Road and the centerline of Como Park Boulevard, thence northerly along the centerline of Union Road to the centerline of the Lehigh Valley Railroad, thence northeasterly along the Railroad to the Depew Village line, thence southerly, easterly and southerly along the Depew Village line continuing through the centerline of Honorine Drive to the centerline of Como Park Boulevard, thence westerly along the centerline of Como Park Boulevard to the point of beginning.

DISTRICT NO. 85 - Beginning at the point of intersection of Transit Road and the southerly line of the Village of Depew, thence southerly along the centerline of Transit Road to the intersection of Transit Road and the Reservation Line, thence westerly along said Reservation Line to the intersection of the Reservation Line and the centerline of Borden Road, thence northerly along the centerline of Borden Road to the point of intersection of the centerlines of Borden Road and Como Park Boulevard, thence westerly along the centerline of Como Park Boulevard to intersection of the centerlines of Como Park Boulevard and Honorine Drive, thence northerly along the centerline of Honorine Drive to the intersection of the southerly line of the Village of Depew, thence easterly along the southerly line of the Village of Depew to the point of beginning.

DISTRICT NO. 1 - Beginning at the centerline of Borden Road and the Reservation Line, thence running southerly along the centerline of Borden Road to the back lot lines fronting the south side of Castlewood Drive, thence westerly along said lot lines to a line projected northerly from the rear lot lines fronting on the west side of Mayberry Drive West, thence northerly along said line to line which is the extension of the back lot line on the east side of Hillpine Road, thence northeasterly along said lot line to the Reservation Line, thence easterly along the Reservation Line to the point of beginning.

Item No. 22A Motion by Councilman Jaworowicz Seconded by Councilman Johnson

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

WHEREAS, said program provides for the coordination of County, Town, City and Village efforts to reduce alcohol-related traffic accidents, including improvements in law enforcement and adjudication, increased education and other related activities, and

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

RESOLVED that the Town of Cheektowaga enter into the attached Agreement which commenced January 1, 1984 and terminated December 31, 1984 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute six (6) copies of the attached Agreement and any and all other papers necessary to implement the terms of this Agreement.

*SEE NEXT TWENTY (20) PAGES FOR COPY OF AGREEMENT.

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

THIS AGREEMENT, made and entered into as of the 1st day of January, 1984, by and between the COUNTY OF ERIE, a municipal corporation of the State of New York, with offices at 95 Franklin Street, Buffalo, New York 14202, hereinafter referred to as the COUNTY, party of the first part, and the TOWN OF CHEEKTOWAGA, a municipal corporation of the State of New York in Erie County, with offices at Broadway and Union Roads, Cheektowaga, New York 14227, hereinafter referred to as the MUNICIPALITY, party of the second part,

W I T N E S S E T H :

WHEREAS, the COUNTY, pursuant to the authority granted to it by Article 43-A of the Vehicle and Traffic Law, has established a special traffic options program for driving while intoxicated (STOP - DWI) and has formulated a plan thereunder for the coordination of county, town, city and village efforts to reduce alcohol-related traffic injuries and fatalities, and

WHEREAS, the MUNICIPALITY, through the Erie County STOP - DWI Coordinator, has made formal application for the funding of certain alcohol traffic safety law enforcement activities in Erie County commencing January 1, 1984, and

terminating December 31, 1984, which application is attached hereto and made a part hereof as Appendix A.

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

FIRST: The MUNICIPALITY, as an independent contractor, agrees to engage in alcohol traffic safety law enforcement activities, as set forth in the annexed Appendix A, during the period January 1, 1984 to December 31, 1984.

SECOND: A. The COUNTY agrees to make quarterly payments to the MUNICIPALITY, for its alcohol traffic safety law enforcement activities hereunder, of a sum not to exceed the lesser of either:

(i) sixty-five percent of the quarterly collections made by any court, judge, magistrate or other officer within Erie County of fines, penalties and forfeitures imposed for violations of Sections 1192 and 511(2) of the Vehicle and Traffic Law, where the arrests and convictions for said violations and the collections made thereunder have resulted from the alcohol traffic safety law enforcement activities of

the MUNICIPALITY, pursuant to this Agreement, provided that the said fines, penalties and forfeitures have been paid over to and received by the COUNTY, and provided further, that the amount of the quarterly collections attributable to the alcohol traffic safety law enforcement activities of the MUNICIPALITY as aforesaid shall be reduced by any amounts refunded pursuant to Section 521 of the Vehicle and Traffic Law to any eligible person who has successfully completed an alcohol and drug rehabilitation program established by the New York State Department of Motor Vehicles following their conviction for an alcohol or drug related offense, or

(ii) the actual quarterly expenses of the MUNICIPALITY in carrying out the alcohol traffic safety law enforcement activities set forth in the annexed Appendix A, as certified by the MUNICIPALITY upon sworn invoices

submitted on forms acceptable to the COUNTY.

B. Where the MUNICIPALITY's actual expenses in any quarterly period, as certified in (ii) above, exceed the amount payable to the MUNICIPALITY pursuant to (i) above, such excess amount shall be carried forward into succeeding quarterly periods for purposes of determining the sum payable to the MUNICIPALITY under this Agreement.

C. Where the amount of collections attributable to the MUNICIPALITY'S alcohol traffic safety law enforcement activities in any quarterly period, as determined in (i) above, has a negative balance due to refunds made on prior collections, such negative balance shall be carried forward into succeeding quarterly periods for purposes of determining the sum payable to the MUNICIPALITY under this Agreement.

D. The MUNICIPALITY shall forward all certified or verified invoices to the Office of Criminal Justice Planning which shall review and authorize payment according to the provisions of paragraph SECOND.

E. The MUNICIPALITY shall allocate to each Justice Court, from the amounts payable to the MUNICIPALITY hereunder, the sum of TEN DOLLARS ($10.00) for every matter disposed of in such court involving an alleged

violation, or multiple violations involving the same defendant and arising from the same incident, of either Section 1192 or 511(2) of the Vehicle and Traffic Law, where such matter was commenced on or after January 1, 1984, by reason of the alcohol traffic safety law enforcement activities of the MUNICIPALITY. Said sum shall be payable by the MUNICIPALITY to the Justice Court(s) for each such matter regardless of the final disposition thereof.

THIRD: The MUNICIPALITY agrees to compile information and render monthly reports to, upon forms supplied by, the Erie County STOP - DWI Coordinator relating to alcohol-related traffic accidents investigated by the MUNICIPALITY and to arrests made by the MUNICIPALITY for violations of Sections 1192 and 511(2) of the Vehicle and Traffic Law, including the disposition thereof.

FOURTH: This Agreement is executory only to the extent of moneys available to the COUNTY for the performance hereof and appropriated therefor, being moneys in a separate account entitled "Special Traffic Options Program for Driving While Intoxicated" established and funded pursuant to Sections 1678-a and 1803 of the Vehicle and Traffic Law, and the COUNTY shall incur no liability on account of this Agreement beyond such moneys.

FIFTH: In the event the Erie County STOP - DWI Program, as approved by the Commissioner of the New York

State Department of Motor Vehicles, is to be terminated during the term of this Agreement, the provisions of Section 1678-i of the Vehicle and Traffic Law shall govern for purposes of determining the sums available to the COUNTY and payable to the MUNICIPALITY pursuant to this Agreement.

SIXTH: The MUNICIPALITY shall not assign, transfer, convey, sublet or otherwise dispose of this contract or of any right, title or interest herein, nor of the power to execute the same or any extension hereof to any other person or corporation without the previous consent in writing of the County of Erie.

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

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

NINTH: The MUNICIPALITY agrees to furnish verified accounts of its disbursements hereunder, with certified

or verified invoices thereto attached at such times and in such form and detail as may be required by the Erie County Comptroller, who may at her option audit the pertinent books and records of the MUNICIPALITY, and a final account within thirty (30) days after the termination of this Agreement.

TENTH: The MUNICIPALITY agrees to defend, hold harmless and indemnify the COUNTY against any and all liability, claims, demands, suits and judgments arising out of the performance of the MUNICIPALITY'S obligations under this Agreement. The MUNICIPALITY further agrees to maintain insurance coverage during the term of this Agreement and submit certificates of insurance in accordance with Vendor Classification C-"Professional Services", on Appendix B attached hereto. For purposes of this Agreement, the MUNICIPALITY need not provide proof of professional liability insurance coverage. In lieu of proof of insurance coverage, the MUNICIPALITY may furnish satisfactory evidence of a self-insurance plan acceptable to the Erie County Director of Insurance and the Erie County Attorney.

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

TWELFTH: The term of this Agreement shall be for a period beginning on the 1st day of January, 1984 and ending on the 31st day of December, 1984, unless earlier terminated by either party upon thirty (30) days prior written notice.

THIRTEENTH: This Agreement may be extended annually upon mutual agreement of the parties hereto upon at least thirty (30) days prior written notice.

This Agreement is executed by the COUNTY pursuant to a resolution adopted by the Legislature of Erie County at its meeting held on February 16, 1984, and by the MUNICIPALITY pursuant to a resolution of its governing body adopted at a meeting of said governing body held on January 6, 1986, a certified copy of the MUNICIPALITY's resolution being attached hereto as Appendix C.

TOWN OF CHEEKTOWAGA

By: _____
DANIEL E. WEBER
Supervisor

COUNTY OF ERIE

By: _____
EDWARD J. RUTKOWSKI
Erie County Executive

APPROVED AS TO FORM

_____
JAMES L. TUPPEN
Assistant County Attorney

Doc. No. _____

APPROVED AS TO CONTENT

_____
MELVIN I. ROSENBLAT
Director, Criminal Justice Planning

ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this _____ day of _____, 1984, before me personally came EDWARD J. RUTKOWSKI, to me personally known, who, being by me duly sworn, did depose and say that he resides in the Town of Hamburg, County of Erie and State of New York; that he is the County Executive of the COUNTY OF ERIE, the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal and was so affixed by order of the Erie County Legislature and that he signed his name thereto by like order.

_____
Notary Public

No. 3
No. 4

ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this 6th day of January, 1986, before me personally came DANIEL E. WEBER, to me personally known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, County of Erie and State of New York; that he is the Supervisor of the TOWN OF CHEEKTOWAGA, the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal and was so affixed by order of the governing body thereof and that he signed his name thereto by like order.

James J. Kirisits
Notary Public

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1986

NO. 2
NO. 3
NO. 4

Cheektowaga
Police Department
3223 Union Road, Cheektowaga, New York 14227-1099

L. J. Smolarek
Chief of Police

Robert M. Lis
Assistant Chief

ERIE COUNTY

S.T.O.P.- DWI

PROGRAM APPLICATION

1984

1. PROBLEM IDENTIFICATION AND ANALYSIS

The Cheektowaga Police Department is aware of numerous drivers who operate their vehicles even after consuming alcoholic beverages to the point where there reflexes and time reaction has been impaired. Alcohol was one of the major factors of the 1583 reported accidends occuring in the Town of Cheektowaga during 1983.

Some officers are reluctant to make D.W.I. arrests because such arrests are time consuming, involve many court appearances, dissatisfaction with court dispositions and in some cases need additional training in D.W.I. arrest procedures, equipment and testifying.

2. PROGRAM GOALS AND OBJECTIVES

Although our department has arrested 642 persons for D.W.I. in 1983, this is only a small percentage of the violators on our public highways. In an effort to reduce D.W.I. violations, there are several avenues of approach: Education, public awareness, and apprehension of violators. The approach that will have the largest impact and give the most immediate results is the apprehension of violators. We intend to increase our D.W.I. arrests by 10% and our D.W.I. conviction rate by 10%.

This Department does have quantitative terms to describe project objectives, and sets them forth below because it is a requirement of this application. However, it is felt that such terms are not truly indicative of the manner in which we propose to operate and the funding we seek. What we intend to do is assign a combination of manpower from current duty assignments to specifically concentrate on the identification of and apprehension of intoxicated drivers. The degree of improvement in our performance is directly related to the intensity of assignments, which in turn is directly related to the percentage of funding from convictions that is returned to the department making that conviction possible. See section following.

(716) 686-3500

3. PROGRAM DESCRIPTION

We have a up-to-date records system which keeps us informed as to where our accidents are occuring and when. It also tells us when and where our D.W.I. arrests are occuring and who is making the arrest. From this information we have decided to assign a one man patrol vehicle each evening, seven days a week, from 9 PM (2100 hrs) until midnight (2400 hrs) and midnight (2400 hrs) until 5 AM (0500 hrs) to apprehend intoxicated drivers. Their supervisor will be instructed to see that these officers do not take any other calls or details but concentrate completely on D.W.I. enforcement. This will be in addition to the normal enforcement that already has been in force. For rotation purposes we will train and update the training of eight men in enforcement and court procedures. Each man receiving 56 training hours. A new closed circuit video recording system will be purchased to reinforce our D.W.I. court cases. There will also be the expense of additional ampoules for the breathalizer and Alcosensor. The location of operation of this D.W.I. program will vary as our records of accidents and D.W.I. arrest indicate where the need is.

The specific degree to which manpower is assigned depends upon this department being able to cover the costs of such concentrated D.W.I. attack with receipt of the funds for for which this proposal is being made. We have determined that we need sixty-five percent of the funds coming into Erie County, distributed to each police agency participating in direct proportion to the number of convictions under the program obtained. All funds so received will be applied to a sustained D.W.I. enforcement program.

NO. 3

NO. 4

Special Traffic Options Program for Driving While Intoxicated S.T.O.P.-DWI	County of Erie S.T.O.P.-DWI FORM SD-1

PART I (To be completed by applicant)

1. Project Title	Project Number (Entered by Erie Co
Arrest Intoxicated Drivers AID - DWI	

2. Project Description (See Part II)	3. Type of Application	4. Program Area
[X]	Initial Revision XX Continuation	XX Law Enforceme Adjudication Education Rehabilitatio Other

5. Applicant Agency (Name & Address)	6. Governmental Unit
Cheektowaga Police Dept. 3223 Union Road Cheektowaga, New York 14227	XX Township City Village Department Agency Other _____

7. Project Coordinator (Name, Title, Address, Telephone No.)	8. Total Cost of Project to County
Leonard J. Smolarek Chief of Police 3223 Union Road Cheektowaga, New York 14227 Telephone # 686-3502	$ 113,359.58

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

Supervisor Daniel E. Weber
Broadway and Union Road
Cheektowaga, New York 14227

10. AUTHORIZING SIGNATURES

A.	Project Coordinator Leonard J. Smolarek	Title Chief of Police	Signature L.J. Smolarek
B.	For Governmental Unit or Agency Daniel E. Weber	Title Supervisor	Signature Daniel E. Weber

COUNTY OF ERIE

S.T.O.P.-DWI

PROJECT BUDGET

Project Duration 12 M

From January 1, 1984 To Dec. 31, 19

BUDGET ITEMS	STOP-DWI FUNDS
A. Personnel	
1 officer, 8 hours per day 7 days per week for 52 weeks = 2912 hours @ $12.19/hr.	$ 35,497.28
1 police Sgt. 4 hours per week for 52 weeks = 208 hrs. @ $13.60/ hr.(for scheduling, record keeping, breathalyzer maintenance etc.)	$ 2,828.80
1 Clerk 8 hours per week for 52 weeks = 41(hours @ $7.419 (record keeping)	$ 3,086.30
Overtime for follow-up investigations 20 hours per month = 240 hrs/yr @ $18.29/hr.	$ 4,389.60
Court time (paid) 2 appearances per arrest (6 hrs) = 1800 hrs @ $12.19/hr	$ 21,942.00
Training time for officers, including lectures and demonstrations= 404 hrs. @ $ 12.19/hr.	$ 4,924.76
Sub-Totals	$ 72,668.74

B. Fringe Benefits

Fringe Benefits * 54.7% of Budget Item A. Personnel	$ 39,749.80
Sub-Totals	$ 39,749.80

BUDGET ITEMS	STOP-DWI FUNDS

C. Consultant Services

Sub-Totals	

D. Equipment

Sub-Totals	

E. Supplies

Ampoules (30 per month X 12 months X $.116)	$ 171.00
Alco Sensor tubes (30/month X 12 months X $.475)	$ 41.76
Blood Test Kits (1/month X 12 months X $ 2.35)	$ 28.20
Sub-Totals	$ 240.96

BUDGET ITEMS	STOP-DWI FUNDS

F. Travel & Subsistence

Lunches while training	$ 140.00
Parking while at DMV and Grand Jury	$ 100.00
Milage for travel to and from school, DMV and Grand Jury	$ 460.08
Sub-Totals	$ 700.08

G. Rental of Facilities

Sub-Totals	

H. Alteration & Renovations

Sub-Totals	

BUDGET ITEMS	STOP-DWI FUNDS

I. All Other Expenses

Sub-Totals	

Erie County Standard Insurance Certificate

Rev 11-83

This certificate does not amend, extend or alter the coverages afforded by the standard form policies listed below.

I		III Companies Affording Coverages
Insured. Name	Town of Cheektowaga	A Northern Insurance Company of New Y
Address	Broadway & Union Road	B
Zip	Cheektowaga, New York 14227	C
Phone No	656-3334	D
II Issuing Agency: Name	Joseph J. Naples & Assoc., Inc.	
Address	490 Delaware Ave.	
Zip	Buffalo, New York 14202	
Phone No.	882-6909	

IV This is to certify that the policies listed below have been issued to the insured named above and are in force at this time.

Indicate Type of Insurance By Checking the Box		Policy Number	Expiration Date	Limits of Liability in Thousands Check The Box	Each Occurrence	Aggr
COMPANY LETTER from III above: A	1. General Liability ☒ Comprehensive Form ☒ Premises and Operations ☒ Products/Completed Operations ☒ Independent Contractors ☒ Contractual ☒ Personal Injury ☒ Broad Form Property Damage ☒ Explosion, Collapse ☒ Underground Hazard	CB57802037	3/30/85	☒ Bodily Injury Property Damage OR ☐ Combined Single Limit *Additional Limits in Umbrella	$500 250*	$50 25
	2. Automobile Liability ☐ Comprehensive Form OR ☐ Schedule Form ☐ owned ☐ hired ☐ non-owned			☐ Bodily Injury Property Damage OR ☐ Combined Single Limit		
	3. Excess Liability ☐ Umbrella Form OR other than umbrella ☐ auto ☐ general ☐ both			Bodily Injury & Property Damage Combined $ Self Insured Retention $		
	4. Worker's Compensation & Employer's Liability Disability Benefits	**	**	Statutory Statutory		
	5. Other			** Town is approved Self-Insurers (Copy of approval sent to County of Erie 6-13-80)		

Erie County is included as an additional insured under the following Policy numbers: CB57802037

Description of Operations: It is understood that this coverage on behalf of the insured is for all locations in the County of Erie, State of New York
For Snow Removal Contract & Nutrition Contract

ACKNOWLEDGEMENT: Insurance companies providing these coverages acknowledge that the named insured is entering into a contract with the County of Erie, in which the named insured agrees to defend, hold harmless and indemnify the County, its officials, employees and volunteers against all claims resulting from work performed, material handled and services rendered. The Contractual Liability coverage evidenced above covers the liability assumed under the County - Contractor agreement.

Prior to non-renewal or cancellation of these policies, at least forty-five (45) days advance written notice shall be given to the Director of Insurance and the County Department requesting this Certificate, before such change shall be effective.

Name and Address of Certificate Holder & Recipient of Notice
County of Erie
Director of Insurance
95 Franklin Street - Room 1275
Buffalo, New York 14202
(716) 846-8340

APPROVED AS TO CONTENT
JAN 16 1984
ERIE COUNTY PURCHASING DEPT.
DIRECTOR OF INSURANCE

Date Issued 12/5/83 crd

Auth. Representative Joseph J. Naples

Firm Name & Address Joseph J. Naples & Assoc., Inc.
490 Delaware Ave., Buffalo, N. Y. 14202

FOR COUNTY USE ONLY: Name of County Dept. Requesting Certificate Criminal Justice (Comm)
Purchase Order or Contract Number Sub-Out - Cont. Prov.

Name: Town of Cheektowaga Address: Broadway & Union Road Zip: Cheektowaga, New York 14227 Phone No ____ ____ ____	III Companies Affording Coverages A United States Fidelity & Guaranty Company B Pacific Employers Insurance Company
Name: Joseph J. Naples & Assoc., Inc. Address: 490 Delaware Avenue Zip: Buffalo, New York 14202 Phone No. ____ ____ ____	C D

This is to certify that the policies listed below have been issued to the insured named above and are in force at this time.

Type of Insurance By Checking the Box	Policy Number	Expiration Date	Limits of Liability in Thousands Check The Box	Each Occurrence	Aggregate
1. General Liability ☐ Comprehensive Form ☒ Premises and Operations ☒ Products/Completed Operations ☐ Independent Contractors ☒ Contractual ☒ Personal Injury ☐ Broad Form Property Damage ☒ Explosion, Collapse ☒ Underground Hazard	1CC063971215	3-30-86	☒ Bodily Injury Property Damage OR ☐ Combined Single Limit	$500 250	$500 250
2. Automobile Liability ☒ Comprehensive Form OR ☐ Schedule Form ☒ owned ☒ hired ☒ non-owned	BAP066835868	3-30-86	☐ Bodily Injury Property Damage OR ☒ Combined Single Limit	$1,000	
3. Excess Liability ☒ Umbrella Form OR other than umbrella ☐ auto ☐ general ☐ both	XM0015338	3-30-86	Bodily Injury & Property Damage Combined $ 5,000 Self Insured Retention $ 10,000		
4. Worker's Compensation & Employer's Liability Disability Benefits	*		Statutory Statutory		
5. Other			*Town is approved Self-Insurer (copy of approval sent to County of Erie 6-13-80)		

Erie County is included as an additional insured under the following Policy numbers: 1CC063971215; BAP066835868; XM0015338

Description of Operations: It is understood that this coverage on behalf of the insured is for all locations in the County of Erie, State of New York
Snow Removal Contract

ACKNOWLEDGEMENT: Insurance companies providing these coverages acknowledge that the named insured is entering into a contract with the County of Erie, in which the named insured agrees to defend, hold harmless and indemnify the County, its officials, employees and volunteers against all claims resulting from work performed, material handled and services rendered. The Contractual Liability coverage evidenced above covers the liability assumed under the County - Contractor agreement.

Prior to non-renewal or cancellation of these policies, at least forty-five (45) days advance written notice shall be given to the Director of Insurance and the County Department requesting this Certificate, before such change shall be effective.

Name and Address of Certificate Holder & Recipient of Notice **REVISED CERTIFICATE** County of Erie Department of Law 69 Delaware Ave.-Suite 300 Buffalo, New York 14202 (716) 846-6811	Date Issued 4-18-85 nj Auth. Representative ____ Firm Name & Address Joseph J. Naples & Assoc., Inc. 490 Delaware Avenue, Buffalo, New York 14202

FOR COUNTY USE ONLY:
Name of County Dept. Requesting Certificate ____
Purchase Order or Contract Number ____
Vendor Insurance Classification ____

Item No. 22B Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is operating a nutrition program for the elderly at the facilities of: St. John Gualbert Parish, located at 83 Gualbert Ave., Cheektowaga; Our Lady of Czestochowa Parish, located at 23 Willowlawn Pkwy., Cheektowaga; Maryvale Presbyterian Church, located at 425 Maryvale Drive, Cheektowaga; Infant of Prague Parish, located at 921 Cleveland Drive, Cheektowaga and Cayuga Village Community Center, located at 100 Hutchens Drive, Cheektowaga, and

WHEREAS, an agreement between the Town of Cheektowaga and the above facilities has been drafted relative to the operation of the said nutrition program for the year 1986, and

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for the year 1986, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all the said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1986.

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

Item No. 22C Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

WHEREAS, it is necessary to improve several Town facilities in order to provide for accessibility and use by handicapped persons, such facilities being Town Hall, Police & Court Building, Town Park Recreation Building, Town Park Pool and the Anna Reinstein Library, AND

WHEREAS, there is need to engage the services of an architect to develop plans and specifications meeting all State-Federal requirements for handicap use and to provide professional services throughout the bidding and construction phase of the project, NOW, THEREFORE, BE IT

RESOLVED that the contract as submitted by Donald T. Maharan Associates dated November 29, 1985 for providing the necessary professional services be and hereby is approved, AND, BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign said agreement with Donald T. Maharan Associates.

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 Supervisor Weber Seconded by Councilman W. Rogowski

WHEREAS, the Town of Cheektowaga, through and by its Receiver of Taxes and Assessments, receives and collects Town taxes, and

WHEREAS, it is advantageous to the Town to invest these moneys, in short-term savings accounts, certificates of deposit, municipal repurchase agreements, etc., thereby creating increased revenues to the Town, and

WHEREAS, the Town Receiver of Taxes and Assessments is knowledgeable about the methods of investment and institutions in which investments could best be made, and

WHEREAS, the New York State Comptroller's Office has stated in Opinion Number 80-242 that a Town Board may authorize its Receiver of Taxes and Assessments to temporarily invest Town tax moneys, and

Item No. 23 Cont'd.

WHEREAS, the County of Erie has also authorized the Receiver of Taxes and Assessments to invest County tax moneys which the Town collects and to retain any interest therefrom to the town's credit, NOW, THEREFORE, BE IT

RESOLVED that Joan E. Dudek, Receiver of Taxes and Assessments for the Town of Cheektowaga, be and hereby is authorized to invest Town real property tax moneys on a short-term basis, and BE IT FURTHER

RESOLVED that any interest earned on such Town or County Tax moneys shall be turned over to the Town of Cheektowaga General Fund.

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 W. Rogowski

BE IT RESOLVED that the Town will continue the same Excess Workers Compensation Insurance with General Reinsurance Corporation through Laverack & Haines, Inc., for the period fo January 1, 1986 to January 1, 1987 at a new rate of $.19 per $100 of payroll and advance annual premium of $24,000.

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. Rogowski Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, the application for which funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans to eligible homeowners, and

WHEREAS, the Town of Cheektowaga has established such a Housing Rehabilitation Loan 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 Rahabilitation 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:

54 Mary Lou Lane $2682.68

AND BE IT

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to sign a Loan Agreement with the owner(s) of the above listed property 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 completed to the satisfaction of the Town Housing Inspector and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

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 Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, Campobello Construction Co., Inc. of 264 Hoyt Street, Buffalo, New York was awarded the contract for the completion of the Cedargrove Heights Stage II, Phase IV Project originally started by Castricone Contractors, Inc., AND

WHEREAS, to complete the contract additional work was performed as ordered by the project engineer, AND

WHEREAS, Change Order No. 1 is attached itemizing the additional work that was deemed necessary for the proper completion of the project at a total cost of $3,791.25, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby directed and authorized to sign said Change Order No. 1 which costs are chargeable to the CDBG account for the Cedargrove improvement budget.

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

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

TOWN OF CHEEKTOWAGA

PRICE ORDER AUTHORIZATION

PRICE BREAKDOWN - EXHIBIT A

DATE December 18, 1985

SHEET 2

JOB NAME Cedargrove Heights Completion Stage II, Phase IV JOB NUMBER _____

CONTRACTOR Campobello Construction Co., Inc.

ADDRESS 264 Hoyt Street, Buffalo, New York 14203

CHANGE ORDER NUMBER 1

You are hereby authorized to perform the following specifically described additional work.

ITEM	DESCRIPTION	COST	TOTAL
2	92 LF of concrete gutter	8.00	$ 736.00
6B	875 SY of top course road surface	3.00	2,625.00
11H	9 ea 1/2 bolt for catch basins	50.00	450.00
11J	9 ea drill & tap catch basins	150.00	1,350.00
	Correction to Estimate #1 & 2		180.25
	Correction to Contract to Sum		200.00
			5,541.25
	Less Item 3 - 700 SF of 4" conc. sidewalk over payment Est #2	2.50/SF	-1,750.00
			$ 3,791.25

ADDITIONAL CHARGE FOR ABOVE WORK IS $ 3,791.25

Payment will be made as follows: Lump Sum Cash

Above additional work to be performed under same conditions as specified in original contract unless otherwise stipulated.

DATE 1/7/ 19 86 AUTHORIZING SIGNATURE Daniel C. Stabile
Supervisor

We hereby agree to furnish labor and materials - complete in accordance with the above specifications at above stated price.

AUTHORIZED SIGNATURE Angelo Campobello DATE 1/7/86
(Contractor signs here)

TITLE PRESIDENT

NO. 3

NO. 4

TOWN OF CHEEKTOWAGA

CHANGE ORDER AUTHORIZATION

DATE December 18, 1985

PROJECT Cedargrove Hts. Completion Contract Stage II, Phase IV

CONTRACT DATE _____ *CONTRACT AWARD PRICE* $61,045.00

CHANGE ORDER NO. 1 *(ADD) OR SUBTRACT* $ 3,791.25

COMMUNITY NAME Town of Cheektowaga

COMMUNITY ADDRESS Broadway & Union Road, Cheektowaga, N.Y. 14227

CONTRACTORS NAME Campobello Construction Co., Inc.

CONTRACTORS ADDRESS 264 Hoyt Street, Buffalo, N.Y. 14203

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK:

See attached sheet for extra work list (Exhibit A)

REASON FOR CHANGE OR EXTRA WORK:

The extras were ordered by the engineer to complete the contract.

CONTRACT TIME CHANGE: *(1) NO AFFECT* ( ) *(2) CHANGE* _____
DATE OF COMPLETION

ITEMIZATION OF CONTRACTOR'S PROPOSAL ON THIS CHANGE

REFER TO EXHIBIT A - PRICE
EXHIBIT B - LOCATION

APPROVALS:

SUPERVISOR Daniel C. Stelter *DATE* 1/6/86

CONTRACTOR Angelo Cuzzo *DATE* 1/7/86

TITLE PRESIDENT *DATE* _____

Item No. 27A Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, Gerald G. Gradl, on behalf of Fedele V. Scutti, has petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by Fedele V. Scutti and located at 6704 Transit 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 2nd day of December, 1985 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 following conditions: that only minor detail work necessary for the sale of used cars be permitted on the property and no sales of automotive parts, collision work, painting or major automotive repair work be allowed on this property, 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 Gerald G. Gradl 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 aforementioned conditions as recommended by the Cheektowaga Planning Board, and, BE IT FURTHER

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

*SEE NEXT TWO (2) PAGES FOR LEGAL DESCRIPTION AND AFFIDAVIT OF PUBLICATION.

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

The legal description of the property commonly known as 6704 Transit Road, Cheektowaga, New York is as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being the north part of Lot No. 75, Township 11, Range 7 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at a point where the south line of the Town of Amherst meets the west line of Transit Road; running thence southerly along the west line of Transit Road 150 feet to a point; thence westerly on a line parallel with the south line of the Town of Amherst, 125 feet to a point; thence northerly on a line parallel to the west line of Transit Road 150 feet to the south line of the Town of Amherst; thence easterly along the south line of the Town of Amherst 125 feet to the point or place of beginning, together with any and all easements or other rights for sewage disposal, utilities, and rights of access for ingress and egress which may have been granted under a certain lease given by Jacobs Development Co., Inc. to Humble Oil & Refining Company on April 30, 1969, a memorandum of which has been recorded in the Erie County Clerk's Office in Liber 7628 of Deeds, at page 245.

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

Linda M. Gras, 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 Jan. 9, 1986; last publication Jan. 9, 1986; and that no more than six days intervened between publications.

Linda M. Gras

Sworn to before me this 10th

day of January, 19 86

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

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 6th day of January 1986 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, Gerald G. Gradl, on behalf of Fedele V. Scutti, has petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by Fedele V. Scutti and located at 6704 Transit 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 2nd day of December, 1985 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 following conditions: that only minor detail work necessary for the sale of used cars be permitted on the property and no sales of automotive parts, collision work, painting or major automotive repair work be allowed on this property,
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 Gerald G. Gradl 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 aforementioned conditions as recommended by the Cheektowaga Planning Board, and, BE IT FURTHER

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

The legal description of the property commonly known as 6704 Transit Road, Cheektowaga, New York is as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being the north part of Lot No. 75, Township 11, Range 7 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at a point where the south line of the Town of Amherst meets the west line of Transit Road; running thence southerly along the west line of Transit Road 150 feet to a point; thence westerly on a line parallel with the south line of the Town of Amherst, 125 feet to a point; thence northerly on a line parallel to the west line of Transit Road 150 feet to the south line of the Town of Amherst; thence easterly along the south line of the Town of Amherst 125 feet to the point or place of beginning, together with any and all easements or other rights for sewage disposal, utilities, and rights of access for ingress and egress which may have been granted under a certain lease given by Jacobs Development Co., Inc. to Humble Oil & Refining Company on April 30, 1969, a memorandum of which has been recorded in the Erie County Clerk's Office in Liber 7628 of Deeds, at page 245.

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 January 6, 1986, 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 27A, 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 6th day of January, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 9, 1986

No. 2

No. 3

No. 4

Item No. 27B Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, Gerald G. Gradl, on behalf of Fedele V. Scutti, has applied for a Special Permit for the sale of used automobiles on property located at 6704 Transit 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 2nd day of December, 1985 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 only minor detail work necessary for the sale of used cars be permitted on the property and no sales of automotive parts, collision work, painting or major automotive repair work be allowed on this property, 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 a 6704 Transit 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 Town Board.

*SEE NEXT TWO (2) PAGES FOR COPY OF LEGAL DESCRIPTION AND AFFIDAVIT OF PUBLICATION.

Upon Roll Call....

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

The legal description of the property commonly known as 6704 Transit Road, Cheektowaga, New York is as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being the north part of Lot No. 75, Township 11, Range 7 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at a point where the south line of the Town of Amherst meets the west line of Transit Road; running thence southerly along the west line of Transit Road 150 feet to a point; thence westerly on a line parallel with the south line of the Town of Amherst, 125 feet to a point; thence northerly on a line parallel to the west line of Transit Road 150 feet to the south line of the Town of Amherst; thence easterly along the south line of the Town of Amherst 125 feet to the point or place of beginning, together with any and all easements or other rights for sewage disposal, utilities, and rights of access for ingress and egress which may have been granted under a certain lease given by Jacobs Development Co., Inc. to Humble Oil & Refining Company on April 30, 1969, a memorandum of which has been recorded in the Erie County Clerk's Office in Liber 7628 of Deeds, at page 245.

[illegible] RD M. MU[illegible]
Clerk

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

Linda M. Hess, 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 Jan. 9, 1986; last publication Jan. 9, 1986; and that no more than six days intervened between publications.

Linda M. Hess

Sworn to before me this 10th

day of January, 19 86

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

No. 2

No. 3

No. 4

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 6th day of January 1986 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, Gerald G. Gradl, on behalf of Fedele V. Scutti, has applied for a Special Permit for the sale of used automobiles on property located at 6704 Transit 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 2nd day of December, 1985 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 only minor detail work necessary for the sale of used cars be permitted on the property and no sales of automotive parts, collision work, painting or major automotive repair work be allowed on this property, 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 6704 Transit 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.

The legal description of the property commonly known as 6704 Transit Road, Cheektowaga, New York is as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being the north part of Lot No. 75, Township 11, Range 7 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at a point where the south line of the Town of Amherst meets the west line of Transit Road; running thence southerly along the west line of Transit Road 150 feet to a point; thence westerly on a line parallel with the south line of the Town of Amherst, 125 feet to a point; thence northerly on a line parallel to the west line of Transit Road 150 feet to the south line of the Town of Amherst; thence easterly along the south line of the Town of Amherst 125 feet to the point or place of beginning, together with any and all easements or other rights for sewage disposal, utilities, and rights of access for ingress and egress which may have been granted under a certain lease given by Jacobs Development Co., Inc. to Humble Oil & Refining Company on April 30, 1969, a memorandum of which has been recorded in the Erie County Clerk's Office in Liber 7628 of Deeds, at page 245.

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 January 6, 1986, 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 27B, 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 6th day of January, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 9, 1986

No. 2

No. 3

No. 4

Item No. 27C Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on December 16, 1985 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE IX

Speed Regulations

Section 76-90. Applicable speed regulations shall be amended by deleting therefrom subsection A in its entirety and by adding thereto a new subsection A to read as follows:

A.1. The speed limit on all roads in the Town, excluding State roads, County roads and Town roads designated in subsection A.2. of this section, shall be established at 30 miles per hour.

2. The speed limit for the following named Town roads shall be established at 35 miles per hour;

Amherst Villa Road
Dale Road
Duke Road
Ellicott Road
Indian Road
Ludwig Avenue (Broadway to terminus)
Old Union/French Road (Union Road to West Seneca town line)
Pfohl Road
Rein Road
Sugar Road
Youngs Road

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Item No. 27C CONT'D.

*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

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

Linda M. Gras, 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 Jan. 9, 1986; last publication Jan. 9, 1986; and that no more than six days intervened between publications.

Linda M. Gras

Sworn to before me this 10th

day of January, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

No. 2

No. 3

No. 4

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 6th day of January 1986 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 Johnson
Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on December 16, 1985 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE IX
Speed Regulations

Section 76-90. Applicable speed regulations shall be amended by deleting therefrom subsection A in its entirety and by adding thereto a new subsection A to read as follows:

A.1. The speed limit on all roads in the Town, excluding State roads, County roads and Town roads designated in subsection A.2. of this section, shall be established at 30 miles per hour.

2. The speed limit for the following named Town roads shall be established at 35 miles per hour:

Amherst Villa Road
Dale Road
Duke Road
Ellicott Road
Indian Road
Ludwig Avenue (Broadway to terminus)
Old Union/French Road (Union Road to West Seneca town line)
Pfohl Road
Rein Road
Sugar Road
Youngs Road

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Upon roll call ....

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

AYES: 5
NAYES: 2
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on January 6, 1986, 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 27C, 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 6th day of January, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 9, 1986

No. 2

No. 3

No. 4

Item No. 28A Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, by resolution dated May 7, 1984, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4 A of the Code of the Town of Cheektowaga (hereinafter referred to as the Ambulance Services Ordinance), and

WHEREAS, the Emergency Medical Services Board has recommended that various sections of such ordinance be amended, and

WHEREAS, this Town Board wishes to amend the Ambulance Services Ordinance to incorporate such recommendations, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the Town Law of the State of New York, a public hearing be held on the 20th day of January, 1986 at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether the Ambulance Services Ordinance shall be amended as shown on 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 and having a general circulation therein, not less than ten (10) days prior to the date of said hearing.

*SEE NEXT THREE (3) PAGES FOR COPY OF LEGAL NOTICE OF HEARING AND AFFIDAVIT OF PUBLICATION.

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

NOTICE OF HEARING

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 6th day of January, 1986, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 20th day of January, 1986 at 7:00 o'clock P.M. at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether Chapter 4A of the Code of the Town of Cheektowaga relating to ambulance services shall be amended as follows:

1. Section 4A-2. , Definitions shall be amended by adding thereto the following definition:

BASE STATION - the location where ambulances are stationed and dispatched from.

2. Section 4A-5.D. shall be amended to read as follows:

D. In the event that the Town Board concurs with the recommendation of the EMS Board and agrees to issue a license to a carrier for a specific ambulance, such carrier, prior to the issuance of said license, shall make himself aware of the provisions of the ordinance, and shall abide by the rules and regulations of the ordinance and of the EMS Board, as amended from time to time.

3. Section 4A-7.A. shall be amended to read as follows:

A. There is hereby created an Emergency Medical Services (EMS) Board composed of the following-referenced thirteen (13) individuals:

(1) one member and one alternate member for each of the ten (10) duly organized volunteer fire districts located in the Town of Cheektowaga; such members shall be designated by such fire districts;
(2) one member and one alternate member for the Village of Sloan Fire Company; such member shall be designated by such fire company;
(3) the Chief of Police of the Town of Cheektowaga or his designee; and
(4) one member designated by the Town Board

In the event any volunteer fire district or the Village of Sloan Fire Company shall fail to designate a member or alternate member, the Town Board shall designate an individual to serve in the place of such member on the EMS Board. The Town Board shall also designate one of the members of the EMS Board to serve as the Chairman thereof.

Each member of the EMS Board shall be allowed only one vote in all matters coming before such Board. In addition, each member of the EMS Board shall serve for a term of one year and shall receive no compensation for his/her services.

4. Section 4A-7.B.(1) shall be deleted and the following subsections shall be renumbered as follows:

4A-7.B.(2) shall become 4A-7.B.(1)
4A-7.B.(3) shall become 4A-7.B.(2)
4A-7.B.(4) shall become 4A-7.B.(3)
4A-7.B.(5) shall become 4A-7.B.(4)

5. Section 4A-7.B.(4)(d) to read as follows:

"(d) Requiring the owner of ambulances to maintain daily records and submit such to the EMS Board as or if requested."

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

Dated: January 6, 1986

Richard M. Molski

RICHARD M. MOLESKI
Town Clerk

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

Linda M. Hess, 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 Jan. 9, 1986; last publication Jan. 9, 1986; and that no more than six days intervened between publications.

Linda M. Hess

Sworn to before me this 10th

day of January, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

LEGAL NOTICE
NOTICE OF HEARING

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 6th day of January, 1986, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 20th day of January, 1986 at 7:00 o'clock P.M. at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether Chapter 4A of the Code of the Town of Cheektowaga relating to ambulance services shall be amended as follows:

1. Section 4A-2. Definitions shall be amended by adding thereto the following definition:

BASE STATION — the location where ambulances are stationed and dispatched from.

2. Section 4A-5.D. shall be amended to read as follows:

D. In the event that the Town Board concurs with the recommendation of the EMS Board and agrees to issue a license to a carrier for a specific ambulance, such carrier, prior to the issuance of said license, shall make himself aware of the provisions of the ordinance, and shall abide by the rules and regulations of the ordinance and of the EMS Board, as amended from time to time.

3. Section 4A-7.A. shall be amended to read as follows:

A. There is hereby created an Emergency Medical Services (EMS) Board composed of the following-referenced thirteen (13) individuals:

(1) one member and one alternate member for each of the ten (10) duly organized volunteer fire districts located in the Town of Cheektowaga; such members shall be designated by such fire districts;

(2) one member and one alternate member for the Village of Sloan Fire Company; such member shall be designated by such fire company;

(3) the Chief of Police of the Town of Cheektowaga or his designee; and

(4) one member designated by the Town Board

In the event any volunteer fire district or the Village of Sloan Fire Company shall fail to designate a member or alternate member, the Town Board shall designate an individual to serve in the place of such member on the EMS Board. The Town Board shall also designate one of the members of the EMS Board to serve as the Chairman thereof.

Each member of the EMS Board shall be allowed only one vote in all matters coming before such Board. In addition, each member of the EMS Board shall serve for a term of one year and shall receive no compensation for his/her services.

4. Section 4A-7.B.(1) shall be deleted and the following subsections shall be renumbered as follows:

4A-7.B.(2) shall become 4A-7.B.(1)
4A-7.B.(3) shall become 4A-7.B.(2)
4A-7.B.(4) shall become 4A-7.B.(3)
4A-7.B.(5) shall become 4A-7.B.(4)

5. Section 4A-7.B.(4)(d) to read as follows:

"(d) Requiring the owner of ambulances to maintain daily records and submit such to the EMS Board as or if requested."

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 6, 1986
PUBLISH: January 9, 1986

No. 2

No. 3

No. 4

Item No. 28B Motion by Supervisor Weber Seconded by Councilman Johnson

WHEREAS, residents have requested this Town Board to rescind the Snow Ban Parking exemption on Winkler Road, and

WHEREAS, the Cheektowaga Traffic Safety Commission has reviewed such request and has stated its concurrence therewith, NOW, THEREFORE,

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on January 20, 1986 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 9th day of January, 1986; said amendments being set forth in the Notice of Hearing.

*SEE NEXT TWO PAGES FOR COPY OF LEGAL NOTICE OF HEARING AND AFFIDAVIT OF PUBLICATION.

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

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 January 20, 1986 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 76-101 of the Code of the Town of Cheektowaga shall be amended by deleting therefrom.

"Winkler Road" as one of the streets currently exempt from all-night parking from November 1 to April 1.

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

Dated: January 6, 1986

Richard M. Moleski

RICHARD M. MOLESKI
Town Clerk

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

Linda M. Goss, 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 Jan. 9, 1986; last publication Jan. 9, 1986; and that no more than six days intervened between publications.

Linda M. Goss

Sworn to before me this 10th day of January, 1986.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1987

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 January 20, 1986 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE X
Parking, Standing and Stopping

Section 76-101 of the Code of the Town of Cheektowaga shall be amended by deleting therefrom.

"Winkler Road" as one of the streets currently exempt from all-night parking from November 1 to April 1.

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 6, 1986
PUBLISH: January 9, 1986

Item No. 29 Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, one (1) bid was duly received for the furnishing of leased storage space for highway equipment on December 16, 1985, and

WHEREAS, it is deemed to be in the best interest of the Town of Cheektowaga to reject all bid proposals for storage space, and

WHEREAS, the Highway Superintendent is requesting a three (3) month lease instead of a one (1) year lease, NOW, THEREFORE, BE IT

RESOLVED that by virtue of the authority vested in it, the Cheektowaga Town Board hereby rejects all bid proposals for the furnishing of highway storage space submitted on or before December 16, 1985, AND, BE IT FURTHER

RESOLVED that the Town Clerk is directed to readvertise and publish a Notice to Bidders for the furnishing of said leased storage space, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 20th day of January, 1986 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

*SEE NEXT TWO PAGES FOR COPY OF LEGAL NOTICE TO BIDDERS AND AFFIDAVIT OF PUBLICATION.

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

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 20, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the leasing of storage space for Town highway equipment.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 6, 1986

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

Linda M. Haas, 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 Jan 9, 1986 ;

last publication Jan 9, 1986 ;

and that no more than six days intervened between publications.

Linda M. Haas

Sworn to before me this 10th

day of January, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 20, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the leasing of storage space for Town highway equipment.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 6, 1986
PUBLISH: January 9, 1986

Item No. 30A Motion by Supervisor Weber Seconded by Councilman W. Rogowski

WHEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 1986 for the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of work uniforms for the Town of Cheektowaga for the year of 1986, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 20th day of January, 1986 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

*SEE NEXT TWO (2) PAGES FOR COPY OF LEGAL NOTICE TO BIDDERS AND AFFIDAVIT OF PUBLICATION.

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

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on January 20, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for work uniforms for the year of 1986.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 6, 1986

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

Linda M. Sears, 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 Jan 9, 1986; last publication Jan 9, 1986; and that no more than six days intervened between publications.

Linda M. Sears

Sworn to before me this 10th

day of January, 19 86

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 20, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for work uniforms for the year of 1986.

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

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

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

RICHARD M. MOLESKI
Town Clerk
DATED: January 6, 1986
PUBLISH: January 9, 1986

No. 2

No. 3

No. 4

Item No. 30B Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga Facilities Department desires to purchase one (1) ice rink resurfacing machine, AND

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

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said purchase of an ice rink resurfacing machine, notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED that sealed bids will be received on the 20th day of January, 1986 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

*SEE NEXT TWO (2) PAGES FOR COPY OF LEGAL NOTICE TO BIDDERS AND AFFIDAVIT OF PUBLICATION.

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

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 20, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of an ice rink resurfacing machine for the Facilities Department in the Town of Cheektowaga, New York.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

The successful bidder will be required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

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

Richard M. Moleski
Town Clerk

DATED: January 6, 1986

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

Linda M. Gors, 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 Jan 9, 1986; last publication Jan 9, 1986; and that no more than six days intervened between publications.

Linda M. Gors

Sworn to before me this 10th day of January, 1986.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

No. 2

No. 3

No. 4

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 20, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of an ice rink resurfacing machine for the Facilities Department in the Town of Cheektowaga, New York.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

The successful bidder will be required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 6, 1986
PUBLISH: January 9, 1986

Item No. 30C Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Facilities Department is in need of one (1) tractor, AND

WHEREAS, funds have been budgeted for that purpose in account #7110-2-0-25-7-001, 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 said vehicle, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 20th day of January, 1986 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

*SEE NEXT TWO (2) PAGES FOR COPY OF LEGAL NOTICE TO BIDDERS AND AFFIDAVIT OF PUBLICATION.

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

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on January 20, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) tractor for the Facilities Department.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 6, 1986

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

Linda M. Haas, 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 Jan 9, 1986; last publication Jan 9, 1986; and that no more than six days intervened between publications.

Linda M. Haas

Sworn to before me this 10th day of January, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 20, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) tractor for the Facilities Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 6, 1986
PUBLISH: January 9, 1986

Item No. 31A Motion by Councilman Johnson Seconded by Councilman W. Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning for 1986, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED that the contract for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning for 1986 be awarded to Superior Pipecleaning, Inc., S-3313 Woodlawn Avenue, Woodlawn, New York 14219 for the following bid prices:

Item	Storm Sewer Diameter To Be Cleaned	Price Per Crew For 8 Hour Day
I	8" - 12"	$512.00
II	15" - 24"	$512.00
III	30" - 48"	$512.00

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER CONTAINING ANALYSIS, TABULATION AND REPORT.

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

December 31, 1985

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

RE: Award of Bid
Storm Sewer Cleaning

Gentlemen:

Bids were received and publicly opened on December 16, 1985 for the cleaning of storm sewers in the Town of Cheektowaga. One (1) bid was received and is as follows:

	Item I 8"-12" Dia. Per Crew 8 Hour Day	Item II 15"-24" Dia. Per Crew 8 Hour Day	Item III 30"-48" Dia. Per Crew 8 Hour Day
Superior Pipecleaning Woodlawn, New York	$512.00	$512.00	$512.00

It is recommended that the bid be awarded to Superior Pipecleaning, Inc. for submission of the lowest bid meeting the requirements of the specifications. The Town of Cheektowaga may contract work as funds become available for the year of 1986.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Allan B. Blachowski
Sr. Engineer Assistant

CLB:ABB:dms

Item No. 31B Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the installation of an air conditioning system in the Senior Citizen Center, which bids were duly received and publicly opened on December 16, 1985, AND

WHEREAS, said bids were referred to the consulting firm of Babinsky-Klein Engineering, P.C. and the Town Engineer for analysis, tabulation and report, and which analysis, tabulation and report is contained in the letter of the Town Engineer dated December 31, 1985, AND

WHEREAS, it is the recommendation of Babinsky-Klein Engineering, P.C. and the Town Engineer that the contract be awarded to Frank C. Kellner 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 installation of an air conditioning system in the Senior Citizen Center be awarded to Frank C. Kellner Company, Inc., 7000 Seneca Street, Elma, New York 14059 for the bid price of $36,780.00, 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 Frank C. Kellner Company, Inc. for the installation of an air conditioning system in the Senior Citizen Center, AND, BE IT FURTHER

RESOLVED that the cost of providing this improvement is to be charged to account #01-7620-2511.

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER CONTAINING ANALYSIS, TABULATION AND REPORT.

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

December 31, 1985

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

RE: Installation of Air
Conditioning System
Senior Citizen Center

Gentlemen:

On December 16, 1985 at 11:00 A.M., bids that were received for the installation of an air conditioning system in the Senior Citizen Center were opened by Mr. Richard Moleski, Town Clerk, at a public meeting at Town Hall. Four (4) bids were received as follows:

1)	Frank C. Kellner Co., Inc.	$36,780.00
2)	MJ Mechanical Services, Inc.	$36,949.00
3)	Matthew Kandefer, Inc.	$37,865.00
4)	Phillips Sheetmetal Co., Inc.	$39,771.00

These bids were reviewed by Babinsky-Klein Engineering, P.C. for accuracy, completeness and for meeting all the requirements of the specifications. It is the engineer's recommendation and ours that the bid be awarded to Frank C. Kellner Company, Inc. for their bid in the amount of $36,780.00, which is the lowest bid meeting all the requirements of our specifications. We understand that funds have been allocated in the amount of $34,000.00 for this installation in the 1985 budget for the Senior Citizen Center. Of this budgeted amount, $3,800.00 has been committed by the September 3, 1985 Town Board resolution for professional services to do this work. In our conversation with Mr. William Wielinski, Supervising Accountant, this project can be funded through the 1986 budget allowance for this work.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

CC: W. Wielinski
J. Matecki
P. Wojcik

No. 2

No. 3

No. 4

Item No. 31C Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, by resolution dated Novembr 18, 1985, this Town Board directed that a Notice to Bidders be published advertising for labor and equipment necessary to remove snow during a snow emergency, and

WHEREAS, such bids were duly received and opened on December 2, 1985, and

WHEREAS, the Town Superintendent of Highways, in conjunction with the Town Engineering Department, has reviewed such bids and has made his recommendation concerning such bids, NOW, THEREFORE, BE IT

RESOLVED that the bid for labor and material necessary for the removal of snow during a snow emergency on an as-needed basis be awarded to Custom Topsoil, Inc. at the bid prices specified on the attached tabulation sheet, as prepared by the Town Superintendent of Highways.

*SEE NEXT TWO (2) PAGES FOR LETTER FROM TOWN HIGHWAY SUPERINTENDENT CONTAINING ANALYSIS, TABULATION AND REPORT.

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

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

December 30, 1985

RECEIVED
1985 DEC 31 PM 1:43
TOWN CLERK

Supervisor Daniel E. Weber
Town Board Members
Cheektowaga NY 14227

Re: Rental of Emergency Snow Removal Equipment

Dear Town Board Members:

After reviewing bids submitted for emergency snow removal with Mr. Rudy Bogacki, of the Town Engineering Department, I have agreed with Rudy that Custom Topsoil is the only bidder that meets all the specifications.

Therefore, I am recommedning that contract for Emergency Snow Removal be awarded to Custom Topsoil Inc., 320 Losson Road, Cheektowaga NY 14227 for the year 1986.

Very truly yours,

ALFRED F. WNEK
Highway Superintendent

AFW:erp

cc: Town Board
Engineering
Law Office
Town Clerk

Emergency Snow Removal Equipment for 1986

	Custom Topsoil In.		Federowicz Conc.		Marin Conc.		Cemato Bros. Inc.	
	Reg/	Premium	Reg/	Prem.	Reg/	Prem.	Reg/	Sat/Su Prem.
3 c.y. Loader	$60.00		$55.00		$70.00	$80.00	$85.00	$104.0
4 c.y. Loader	$75.00		$75.00				$97.00	$116.0
5 c.y. Loader	$85.00		$85.00				$122.00	$141.0
Road Grader	$75.00		$60.00				$120.00	$139.0
Tandem Dumps	$45.00		$40.00		$38.00	$45.00	$ 38.00	$49.00
	Equip. Avail.		Equip. Avail.		Equip Avail.		Equip. Avail.	
	50 pc. minimum		10+ tandum 1+ hilift more available on call		3 ea. c.y. hilifts 3 ea. tandem dumps		6 hilifts 8 dump trucks *Supervisor w/pickup $35.00	

NO EXTRA PREMIUM TIME

TIME-HALF FOR OPERATOR ONLY

Item No. 32 Motion by Supervisor Weber Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following fund transfers for the 1986 budget are hereby approved and made a part hereof.

GENERAL FUND

From:	599 (Appropriated Fund Balance)	$64,406.00
To:	7620.2511 (Sr. Citizen Bldg. and Plant Equip.)	$40,000.00
	1420.1151 (Deputy Town Attorney)	18,522.00
	1220.4010 (Disaster Preparedness Expense)	5,884.00

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

Item No. 33 Motion by Supervisor Weber Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to January 6th, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$123,104.58
SPECIAL DISTRICTS FUND	17,637.71
HIGHWAY FUND	23,910.69
TRUST AND AGENCY FUND	746.25
PART TOWN FUND	815.68
CAPITAL FUND	22,538.90
HUD-CDBG FUND	11,242.14
	$199,995.95

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. 34 Building Permits.
Received and filed.

Item No. 35 Supervisor Daniel E. Weber: Letter appointing Deputy Supervisor.
Received and filed.

Item No. 36 Henry R. Gabryszak, Town Justice: Court schedule commencing January, 1986.
Received and filed.

Item No. 37 Cheektowaga Planning Board: Minutes of November, 1985 meeting.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 38 Town of Grand Island: Copy of resolution memorializing County Executive and County Legislature to amend County Charter to require submission and adoption of net annual County Budget before Election Day in each November.
Received and filed.

Item No. 39A Notice of Claim: Richard DeGlopper vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent, and

Item No. 39A CONT'D.

Joseph J. Naples, Town's Insurance Carrier.
Received and filed.

Item No. 39B Sherwood Freedman, Elizabeth Freedman, Lock City Motors, etc. vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Leonard J. Smolarek, Chief of Police and Schmitt and Kraft, Town's Insurance Carrier.
Received and filed.

Item No. 39C Donald G. Brautlacht vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent; and Joseph J. Naples, Town's Insurance Carrier.
Received and filed.

Item No. 39D John Jaczewski vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent; and Joseph J. Naples, Town's Insurance Carrier.
Received and filed.

Item No. 40 Motion by Councilman Jaworowicz Seconded by Councilman Kowal to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 20th day of January, 1985 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; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Director II; Pat Wojcik, Recreation Supervisor-Senior Citizens; Chester Bryan, Town Engineer; Dennis Ciotuszynski, Prosecuting Attorney; Casey Kozminski, Assessor; Dennis Repka, Justice; Earl Loder, Disaster Preparedness Coordinator; Leonard J. Smolarek, Chief of Police; Donald Wegner, Chairman-Zoning Board of Appeals; Ron Marten, Building and Plumbing Inspector; Ron Zoeller, Working Foreman in Sanitation Department; Ray Pugh, Planning Commission; Valerie Leuthe, Republican Chairman; Barney 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 amendments to the Ambulance 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 amendments being as follows:

1. Section 4A-2. Definitions shall be amended by adding thereto the following definition:

BASE STATION - the location where ambulances are stationed and dispatched from.

2. Section 4A-5.D. shall be amended to read as follows:

D. In the event that the Town Board concurs with the recommendation of the EMS Board and agrees to issue a license to a carrier for a specific ambulance, such carrier, prior to the issuance of said license, shall make himself aware of the provisions of the ordinance, and shall abide by the rules and regulations of the ordinance and of the EMS Board, as amended from time to time.

3. Section 4A-7.A. shall be amended to read as follows:

A. There is hereby created an Emergency Medical Services (EMS) Board composed of the following-referenced thirteen individuals:

Item No. 2 cont'd

(1) one member and one alternate member for each of the ten (10) duly organized volunteer fire districts located in the Town of Cheektowaga; such members shall be designated by such fire districts;
(2) one member and one alternate member for the Village of Sloan Fire Company; such member shall be designated by such fire company;
(3) the Chief of Police of the Town of Cheektowaga or his designee; and
(4) one member designated by the Town Board

In the event any volunteer fire district or the Village of Sloan Fire Company shall fail to designate a member or alternate member, the Town Board shall designate an individual to serve in the place of such member on the EMS Board. The Town Board shall also designate one of the members of the EMS Board to serve as the Chairman thereof.

Each member of the EMS Board shall be allowed only one vote in all matters coming before such Board. In addition, each member of the EMS Board shall serve for a term of one year and shall receive no compensation for his/her services.

4. Section 4A-7.B.(1) shall be deleted and the following subsections shall be renumbered as follows:

4A-7.B.(2) shall become 4A-7.B.(1)
4A-7.B.(3) shall become 4A-7.B.(2)
4A-7.B.(4) shall become 4A-7.B.(3)
4A-7.B.(5) shall become 4A-7.B.(4)

5. Section 4A-7.B.(4)(d) to read as follows:

"(d) Requiring the owner of ambulances to maintain daily records and submit such to the EMS Board as or if required."

* *

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, 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 amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 76-101 of the Code of the Town of Cheektowaga shall be amended by deleting therefrom.

"Winkler Road" as one of the streets currently exempt from all-night parking from November 1 to April 1.

* *

Item No. 3 cont'd

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

III. RESOLUTIONS

Item No. 4a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on January 20, 1986 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Street	Direction	Entrance Street	Traffic Stops	Sign Location
DOUGLAS DRIVE	North-south	Lynette Court	Westbound	N.E. Corner
CLEVELAND DRIVE	East-west	Colonial Court	Southbound	N.W. Corner
BIGELOW ROAD	East-west	Bigelow Road	Northbound	S.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

A. No parking this side or one-side parking

MARYVALE DRIVE	North side:	from the east curbline of Pine Ridge Road to the west curbline of Harlem Road.
MARYVALE DRIVE	South side:	from the west curbline of Harlem Road westerly to a point 424 feet to the west
BIGELOW ROAD	South side:	from the east curbline of Mapleview Road to the north curbline of Huth Road

F. Miscellaneous signs

(6) No parking or standing

MEDINA STREET	East side:	from the south curbline of William Street southerly 142 feet from William Street
ALASKA STREET	west side:	from the south curbline of William Street southerly 150 feet from William Street

Item No. 4a cont'd

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Goss, 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 Jan. 23, 1986; last publication Jan. 23, 1986; and that no more than six days intervened between publications.

Linda M. Goss

Sworn to before me this 24th day of January, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

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 20th day of January, 1986 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 Johnson
Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on January 20, 1986 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE XIII
Stop and Yield Intersections

Section 76-80. Stop intersections shall be amended by adding thereto the following:

Street: DOUGLAS DRIVE; Direction: North-south; Entrance Street: Lynette Court; Traffic Stops: Westbound; Sign Location: N.E. Corner.

Street: CLEVELAND DRIVE; Direction: East-west; Entrance Street: Colonial Court; Traffic Stops: Southbound; Sign Location: N.W. Corner.

Street: BIGELOW ROAD; Direction: East-west; Entrance Street: Bigelow Road; Traffic Stops: Northbound; Sign Location: S.E. Corner.

ARTICLE X
Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

A. No parking this side or one-side parking

MARYVALE DRIVE, north side, from the east curbline of Pine Ridge Road to the west curbline of Harlem Road.

MARYVALE DRIVE, south side, from the west curbline of Harlem Road westerly to a point 424 feet to the west.

BIGELOW ROAD, south side, from the east curbline of Mapleview Road to the north curbline of Huth Road.

F. Miscellaneous signs

(6) No parking or standing

MEDINA STREET, east side, from the south curbline of William Street southerly 142 feet from William Street.

ALASKA STREET, west side, from the south curbline of William Street southerly 150 feet from William Street.

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Upon roll call ....

Supervisor:
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 January 20, 1986, 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 4a, 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 20th day of January, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 23, 1986

NO. 3

NO. 4

Item No. 4b Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on January 20, 1986 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1.

That this town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 76-101 of the Code of the Town of Cheektowaga shall be amended by deleting therefrom.

"Winkler Road" as one of the streets currently exempt from all-night parking from November 1 to April 1.

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES,a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Hess, 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 Jan. 23, 1986; last publication Jan. 23, 1986; and that no more than six days intervened between publications.

Linda M. Hess

Sworn to before me this 24th day of January, 19 86

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

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 20th day of January, 1986 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 Johnson
Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on January 20, 1986 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 76-101 of the Code of the Town of Cheektowaga shall be amended by deleting therefrom.

"Winkler Road" as one of the streets currently exempt from all-night parking from November 1 to April 1.

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these ame iments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Upon roll call ....

Supervisor:	
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 January 20, 1986, 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 4b, 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 20th day of January, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 23, 1986

Item No. 5 Motion by Councilman J. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, on or about January 16, 1979, the Town of Cheektowaga accepted responsibility for the traffic signals and signs at the intersection of Walden Avenue and Dick Road, and

WHEREAS, on October 24, 1979, the traffic signal controller at the intersection of Walden Avenue and Dick Road was damaged when struck by an automobile owned and operated by one Linda L. Donley, and

WHEREAS, a lawsuit for damages has been commenced by the Town against Linda L. Donley, who has submitted an answer thereto, and

WHEREAS, the proper measure of damages to utility poles and the like in this State is: "the actual cost of emergency expenses together with the present day cost of replacing the damaged or destroyed equipment, less accrued depreciation and any allowance for salvage," and

WHEREAS, based upon the above-stated rule, it appears that the Town sustained damages amounting to approximately $9,311, and

WHEREAS, the insurance carrier for the aforementioned defendant has offered the sum of $9,445.00 in full and final settlement of this matter,

NOW, THEREFORE, BE IT RESOLVED that the lawsuit commenced by the Town against Linda L. Donley be and hereby is settled and compromised upon receipt by the Town of the sum of $9,445.00, and

BE IT FURTHER RESOLVED that the Town Attorney be and he hereby is authorized to sign any and all papers deemed necessary to effectuate such settlement and compromise.

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 W. Rogowski

WHEREAS, by instrument recorded in the Erie County Clerk's Office in Liber 8483 of Deeds at Page 291 on February 23, 1977, the Town obtained a five foot wide temporary easement over property located at 4215 Genesee Street from Bryden Michigan Building Corporation, which then owned the property, and

WHEREAS, such temporary easement was used during the construction of an 18 inch diameter sanitary sewer, which construction has been completed for several years now, and

WHEREAS, the current owner of this property, Dynamic Hotel Development, Inc., has now requested this Town to discharge the aforesaid temporary easement, and

WHEREAS, the Town Engineering Department has stated that the Town has no further use for this temporary easement, and

WHEREAS, the Town Attorney's Office has prepared a Discharge and Release of Temporary Easement to release the aforementioned temporary easement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor, on behalf of the Town, be and hereby is authorized to execute said Discharge and Release of Temporary Easement which is attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that this Release and Discharge of Temporary Easement is subject to permissive referendum, and BE IT FURTHER

Item No. 6 cont'd

RESOLVED that the Town Clerk be and hereby is directed to publish the attached "Notice of Adoption of Resolution Subject to Permissive Referendum" in the CHEEKTOWAGA TIMES.

* *

NOTICE OF ADOPTION OF

RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 20th day of January, 1986, the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which resoluiton is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

Resolution authorizing the discharge and release of a five foot wide temporary easement on property located 4215 Genesee Street, Cheektowaga, New York.

Dated: January 20, 1986

RICHARD M. MOLESKI,
Town Clerk
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

AFFIDAVIT - NEXT PAGE

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

Linda M. Sears 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 Jan. 23, 1986; last publication Jan 23, 1986; and that no more than six days intervened between publications.

Linda M. Sears

Sworn to before me this 24th day of January, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19

LEGAL NOTICE
NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 20th day of January, 1986, the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

Resolution authorizing the discharge and release of a five foot wide temporary easement on property located 4215 Genesee Street, Cheektowaga, New York.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
DATED: January 20, 1986
PUBLISH: January 23, 1986

Item No. 7 Motion by Councilman Kowal, Seconded by Councilman Gabryszak

BE IT RESOLVED that Losson Green Estates Subdivision - Phase III, be and hereby is accepted pursuant to the terms as set forth in the attached letter dated January 10, 1986 from the Cheektowaga Highway Superintendent.

* See next page for letter

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

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

January 10, 1986

Honorable Daniel E. Weber,
Supervisor
Honorable Councillors

Lady & Gentlemen:

RE: APPROVAL OF PLANS-LOSSON GREEN SUBDIVISION, PHASE III

Mr. Chester L. Bryan, Town Engineer, Mr. T. R. Skowron, Highway Department Engineer, and I, have reviewed the plans for Losson Green Estates-Phase III and find that the plans are in conformance with current specifications of the Town of Cheektowaga.

This phase of the subdivision fronts sublots 1-13 along an already existing Losson Road which is totally improved. County Health Department approvals are given as well as an installed and approved water service. The street lighting is installed.

All necessary requirements being met, I recommend approval of plans for Losson Green Estates-Phase III, as filed with the Town Engineer and this office.

Very truly yours,

Alfred F. Wnek
Superintendent of Highways

ji

cc: Town Attorney
Town Clerk
Building/Plumbing Inspector
Town Engineer

RECEIVED
JAN 9 1986
TOWN ATTORNEY

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

Item No. 8 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, the appliucation for which funds included provisions for a Housing Rehabilitation Loan program which provides direct housing rehabilitation loans to eligible homeowners, and

WHEREAS, the Town of Cheektowaga has established such a Housing Rehabilitation Loan 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:

83 Roland - $4,217.00
21 Winkler - $3,122.45
28 Flora Rd. - $1,126.00

and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to sign a Loan Agreement with the owner(s) of the above listed property 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 completed to the satisfaction of the Town Housing Inspector 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. 9a Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

WHEREAS, an audit of the Town's Community Development Block Grant Program is required for the 1983-84 Program Years, and

WHEREAS, proposals for said audit were obtained and reviewed in accordance with the appropriate federal regulations, and

WHEREAS, the Director of Community Development has recommended that the proposal of KMG Main Hurdman be accepted to perform said audit, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is directed to sign an Agreement with KMG Main Hurdman for the purpose of conducting an audit of the Town's Community Development Block Grant Program for the 1983-84 Program Years for a fee not to exceed $4,445.00, and BE IT FURTHER

RESOLVED that said fee shall be paid from Community Development Block Grant Program funds.

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

Item No. 9b Motion by Councilman Kowal, Seconded by Councilman W. Rogowski

WHEREAS, there is need to provide for a highway garage to protect the equipment and to reduce the response time of highway crews during winter storm periods, and

WHEREAS, funds have been appropriated in the Town's Capital Fund to underwrite the construction of such a facility, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Donald T. Maharan Associates, as submitted to the Town Engineer for the provision of professional services for the preparation of plans and specificiations, bidding and services during construction for the construction of said highway garage be and hereby is accepted, and BE IT FURTHER

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

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. Rogowski, Seconded by Councilman Kowal

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of baseball equipment for use in the Cheektowaga Recreation Department, as a result of advertisement therefore and such bids were referred to the Director of Recreation for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report has been completed, and reviewed by the Chairman of the Parks and Recreation Committee and members of the Town Board ,NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to the following bidders meeting specifications as follows: (see attached)

Laux Sporting Goods
441 Broadway
Buffalo, New York 14212

Jim Ludtka Sporting Goods
3383 Harlem Road
Cheektowaga, New York 14225

Dekdebrun Sporting Goods
Northtown Plaza
Amherst, New York

* See next thirteen (13) pages

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

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 6, 1986 at 11:00 a.m. Eastern Standard Time at Town Hall, corner of Broadway and Union Road for baseball equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga 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

BID ITEMS

ITEM 1 BATTERS HELMETS

A) Gladiator BH "Little League Approved" helmet. High impact shell, ensolite padding.

Amount ordered S____ M____ L____ XL____

Color_____

Bid price each 8.15 Dekdebrun

Total price_____

B) ABC-BH2 Little League Approved batters helmets. High impact shell

Amount ordered S____ M____ L____ XL____

Color_____

split order

Bid price each 10.60 Laux

Total price_____ & Ludtka

ITEM 2 CATCHERS HELMETS

A) ABC Little League Approved catchers helmet. Impact composition padding, full each coverage, includes strap and buckle to attach mask.

Amount ordered S____ M____ L____ XL____

Color_____

Bid price each 13.90 Ludtka

Total price_____

B) Macgregor Bl3 Little League catchers helmet. Fully padded one piece molded shell. Equipped with helmet harness for any type catchers mask.

Amount ordered S____ M____ L____ XL____

Color_____

Bid price each 8.90 Dekdebrun

Total price

C) Replacement harness Macgregor Bl3H

Amount ordered S____ M____ L____ XL____

Color_____

Bid price each 1.90 Laux

Total price_____

D) Macgregor Bl8 adult catchers helmet, polycarbonate, fully foam padded in dark blue & red.

Amount ordered S____ M____ L____ XL____

Color_____

Bid price each 8.54 Laux

Total price_____

*NOTE: Sizes for helmets are as follows: (S) 6 5/8 - 6 3/4 (M) 6 7/8 - 7 (L) 7 1/8 - 7 1/4 (XL) 7 3/8 - 7 1/2

NOTE: NOCSAE APPROVED.

ITEM 3 MASKS

A) MAC. B26 softball mask with replaceable stretch straps.

Amount ordered _____

Bid price each 5.55 Dekdebrun

Total price_____

Replacement Pad B26P

Amount ordered_____

Bid price each 4.15 Dekdebrun

Total price_____

Replacement Harness B26H

Amount ordered_____

Bid price each 2.95 Dekdebrun

Total price_____

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B) Macgregor B25 Little League Approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.

Amount ordered _____ Bid price each 6.88 Laux
Total price _____

Macgregor B25P Replacement Pad
Amount ordered _____ Bid price each 4.44 Laux
Total price _____

Macgregor B25H Replacement Harness
Amount ordered _____ Bid price each 3.63 Laux
Total price _____

C) Macgregor B24 Little League Approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.

Amount ordered _____ Bid price each 7.75 Dekdebrun
Total price _____

Replacement Pad Macgregor B24P
Amount ordered _____ Bid price each 4.88 Laux
Total price _____

Replacement Harness Macgregor M24H
Amount ordered _____ Bid price each 3.95 Dekdebrun
Total price _____

D) Gladiator GCM-W/F, side deflector flaps, full vision, elasticized web harness and soft vinyl pads.

Amount ordered _____ Bid price each No award
Total price _____

Replacement Pad Gladiator GCMP
Amount ordered _____ Bid price each No award
Total price _____

Replacement Harness Gladiator GM Pro H
Amount ordered _____ Bid price each No award
Total price _____

E) Rawlings PWM-1, pro use, nylon coated wire frame snap on padding, vinyl covering, harness with triple adjustment.

Amount ordered _____ Bid price each 15.35 Laux
Total price _____

Replacement Pad, Rawlings PWMP-1
Amount ordered _____ Bid price each 5.10 Laux
Total price _____

Replacement Harness Rawlings PWMH-1
Amount ordered _____ Bid price each 4.23 Laux
Total price _____

ITEM 4 THROAT PROTECTORS

A) Macgregor B28 rugged molded vinyl with heavy foam padding. Fits any make of mask.

Amount ordered _____ Bid price each 2.42 Laux
Total price _____

B) Cooper TP molded of high density polyethlene laces to Cooper masks.

Amount ordered_____ Bid price each 2.50 Dekdebrun

Total price_____

ITEM 5 BODY PROTECTORS

A) Wilson A3250-JZ Little League Approved, adjustable neck pad, cotton padding, adjustable body straps, water repellant, vinyl bound for durability.

Amount ordered_____ Bid price each 10.90 Ludtka

Color_____ Total price_____

B) Rawlings LLBP Little League Approved, adjustable and replaceable body straps.

Amount ordered_____ Bid price each 10.50 Laux

Color_____ Total price_____

C) Wilson A3212-JR, adjustable neck pad and body straps, cotton padding, water repellant.

Amount ordered_____ Bid price each 13.90 Ludtka

Color_____ Total price_____

D) Rawlings - Pro-model, nylon twill, cotton back, ribbed padding, extended shoulder piece.

Amount ordered_____ Bid price each 13.50 Laux

Color_____ Total price_____

E) Macgregor B78 (outside) chest protectors.

Amount ordered_____ Bid price each 14.70 Dekdebrun

Color_____ Total price_____

F) All Star CPU-2 Umpire chest protectors, (inside)

Amount ordered_____ Bid price each 27.24 Laux

Color_____ Total price_____

G) Wilson A3314 UGP umpire chest protectors, (inside)

Amount ordered_____ Bid price each 32.95 Ludtka

Color_____ Total price_____

H) Macgregor B79 Pro umpire chest protectors, (inside)

Amount ordered_____ Bid price each 23.85 Laux

Color_____ Total price_____

ITEM 6 SHIN GUARDS

A) Rawlings 9C Little League Approved, combination calf and ankle pad, armor lite plastic caps, shin and instep pieces, adjustable elastic straps.

Amount ordered_____ Bid price each 9.95 Laux

Total price_____

B) Rawlings 76C-1 Youth Model Approved, combination calf and ankle pad, armor lite plastic caps, shin and pieces, adjustable elastic straps.

Amount ordered_____ Bid price each 14.25 Laux

Total price_____

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C) Macgregor B-65 Babe Ruth use, 11" shin plate ultra lite padding, replaceable straps.

Amount ordered_____

Bid price each 17.44 Laux

Total price_____

D) Macgregor B-61 double knee cap protect, 12" shin plate, ultra lite padding, replacement straps.

Amount ordered_____

Bid price each 28.90 Dekdebrun

Total price_____

E) Wilson A3420 shin plate, calf and ankle pad, elastic caps, shin and instep pieces, adjustable elastic straps.

Amount ordered_____

Bid price each 18.20 Ludtka

Total price_____

F) Rawlings, OMW Pro leg guards hinged double knee vinyl padding, calf and ankle wing, adjustable elastic straps.

Amount ordered_____

Bid price each 35.95 Laux

Total price_____

G) Wilson A3504 Pro Model umpire leg protector GLG-MLU

Amount ordered_____

Bid price each 18.63 Laux

Total price_____

ITEM 7 CATCHERS GLOVES

A) Cooper 662 single flex, leather (steer hide) extended palm pro toe feature, hinged webs skip crotch lacing.

Amount ordered_____

Bid price each 25.40 Dekdebrun

Total price_____

B) Cooper 242 - single flex leather (steer hide) pro toe feature, open style strap, leather lined.

Amount ordered_____

(split order)

Bid price each 20.90 Dekdebrun & Ludtka

Total price_____

C) Macgregor MM110 top grain cowhide deep scoop web, leather thumb and finger loops, fast back model, nylon stitched throughout, pro-model.

Amount ordered_____

Bid price each 21.95 Laux

Total price_____

D) Cooper 862 Superline Deluxe extra large size big flex strap. Pro scoop toe.

Amount ordered_____

Bid price each 32.50 Dekdebrun

Total price_____

ITEM 8 BASEBALLS

A) Wilson A1074

Amount ordered_____

Bid price per dozen 24.90 Ludtka

Total price_____

B) Wilson A1082

Amount ordered_____

Bid price per dozen 24.90 Ludtka

Total price_____

C) De Beers official Little League #91

Amount ordered_____

Bid price per dozen 27.50 Dekdebrun

Total price_____

D) De Beers Babe Ruth #93

Amount ordered_____

Bid price per dozen 28.25 Dekdebrun

Total price_____

E) De Beers Major League #101

Amount ordered_____

Bid price per dozen 39.75 Dekdebrun

Total price_____

F) Wilson A1010

Amount ordered_____

Bid price per dozen 37.40 Dekdebrun

Total price_____

SOFTBALLS

A) Dudley - S212LND

Amount ordered_____

Bid price per dozen 41.90 Dekdebrun

Total price_____

B) Dudley P - 12

Amount ordered_____

Bid price per dozen 34.40 Dekdebrun

Total price_____

C) Worth Red Dot

Amount ordered_____

Bid price per dozen 47.50 (split order) Ludtka & Laux

Total price_____

ITEM 9 BATS

Note: Order in dozen or half dozen units ONLY for each lettered item except aluminum bats.

A) Rawlings 21BE softball wood bat

Amount ordered_____

Bid price per dozen 57.90 Laux

Total price_____

Assorted sizes 27" to 32"_____

B) Adirondak 311G Official girls softball bats

Amount ordered (27"_____)

(28"_____)

(Assorted Packs) (29"_____)

(30"_____)

(31"_____)

(32"_____)

Bid price per dozen 66.80 Laux

Total price_____

C) Power Flite SBO softball aluminum bat

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Amount ordered Power Flite SBl

29"_____
30"_____
31"_____
32"_____
33"_____
34"_____

Bid price per dozen 86.75 Dekdebrun

Total price_____

D) Adirondak TBWB 26"

Amount ordered _____

Bid price per dozen 59.95 Laux

Total price_____

E) Adirondak models 302F & 302JF wood baseball bat

Amount ordered (JF)

26"_____
27"_____
28"_____
29"_____
30"_____
31"_____
32"_____

Bid price per dozen 96.60 Laux

Total price_____

(F)

32"_____
33"_____
34"_____
35"_____

Bid price per dozen 98.80 Laux

Total price_____

F) Louisville wood baseball bat

Amount ordered 125LL

26"_____
27"_____
28"_____
29"_____
30"_____
31"_____

Bid price per dozen 76.40 Dekdebrun

Total price_____

Amount ordered 125

32"_____
33"_____
34"_____
35"_____
36"_____

Bid price per dozen 96.20 Dekdebrun

Total price_____

G) Louisville Power Flite little league baseball bat

Amount ordered PFS 26"_____

Bid price per dozen 76.40 Dekdebrun

Total price_____

Power Flite LL1
Amount ordered 27"_____
28"_____
29"_____
30"_____
31"_____

Bid price per dozen 91.60 Dekdebrun

Total price_____

H) Power Flite Mach 4 Babe Ruth aluminum baseball bat

Amount ordered 29"_____
30"_____
31"_____
32"_____
33"_____
34"_____

Bid price per dozen 168.40 Dekdebrun

Total price_____

ITEM 10 EQUIPMENT BAGS

A) Everlast 6890 - extra large, heavy duty army duffle utility bag to hold all types baseball equipment, heavy duty reinforced canvas material.

Amount ordered_____

Bid price each 6.60 Laux

Total price_____

B) Everlast 6885 standard bat bag holds 18 bats.

Amount ordered_____

Bid price each 9.88 Laux

Total price_____

C) Macgregor B12G heavy off-white linen laminated to vinyl lining holds 12 bats.

Amount ordered_____

Bid price each 11.88 Laux

Total price_____

ITEM 11 UMPIRE INDICATORS

A) Champion P1, palm sized, plastic counter keeps track of balls, strikes and outs.

Amount ordered_____

Bid price each 1.05 Ludtka

Total price_____

B) Everlast 6878 official stainless steel keeps track of balls, strikes and outs.

Amount ordered_____

Bid price each 1.19 Laux

Total price_____

C) Macgregor B99 molded plastic keeps track of balls, strikes and outs.

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Amount ordered_____ Bid price each 1.04 Laux
Total price_____

ITEM 12 SCOREBOOKS

A) Macgregor B83 deluxe score-rite 30 games HARD COVER 8 3/4 x 12"

Amount ordered_____ Bid price each 1.78 Laux
Total price_____

B) Official baseball-softball HARD COVER
Bidders note: list manufacturer, number of games and size.

List Manufacturer Douglas 30 games

Amount ordered_____ Bid price each 1.48 Laux
Total price_____

C) Elan softball-baseball, slo-pitch, 15 batters S1500 - 25 games

Amount ordered_____ Bid price each No award
Total price_____

D) Elan baseball-softball, standard 11 players S1100 - 25 games

Amount ordered_____ Bid price each No award
Total price_____

ITEM 13 A) COLLEGIATE HEAVY DUTY T-BALL SETS BT 70

Amount ordered_____ Bid price each 14.88 Laux
Total price_____

B) MACGREGOR B7 HEAVY DUTY T-BALL SETS

Amount ordered_____ Bid price each 18.35 Laux
Total price_____

ITEM 14 BASES

A) Everlast model#6810 nylon and canvas

Amount ordered_____ Bid price set 39.50 Dekdebrun
Total price_____

B) Macgregor "Major League" bases B101 15"x15"x3" set of 3 bases and anchors

Amount ordered_____ Bid price set 79.75 Laux
Total price_____

C) B95 base anchor for Macgregor "Major League" base

Amount ordered_____ Bid price set 20.50 Dekdebrun
Total price_____

D) Everlast model #6830 nylon hardball base

Amount ordered_____

Bid price set 26.50 Dekdebrun
Total price_____

E) Everlast #6850 nylon softball base

Amount ordered_____

Bid price set 25.84 Laux
Total price_____

F) Everlast #6861 Home Plate

Amount ordered_____

(split order)
Bid price each 10.65 Dekdebrun &
Laux
Total price_____

G) Collegiate LH20 (LL) Home Plate

Amount ordered_____

Bid price each 11.50 Laux
Total price_____

H) Save-a-leg SS10 (Official League) Home Plate

Amount ordered_____

Bid price each 10.75 Laux
Total price_____

I) Everlast #6867 Pitchers Plate

Amount ordered_____

Bid price each 8.15 Dekdebrun
Total price_____

J) Collegiate LP 40 (LL) pitchers plate

Amount ordered_____

Bid price each 4.88 Laux
Total price_____

K) Collegiate official OP 30 pitchers plate

Amount ordered_____

Bid price each 7.90 Laux
Total price_____

L) Macgregor "Youth and Little League" size B33 set of 3 bases 14"x14"x2" with anchor

Amount ordered_____

Bid price set 21.25 Dekdebrun
Total price_____

ITEM 15 1) DRY LINE MARKER - steel tank, four 10" rubber wheels three way control, 100 lb. capacity.

List Manufacturer Collegiate 100

Amount ordered_____

Bid price each 179.95 Laux
Total price_____

2) DRY LINE MARKER - steel tank 2 rubber wheels, adjustable line from 2-4", 20 lb. capacity.

List Manufacturer Pennsylvania

Amount ordered_____

Bid price each 88.40 Dekdebrun
Total price_____

ITEM 16 FIRST AID SUPPLIES

A) COLD PACK - Regular instant chemical ice compress approximate size 5¼ x 9 doubled wall outer bag.

List Manufacturer Physicians & Nurses

Amount ordered _____

Bid price per dozen 5.48 Dekdebrun

Total price _____

B) JR. SIZE COLD PACK - instant chemical ice compress approximate size 4 5/8 x 7 3/8

List Manufacturer Medi-Cold

Amount ordered _____

Bid price each 5.22 Laux

Total price _____

C) RE-USABLE FLEXIBLE ice compress size 5¼ x 9

List Manufacturer Cramer

Amount ordered _____

Bid price per dozen 9.74 Laux

Total price _____

ITEM 17 MISCELLANEOUS ACCESSORIES

A) Umpire plate brush Macgregor B91

Amount ordered _____

(split order)

Bid price each 1.49 Dekdebrun & Laux

Total price _____

B) Umpire plate brush

List Manufacturer Frost PB1

Amount ordered _____

Bid price each 1.70 Laux

Total price _____

C) Baseball glove Replacing kit Macgregor B110

Amount ordered _____

Bid price each 1.45 Dekdebrun

Total price _____

ADDITIONAL BID ITEMS

ITEM 8 SOFTBALLS

D) Diamond softball, girls tournament model - slo-pitch

Amount ordered _____

Bid price per dozen 41.88 Laux

Total price _____

E) Diamond softball, girls tournament model - fast pitch

Amount ordered _____

Bid price per dozen 42.90 Dekdebrun

Total price _____

ITEM 9 BATS

I) Easton Aluminum bat, Little League L9 PRO

Amount ordered 27" _____
28" _____
29" _____
30" _____
31" _____
32" _____

Bid price per dozen 239.00 Laux

Total price _____

J) Easton Aluminum bat, B.R. B5 (Magnum)

Amount ordered 32" _____
33" _____
34" _____

Bid price per dozen 239.00 Laux

Total price _____

ITEM 10 EQUIPMENT BAGS

D) Heavy Duty army duffle utility bag

List Manufacturer Canpro

Bid price each 5.95 Laux

Total price _____

(NEW ITEM)

ITEM 18 BASEBALL PITCHING MACHINE

A) Curve ball

List Manufacturer Jugs 1

Bid price each 1,088.00 Laux

Total price _____

B) Softball

List Manufacturer Jugs #2

Bid price each 788.00 Laux

Total price _____

C) Combination Hardball - Softball

List Manufacturer Jugs #3

Bid price each 1,288.00 Laux

Total price _____

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies as to its own organization, under penalty or perjury, that to the best of knowledge and belief:

1) The price in this bid has been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.

2) Unless otherwise requried by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder, competitor; and

3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition,

SPECIFICATIONS AND BID PROPOSALS

Pursuant to and in accordance with the advertisement for bids dated December 16, 1985 and the instruction to bidders relating thereto, the undersigned offers to furnish all equipment as described in the specifications and deliver to the Cheektowaga Recreation Department, 2600 Harlem Road, Cheektowaga, New York 14225.

SIGNED_____

TITLE_____

COMPANY_____

ADDRESS_____

_____

PHONE_____

Item No. 11a Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe and reinforced concrete pipe requirements for the 1986 fiscal year, NOW, THEREFORE, BE IT

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

RESOLVED that sealed bids will be received on the 3rd day of February, 1986 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

Sealed proposals will be received by the Town of Cheektowaga on February 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the year of 1986.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 20, 1986.

* *

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Gras, 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 Jan. 23, 1986; last publication Jan. 23, 1986; and that no more than six days intervened between publications.

Linda M. Gras

Sworn to before me this 24th day of January, 19 86

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on February 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the year of 1986.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 20, 1986
PUBLISH: January 23, 1986

Item No. 11b Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, there is need to modify various Town structures to facilitate the handicapped, and

WHEREAS, this Town Board, in its resolution of January 6, 1986 authorized Donald T. Maharan Associates, PC to prepare plans and specifications for bidding, and

WHEREAS, the Town Engineer notified this Town Board that plans and specifications are completed, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a NOTICE TO BIDDERS in connection with said Modifications of various Town structures to facilitate the handicapped, Notice to be published in the BUFFALO NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed proposals will be received by the Town of Cheektowaga on February 3, 1986 at 11:00 A.M., Local Time, at the Town Hall, at which time they will be publicly opened and read.

* *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 3rd day of February, 1986 at 11:00 A.M., Local Time at the Town Hall in the Town of Cheektowaga, New York, corner of Broadway and Union Road for the modifications of various Town structures to facilitate the handicapped. Work shall be in accordance with drawings and specifications prepared by Donald T. Maharan Associates, P.C. Said drawings and specifications can be examined at the Office of the Town Engineer in the Town Hall.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained upon deposit of $50.00 per set at the Office of the Town Clerk at Town Hall, Broadway and Union Road, Cheektowaga, New York. Deposit shall be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga.

Any bidder returning plans and specifications in good condition within thirty days following the award of the contract or rejection of bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half (1/2) the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of plans and specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

All bids must be enclosed in a sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 and must be designated as BID FOR THE MODIFICATION OF VARIOUS TOWN STRUCTURES TO FACILITATE THE HANDICAPPED. The Town Board reserves the right to waive any informalities in, or to reject any or all bids, or to make an award to other than the low bidder if in its judgment it shall be deemed to be in the best interest of the Town of Cheektowaga and as permitted by law.

Each proposal shall be accompanied by a certified check or a bid bond in the amount of ten (10%) percent of the amount of the bid, payable to the order of the Town of Cheektowaga, Cheektowaga, New York, conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract.

Item No. 11b cont'd

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 his 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.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the owner of an amount equal to the contract award.

Attention of bidder is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof.

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

RICHARD M. MOLESKI
Town Clerk
TOWN OF CHEEKTOWAGA

DATED: January 20, 1986

* *

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Gros, 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 Jan. 23, 1986; last publication Jan. 23, 1986; and that no more than six days intervened between publications.

Linda M. Gros

Sworn to before me this 24th day of January, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 19 87

LEGAL NOTICE
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 3rd day of February 1986 at 11:00 A.M., Local Time at the Town Hall in the Town of Cheektowaga, New York, corner of Broadway and Union Road for the modification of various Town structures to facilitate the handicapped. Work shall be in accordance with drawings and specifications prepared by Donald T. Maharan Associates, P.C. Said drawings and specifications can be examined at the Office of the Town Engineer in the Town Hall.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained upon deposit of $50.00 per set at the Office of the Town Clerk at Town Hall, Broadway and Union Road, Cheektowaga, New York. Deposit shall be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga.

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or rejection of bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half (½) the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of plans and specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

All bids must be enclosed in a sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 and must be designated as BID FOR THE MODIFICATION OF VARIOUS TOWN STRUCTURES TO FACILITATE THE HANDICAPPED. The Town Board reserves the right to waive any informalities in, or to reject any or all bids, or to make an award to other than the low bidder if in its judgment it shall be deemed to be in the best interest of the Town of Cheektowaga and as permitted by law.

Each proposal shall be accompanied by a certified check or a bid bond in the amount of ten (10%) percent of the amount of the bid, payable to the order of the Town of Cheektowaga, Cheektowaga, New York, conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract.

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.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the owner in an amount equal to the contract award.

Attention of the bidder is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and countries of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof.

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

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
DATED: January 20, 1986
PUBLISH: January 23, 1986

No. 3

No. 4

State of New York }
ERIE COUNTY } ss.
CITY OF BUFFALO }



provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof.

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

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

DATED: January 20, 1986

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that She is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~a week for ~~ ~~weeks; the first~~ insertion being on the 23rd day of January 19 86 ~~and the last insertion being on the ~~ ~~day of ~~

D. Eileen Perry

Sworn to before me this 23rd day of January 19 86

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

E. Bielman
Notary Public, Erie County, N. Y.

State of New York
ERIE COUNTY } ss.
CITY OF BUFFALO

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 3rd day of February 1986 at 11:00 A.M. Local Time at the Town Hall in the Town of Cheektowaga, New York, corner of Broadway and Union Road for the modification of various Town structures to facilitate the handicapped. Work shall be in accordance with drawings and specifications prepared by Donald T. Malarz Associates, P.C. Said drawings and specifications can be examined at the Office of the Town Engineer in the Town Hall.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained upon deposit of $50.00 per set at the Office of the Town Clerk at Town Hall, Broadway and Union Road, Cheektowaga, New York. Deposit shall be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga.

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All bids must be enclosed in a sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 and must be designated as BID FOR THE MODIFICATION OF VARIOUS TOWN STRUCTURES TO FACILITATE THE HANDICAPPED. The Town Board reserves the right to waive any informalities in, or to reject any or all bids, or to make an award to other than the low bidder if in its judgment it shall be deemed to be in the best interest of the Town of Cheektowaga and as permitted by law.

Each proposal shall be accompanied by a certified check or a bid bond in the amount of ten (10%) percent of the amount of the bid, payable to the order of the Town of Cheektowaga, Cheektowaga, New York, conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract.

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.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the owner in an amount equal to the contract award.

Attention of the bidder is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof.

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

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

DATED: January 20, 1986

D. Eileen Perry

City of Buffalo, New York, being duly sworn,

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

once ~~a week for~~

the first insertion being on the 23rd

January 19 86 and the last

~~being on the day of~~

D. Eileen Perry

Sworn to before me this ____ day

of _____

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

Notary Public, Erie County, N. Y.

Item No. 11c Motion by Supervisor Weber, Seconded by Councilman Kowal

WHEREAS, various departments are in need of vehicles, and

WHEREAS, funds are available in the Facility Department Budget Accounts #01-1625-2-0-2209-001 and #7110-2-0-2507-001; and the Sewer Maintenance Department Budget Account #508125.2304, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of vehicle for various departments; information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received by the Town of Cheektowaga on February 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, Broadway and Union Roads, at which time they will be publicly opened and read.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on February 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall corner of Broadway and Union Roads, for the purchase of vehicles for various departments.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 20, 1986.

* *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Gross, 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 Jan. 23, 1986; last publication Jan. 23, 1986; and that no more than six days intervened between publications.

Linda M. Gross

Sworn to before me this 24th day of January, 19 86.

Cecelia Westowen

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

CECELIA WESTOWEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on February 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of vehicles for various departments.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 20, 1986
PUBLISH: January 23, 1986

Item No. 12 Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, National Advertising Co. has requested permission to erect one double sided 10 ft. 6 in. X 36 ft. billboard sign at 4755 Genesee Street opposite Rein Road, said sign to be erected on a single steel pole, have a maximum height of 30 ft. above grade and be set back a minimum of 25 ft. from the front lot line, and

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 National Advertising Co. be and is hereby granted permission to erect the aforementioned billboard sign 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. 13 Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

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

WHEREAS, a recent Civil Service list indicates eligible candidates for said position, NOW, THEREFORE, BE IT

RESOLVED that Cynthia A. Pilat of , Cheektowaga, New York, be and hereby is appointed to the position of Clerk-Typist in the Cheektowaga Police Department, effective immediately, at a salary in accordance with the current Collective Bargaining Agreement between the Town of Cheektowaga and the Town of 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. 14a Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individual be and hereby is hired as a Seasonal Employee in the Facilities Department as follows:

Parks Division - #01-007110-1-0-1491-001 - $3.10 per hour

	Effective
Leo N. Domonczak	1/21/86

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

Item No. 14b Motion by Councilman Johnson, Seconded by Councilman Kowal

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

Item No. 14b cont'd

MAIN PUMP STATION - $3.10 per hour

Leroy Linkner	1/20/86

MAIN PUMP STATION - $4.00 per hour

Darlene Hoffman	1/20/86

SANITATION DEPARTMENT - $3.10 per hour

David Orlikowski	2/3/86
Paul Strelczyk	2/3/86
Ray Sliwinski, Jr.	2/3/86

TAX OFFICE - $25.00 per day

Diane Poniwas	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. 15a Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, the necessary PO-17 forms have been filed with the Erie County Personnel Department for the creation of the position of Senior Clerk in the Payroll Department, and

WHEREAS, the Town Board wishes to create the position of Senior Clerk in the Payroll Department, NOW, THEREFORE, BE IT

RESOLVED that the position of Senior Clerk be and hereby is created in the Payroll Department, and BE IT FURTHER

RESOLVED that in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, the position of Senior Clerk in the Payroll Department be posted for a period of ten (10) working 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. 15b Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, the necessary PO-17 forms have been filed with the Erie County Personnel Department for the creation of the position of Senior Clerk in the Police Department, and

WHEREAS, the Town Board wishes to create the position of Senior Clerk in the Police Department, NOW, THEREFORE, BE IT

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

RESOLVED that in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, the position of Senior Clerk in the Police Department be posted for a period of ten (10) working days.

Item No. 15b 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. 16 Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, Diane Swiatek, Clerk-Stenographer, has requested a maternity leave of absence from her position in the Engineering Department for a period of approximately three (3) months, commencing on February 3, 1986, and

WHEREAS, Diane Swiatek will utilize accumulative sick leave and vacation days prior to her commencing a three (3) month unpaid leave of absence on or about May 5, 1986, NOW, THEREFORE, BE IT

RESOLVED that Diane Swiatek be and hereby is granted a three (3) month maternity leave to be followed by a three (3) 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. 17 Retain firm re: self-insurance claims administration and loss control services.
This item was withdrawn.

Item No. 18 Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

RESOLVED that the following named personnel and officials are hereby authorized to attend a Seminar of Selected Programs dealing with State and Local Governments, sponsored by the Municipal Law Committee of the Bar Association of Erie County to be held on Saturday, January 25, 1986 at the State University of New York at Buffalo School of Law, John Lord O'Brian Hall:

Councilmen
Deputy Town Attorney
Planning Board Chairman
Building Inspector
Deputy Building Inspector

and BE IT FURTHER

RESOLVED that the reasonable and necessary expenses incurred by each individual attending such Seminar be paid in an amount not to exceed $50.00 each, including registration fee.

THIS RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN J. ROGOWSKI, SECONDED BY COUNCILMAN KOWAL AND THE VOTING WAS AS FOLLOWS:

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

Item No. 18 cont'd

Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

RESOLVED that the following named personnel and officials are hereby authorized to attend a Seminar of Selected Programs dealing with State and Local Governments, sponsored by the Municipal Law Committee of the Bar Association of Erie County to be held on Saturday, January 25, 1986 at the State University of New York at Buffalo School of Law, John Lord O'Brian Hall:

Councilmen
Deputy Town Attorney
Planning Board Chairman
Building Inspector
Deputy Building Inspector
Sole Assessor

and BE IT FURTHER

RESOLVED that the reasonable and necessary expenses incurred by each individual attending such Seminar be paid in an amount not to exceed $50.00 each, including registration fee.

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 Kowal, Seconded by Councilman Jaworowicz

RESOLVED that the following individuals be and hereby are authorized to attend the annual Association of Towns convention held in New York City, February 16 - 19, 1986 and that their reasonable and proper travel expenses be reimbursed by the Town:

Christopher J. Kowal, Councilman - Designated as the Official Voting Delegate representing the Town of Cheektowaga

Chester Bryan, Town Engineer
Dennis Gabryszak, Councilman
William Wielinski, Supervising Accountant
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

Item No. 20a Motion by Councilman Kowal, Seconded by Councilman Johnson

WHEREAS, Mr. Casimir A. Kozminski, Assessor, has been elected as a Director of the Erie County Assessors Association, and

WHEREAS, Mr. Kozminski will be requested to attend meetings as mandated by the Association in various parts of the County, and

WHEREAS, meetings are held during working hours, NOW, THEREFORE, BE IT

RESOLVED that Casimir A. Kozminski, Assessor, be and hereby is authorized to attend said meetings and shall be provided use of a Town Vehicle.

Item No. 20a 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. 20b Motion by Councilman Kowal, Seconded by Councilman Johnson

WHEREAS, the New York State Division of Equalization and Assessment is conducting a Seminar in New York City on February 17th thru February 19, 1986, and

WHEREAS, said Seminar is mandated by the New York State Division of Equalization and Assessment for Assessors to obtain continuing education credits, and

WHEREAS, necessary travel expenses will be reimbursed by the New York State Division of Equalization and Assessment, NOW, THEREFORE, BE IT

RESOLVED that Casimiar A. Kozminski, Assessor, be and hereby is authorized to attend said Seminar on February 17th thru February 19th, 1986.

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

Item No. 21a Motion by Councilman J. Rogowski, seconded by Councilman W. Rogowski

WHEREAS, on January 6, 1986 this Town Board approved Change Order No. 1 for the Cedargrove Heights, Stage II, Phase IV Completion Project to the contract of Campobello Construction Co., Inc., 264 Hoyt Street, Buffalo, New York, for an increase of $3,791.25, and

WHEREAS, said change order amount was incorrect, NOW, THEREFORE, BE IT

RESOLVED that Paragraph 3 of the aforementioned resolution of this Town Board dated January 6, 1986 is hereby corrected to read as follows:

> WHEREAS, Change Order No. 1 is attached itemizing the additional work that was deemed necessary for the proper completion of the project at an increase of $4,228.75,"

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby directed and authorized to sign said corrected Change Order No. 1 which costs are chargeable to the CDBG account for the Cedargrove improvement budget.

* See next two (2) pages for Change Order #1

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

TOWN OF CHEEKTOWAGA

CHANGE ORDER AUTHORIZATION

DATE January 9, 1986

PROJECT Cedargrove Hts. Stage II, Phase IV Completion

CONTRACT DATE _____ CONTRACT AWARD PRICE $ 61,045.00

CHANGE ORDER NO. 1 (ADD) OR SUBTRACT $ 4,228.75

COMMUNITY NAME Town of Cheektowaga

COMMUNITY ADDRESS Broadway & Union Road, Cheektowaga, New York 14227

CONTRACTORS NAME Campobello Construction Co., Inc.

CONTRACTORS ADDRESS 264 Hoyt Street, Buffalo, New York 14203

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK:

See attached sheet for extra work list (Exhibit A)

RECEIVED
1986 JAN 28 PM 2:45
CHEEKTOWAGA
TOWN CLERK

REASON FOR CHANGE OR EXTRA WORK:

The extras were ordered by the engineer to complete the contract.

CONTRACT TIME CHANGE: (1) NO AFFECT ( ) (2) CHANGE _____
DATE OF COMPLETION

ITEMIZATION OF CONTRACTOR'S PROPOSAL ON THIS CHANGE

REFER TO EXHIBIT A - PRICE
EXHIBIT B - LOCATION

APPROVALS:

SUPERVISOR Daniel C. Stieber DATE 1/22/86

CONTRACTOR _____ DATE _____

TITLE Angelo Cuzzo President DATE 1/22/86

TOWN OF CHEEKTOWAGA

PRICE ORDER AUTHORIZATION

PRICE BREAKDOWN - EXHIBIT A

DATE January 9, 1986

SHEET 2

JOB NAME Cedargrove Hts. Stage II, Phase IV Completion JOB NUMBER _____

CONTRACTOR Campobello Construction Co., Inc.

ADDRESS 264 Hoyt Street, Buffalo, New York 14203

CHANGE ORDER NUMBER 1

You are hereby authorized to perform the following specifically described additional work.

ITEM	DESCRIPTION	COST	TOTAL
2	92 LF of concrete gutter	8.00	$ 736.00
6B	875 SY of top course road surface	3.50	3,062.50
11H	9 ea 1/2 bolt for catch basins	50.00	450.00
11J	9 ea drill & tap catch basins	150.00	1,350.00
	Correction to Estimate #1 & 2		180.25
	Correction to Contract to Sum		200.00
			$ 5,978.75
	Less Item 3 - 700 SF of 4" concrete sidewalk over payment Estimate #2	2.50/SF	- 1,750.00
			$ 4,228.75

ADDITIONAL CHARGE FOR ABOVE WORK IS $ 4,228.75

Payment will be made as follows: Lump Sum Cash

Above additional work to be performed under same conditions as specified in original contract unless otherwise stipulated.

DATE JAN 22 19 86 AUTHORIZING SIGNATURE Rudolph E. Bryniu
~~Supervisor~~ Res. Engr.

We hereby agree to furnish labor and materials - complete in accordance with the above specifications at above stated price.

AUTHORIZED SIGNATURE Angelo Caizzo DATE 1/22/86.
(Contractor signs here)

TITLE President - Campobello Corp.

Item No. 21b Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, Change Orders No. 2 and 3 for the Union Road Pump Station Rehabilitation Project have been submitted with recommendations for approval by the consulting firm of Nussbaumer & Clarke, Inc. and the Town Engineer, and

WHEREAS, the scope of work for said change orders is outlined in the memo dated January 10, 1986 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 2 in the amount of $294.89 and Change Order No. 3 in the amount of $2,374.69 for a total increase of $2,669.58 to the contract of Weydman Electric, Inc. 747 Young, Tonawanda, New York 14150, be approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed and authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

* See next seven (7) pages for memo and Change Order Nos. 2 and 3

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

MEMO

ROBERT E. VALLONE
Senior Engineer Assistant

TO: Supervisor and
Town Board Members

DATE: January 10, 1986

RE: Change Orders No. 2 and 3
Union Road Pump Station Rehabilitation Project

We are submitting for Town Board review and approval:

Change Order No. 2 - +$294.89

Furnish and install 100 ampere, 3 pole circuit breaker on the load side of the auxiliary power transformer for circuit protection during the use of the portable generator, and

Change Order No. 3 - +$2,374.69

Abandon existing underground electric service conduit. Install 80 feet of new 2-1/2 inch diameter galvanized conduit from the building to Niagara Mohawk Pole #028.

The net result of these adjustments to the contract of Weydman Electric Inc. is an increase of $2,669.58.

REV:mjh

cc: C. Bryan

TOWN OF CHEEKTOWAGA
CHANGE ORDER AUTHORIZATION

DATE December 12, 1985

SHEET 1

PROJECT Rehabilitation of the Union Road Pump Station

CONTRACT DATE February 24, 1984 CONTRACT AWARD PRICE $18,395.00

CHANGE ORDER NO. 2 ADD OR SUBTRACT Add $294.89

COMMUNITY NAME Town of Cheektowaga, New York

COMMUNITY ADDRESS Broadway and Union Road, Cheektowaga, New York 14227

CONTRACTORS NAME Weydman Electric, Inc.

CONTRACTORS ADDRESS 747 Young Street, Tonawanda, New York 14150

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK:

Furnish and install a 100 ampere, 3 pole circuit breaker on the load side of the auxiliary power transformer.

REASON FOR CHANGE OR EXTRA WORK:

For circuit protection during the use of the portable generator.

CONTRACT TIME CHANGE: (1) NO AFFECT [X] (2) CHANGE _____ DATE OF COMPLETION

ATTACHMENT (1) Exhibit A - Cost Breakdown (Required)
(2) Exhibit B - Sketch of location of change or extra work (if required)

APPROVALS:

SUPERVISOR Daniel L. Quebbeman DATE 1/22/86

CONTRACTOR M.C. Weydman DATE 12/18/85

TITLE President DATE

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

Change Order No. 2 Date December 12, 1985

Contract No. B Sheet 1 of 2

Federal-State N/A File No. 83-113

Project Rehabilitation of the Union Road Pump Station

Community's Name Town of Cheektowaga, New York

Community's Address Broadway and Union Road, Cheektowaga, New York 14227

Contractor's Name Weydman Electric, Inc.

Contractor's Address 747 Young Street, Tonawanda, New York 14150

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK

Furnish and install a 100 ampere, 3 pole circuit breaker on the load side of the auxiliary power transformer.

REASON FOR MODIFICATION OR NEED FOR EXTRA WORK

For circuit protection during the use of the portable generator.

ORIGINAL CONTRACT SUM	$18,395.00
NET AMOUNT OF PREVIOUS CHANGE ORDERS	2,374.69
NET AMOUNT THIS CHANGE ORDER	294.89
TOTAL CONTRACT SUM TO DATE	$21,064.58

APPROVALS:

Community [signature] Date 1/22/86

Contractor [signature] Date 12/18/85

Engineer [signature] Date 12/17/85

D: 8408CPR.2

Re: Union Road Pump Station
CHANGE PROPOSAL REQUEST NO. 2
Transformer Circuit Breaker
WE Job No. 8408

March 8, 1985

Description: The New York Board of Fire Underwriters requires circuit breaker protection be provided on load side of auxiliary power transformer per Article 450-3. We propose to provide a 100 ampere, 3 pole enclosed circuit breaker adjacent to transformer on wall and properly wire.

Materials:		$126.00
Labor:	$17.89/Hr. x 4-1/2 Hrs. =	80.51
	Fr. Benefits $5.15/Hr. x 4-1/2 Hrs. =	23.18
		229.69
10% Overhead		22.97
		252.66
10% Profit		25.27
		277.93
Insurance & P/R Taxes 21.07% x $80.51 =		16.96
TOTAL FOR CHANGE PROPOSAL NO. 2		$294.89

TOWN OF CHEEKTOWAGA
CHANGE ORDER AUTHORIZATION

DATE December 12, 1985

SHEET 1

PROJECT Rehabilitation of the Union Road Pump Station

CONTRACT DATE February 24, 1984 CONTRACT AWARD PRICE $18,395.00

CHANGE ORDER NO. 3 ADD OR SUBTRACT Add $2,374.69

COMMUNITY NAME Town of Cheektowaga, New York

COMMUNITY ADDRESS Broadway and Union Road, Cheektowaga, New York 14227

CONTRACTORS NAME Weydman Electric, Inc.

CONTRACTORS ADDRESS 747 Young Street, Tonawanda, New York

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK:

Abandon existing underground electric service conduit. Install 80 feet of new 2-1/2" dia. galvanized conduit from the building to Niagara Mohawk Pole #028.

REASON FOR CHANGE OR EXTRA WORK:

When excavated, the existing conduit was found to be rotten and partially disintegrated. Existing wires were exposed and weathering.

CONTRACT TIME CHANGE: (1) NO AFFECT [X] (2) CHANGE _____ DATE OF COMPLETION

ATTACHMENT (1) Exhibit A - Cost Breakdown (Required)
(2) Exhibit B - Sketch of location of change or extra work (if required)

APPROVALS:

SUPERVISOR Daniel G. Stabler DATE 1/22/86

CONTRACTOR W. L. Weydman DATE 12/18/85

TITLE President DATE

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

Change Order No. 1 Date December 12, 1985

Contract No. B Sheet 1 of 2

Federal-State N/A File No. 83-113

Project Rehabilitation of the Union Road Pump Station

Community's Name Town of Cheektowaga, New York

Community's Address Broadway and Union Road, Cheektowaga, New York 14227

Contractor's Name Weydman Electric, Inc.

Contractor's Address 747 Young Street, Tonawanda, New York 14150

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK

Abandon existing underground electric service conduit. Install 80 feet of new 2-1/2" dia. galvanized conduit from the building to Niagara Mohawk Pole #028.

REASON FOR MODIFICATION OR NEED FOR EXTRA WORK

When excavated, the existing conduit was found to be rotten and partially disintegrated. Existing wires were exposed and weathering.

ORIGINAL CONTRACT SUM	$18,395.00
NET AMOUNT OF PREVIOUS CHANGE ORDERS	0.00
NET AMOUNT THIS CHANGE ORDER	2,374.69
TOTAL CONTRACT SUM TO DATE	$20,769.69

APPROVALS:

Community [signature] Date 1/22/86

Contractor [signature] Date 12/18/85

Engineer [signature] Date 12/19/85

Re: Union Road Pump Station
CHANGE PROPOSAL REQUEST NO. 1
Electric Service Conduit
WE Job No. 8408

March 8, 1985

Description: Abandon existing underground electric service conduit and install eighty (80') feet of new 2-1/2" galvanized conduit from building to electric pole.

ELECTRIC WORK by Weydman Electric, Inc.

Materials:		$ 319.00	
Labor:	$17.89/Hr. x 19 Hrs.	339.91	
	Fr. Benefits $5.15/Hr. x 19 Hrs. =	97.85	
		756.76	
10% Overhead		75.68	
		832.44	
10% Profit		83.24	
		915.68	
Insurance & P/R Taxes 21.07% x $339.91 =		71.62	$ 987.30

SUBCONTRACTED WORK by Braasch Construction

Excavation & Backfill	$ 684.00	
Concretement Replacement	208.00	
Topsoil, Landscaping & Seed	200.00	
	1,092.00	
Sub 5% Overhead	54.60	
	1,146.60	
Sub 10% Profit	114.66	
	1,261.26	
Prime 10% Overhead & Profit	126.13	1,387.39

TOTAL FOR CHANGE PROPOSAL NO. 1 $2,374.69

Item No. 22 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following vouchers and warrants are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$126,695.24
SPECIAL DIST. FUND	110,320.58
HIGHWAY FUND	82,841.68
FEDERAL REVENUE SHARING FUND	31,508.00
CAPITAL FUND	7,860.00
TRUST AND AGENCY FUND	9,248.49
COMMUNITY DEVELOPMENT FUND	8,509.97
PART TOWN FUND	1,123.26
	$378,107.22

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

III. FROM THE TABLE

Item No. 23 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that Dennis J. Ciotuszynski be and hereby is terminated from his position as Prosecuting Attorney to the Town Justice Court, effective January 13, 1986.

THE ABOVE RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN W. ROGOWSKI, SECONDED BY COUNCILMAN JOHNSON, AND THE VOTING WAS 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 AMENDMENT IS AS FOLLOWS:

Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that Dennis J. Ciotuszynski be and hereby is terminated from his position as Prosecuting Attorney to the Town Justice Court, effective January 21, 1986.

MOTION BY COUNCILMAN W. ROGOWSKI, SECONDED BY SUPERVISOR Weber TO TABLE THE ABOVE AMENDMENT.

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 W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Agreement for the provision of services as Prosecuting Attorney to the Town Justice Court by Donald R. Guerra, Esq. at an annual salary of $16,207.00, payable weekly, and BE IT FURTHER

Item No. 24 cont'd

RESOLVED that such Agreement shall be effective from January 13, 1986 to December 31, 1987.

MOTION BY COUNCILMAN KOWAL, SECONDED BY COUNCILMAN W. ROGOWSKI TO TABLE THE ABOVE RESOLUTION UNANIMOUSLY.

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. Rogowski, Seconded by Supervisor Weber

WHEREAS, Dennis Ciotuszynski was appointed to the position of Prosecuting Attorney to the Town Justice Court, effective January 1, 1982, and

WHEREAS, Mr. Ciotuszynski has performed the duties of Prosecuting Attorney in an exemplary manner, NOW, THEREFORE, BE It

RESOLVED that Dennis Ciotuszynski of , Cheektowaga, New York be and hereby is re-appointed Prosecuting Attorney to the Justice Court, effective January 1, 1986.

MOTION BY COUNCILMAN KOWAL, SECONDED BY COUNCILMAN W. ROGOWSKI TO TABLE THE ABOVE RESOLUTION UNANIMOUSLY.

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 J. Rogowski

BE IT RESOLVED that Michael J. Stachowski of , Cheektowaga, New York be and hereby is appointed Deputy Town Attorney, effective immediately, at a salary of $18,522.00 annually.

MOTION BY COUNCILMAN KOWAL, SECONDED BY COUNCILMAN W. ROGOWSKI TO TABLE THE ABOVE RESOLUTION UNANIMOUSLY.

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 27 Office of Disaster Preparedness - Summary of Incidents of 1985
Received and Filed.

Item No. 28 Justice Report for 1985
Received and Filed.

Item No. 29a Minutes of meeting of Library Board from December
Received and Filed.

Item No. 29b Minutes of meeting of Planning Board from December
Received and Filed.

Item No. 29c Minutes of meeting of Traffic Safety Commission
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 30 NOTICE OF CLAIM - Patricia Fenn vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway Superintendent.
Received and Filed.

Item No. 31a Walden District Taxpayers Assn. - Letter regarding Appointment of Prosecuting Attorney
Copies were sent to: Daniel E. Weber, Supervisor; Council Office.
Received and Filed.

Item No. 31b William Street Taxpayers Assn. - letter regarding appointment of Prosecuting Attorney
Received and Filed.

Item No. 31c Citizens Group (Donald Clark, Rep.) - letter regarding appointment of Prosecuting Attorney
Received and Filed.

Item No. 32 Motion by Councilman Gabryszak, Seconded by Councilman Kowal to adjourn the meeting.

RICHARD M. MOLESKi
Town Clerk

MEETING NO. 3
February 3, 1986

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of February, 1985 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; Jerry Gabryszak, Community Development Director; James Kirisits, Town Attorney; Casimir Kozminski, Sole Assessor; Andrew Kulyk, Zoning Board Member; Sal LaGreca, Employment and Training Director II; Earl Loder, Town's Disaster Coordinator; Ronald Marten, Building Inspector; Ray Pugh, Planning Board Member; Julia Reinstein, Town Historian; Peter Rybka, Zoning Board Member; Leonard J. Smolarek, Chief of Police; Donald Wegner, Chairman, Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; Bernard Wojtkowiak, Mayor of Sloan; and Ronald Zoeller, Sanitation Foreman.

I. RESOLUTIONS

Item No. 2 Motion by Supervisor Weber Seconded by Councilman Kowal

WHEREAS, the regularly scheduled Town Board meeting of Monday, February 17, 1986 must be rescheduled due to the celebration of "Washington's Birthday", that day being a Legal Holiday, NOW, THEREFORE, BE IT

RESOLVED that the regularly scheduled Town Board meeting of Monday, February 17, 1986 shall be rescheduled for Wednesday, February 19, 1986, at 7:00 P.M.

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

Item No. 3 Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, Charles J. Moore, agent for Comal Associates, has applied for a rezoning from C-Retail Business District to CM-General Commercial District and for a special use permit for motor vehicle sales, service and related uses on property known as the Appletree Mall and located on Union Road between Como Park Boulevard and Bennett Road, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said requests under the provisions of the Town Zoning Ordinance on February 19, 1986 at 6:30 o'clock P.M., Eastern Standard Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Item No. 3 Cont'd.

* *

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 19th day of February 1986, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Charles J. Moore, as agent for Comal Associates to rezone from C-Retail Business District to CM-General Commercial District on property known as the Appletree Mall and located on Union Road between Como Park Boulevard and Bennett Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows: BEGINNING at a point in the south line of Como Park Boulevard (formerly Buffalo and Lancaster Boulevard, as a public highway 100 feet wide), 1320 feet easterly of the intersection of the south line of Como Park Boulevard with the west line of Lot No. 10 as measured along the south line of Como Park Boulevard; thence westerly along the south line of Como Park Boulevard, 398.20 feet to the northeast corner of Subdivision Lot No. 3, Block "O", as shown upon a map filed in the Erie County Clerk's Office under Cover No. 527; thence southerly at right angles and along the east line of said Subdivision Lot No. 3, 120 feet to the southeast corner thereof; thence westerly, parallel to the south line of Como Park Boulevard and along the south lines of said Subdivision Lots No. 3, 2 and 1, 91.80 feet to the east line of Gertrude Avenue, as a street 50 feet wide; thence southerly at right angles to the last mentioned course and along the east line of Gertrude Avenue, 37 feet to the extension easterly of the south line of Subdivision Lot No. 4, Block "N", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence westerly along the easterly extension of said south line and along the south line of Subdivision Lot No. 4, 157.24 feet to the southwest corner of said Subdivision Lot No. 4; thence southerly along the southerly extension of the west line of said Subdivision Lot No. 4, 5 feet to the southeast corner of Subdivision Lot No. 22, Block "G", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence westerly along the south lines of Subdivision Lots No. 22 through 5 inclusive, Block "G", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527, 613.01 feet to a point which is 27.19 feet easterly from the east line of Union Road, as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence along the east line of Union Road as now laid out in accordance with maps filed by the People of the State of New York in the Erie County Clerk's Office in Liber 7320 of Deeds at page 429 and in Liber 7320 of Deeds at page 427 respectively, the following courses and distances:

Item No. 3 Cont'd.

a) South 1° 10' 10" west, 484.78 feet to a point;
b) Thence south 88° 49' 50" east, 10 feet to a point;
c) Thence south 1° 10' 10" west, 100 feet to a point;
d) Thence north 88° 49' 50" west, 10 feet to a point;
e) Thence south 1° 10' 10" west, 800 feet to a point;
f) Thence south 88° 49' 50" east, 10 feet to a point;
g) Thence south 1° 10' 10" west, 60 feet to a point;
h) Thence south 52° 22' east, 36.34 feet to the north line of Bennett Road as laid out and described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at pages 504 and 505 respectively;

Thence easterly along the north line of Bennett Road and upon a course of south 84° 15' 00" east, 977.04 feet to a point of curve; thence in an easterly direction along a line curving to the left having a radius of 1,085.92 feet, an arc distance of 262.60 feet to a point in a line drawn parallel to the west line of Lot No. 10 and distant 1320 feet easterly therefrom, measured along the original center line of Bennett Road, as a street 49.50 feet wide, thence northerly along such parallel line 1613.32 feet to the point or place of beginning, containing exactly 43.899 acres of land.

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

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 19th day of February 1986, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Charles J. Moore, as agent for Comal Associates for a Special Permit for motor vehicle sales, service and related uses on a portion of property known as the Appletree Mall, which mall is located on Union Road between Como Park Boulevard and Bennett 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.

LEGAL DESCRIPTION

From a point at the north line of Bennett Road as laid out and described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at pages 504 and 505 respectively;

Thence easterly along the north line of Bennett Road and upon a course of south 84°15'0" east 977.04 feet to a point of curve; thence in a northerly direction 283.0 feet to a point; thence 800.0 feet in a northerly direction to a point; thence in an easterly direction 240.0 feet to a point; thence in a southerly direction 800.0 feet to a point; thence in a westerly direction 280.0 feet to a point or place of beginning; being area for Special Use and containing exactly 4.4078 acres of land.

From a point at the east line starting at the northwest point of Union Road as now laid out in accordance with maps filed by the People of the State of New York in the Erie County Clerk's Office in Liber 7320 of deeds at page 429 and in Liber 7320 of Deeds at page 427; thence easterly to a point 523.0 feet intersecting the north line of Bennett Road as described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber

Item No. 3 Cont'd.

7390 of Deeds at page 504 and 505 respectively; thence in a northerly direction 110.0 feet to a point at southwest corner of existing masonry structure;

Thence in a northerly direction 196.0 feet to a point; thence in an easterly direction 250.0 feet to a point; thence in a southerly direction 196.0 feet to a point; thence in a westerly direction 250.0 feet to a point or place of beginning, being area for Special Use and comprising a two story masonry structure.

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

*SEE NEXT TWO PAGES FOR AFFIDAVITS OF PUBLICATION.

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

Linda M. Goss, 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 Feb. 6, 1986; last publication Feb 6, 1986; and that no more than six days intervened between publications.

Linda M. Goss

Sworn to before me this 7th day of February, 1986.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

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 19th day of February 1986, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Charles J. Moore, as agent for Comal Associates to rezone from C-Retail Business District to CM-General Commercial District on property known as the AppleTree Mall and located on Union Road between Como Park Boulevard and Bennett Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

EXHIBIT A

Description of Shopping Center

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York and being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point in the south line of Como Park Boulevard (formerly Buffalo and Lancaster Boulevard, as a public highway 100 feet wide), 1320 feet easterly of the intersection of the south line of Como Park Boulevard with the west Line of Lot No. 10, as measured along the south line of Como Park Boulevard; thence westerly along the south line of Como Park Boulevard, 398.20 feet to the northeast corner of Subdivision Lot No. 3, Block "O", as shown upon a map filed in the Erie County Clerk's Office under Cover No. 527; thence southerly at right angles and along the east line of said Subdivision Lot No. 3, 120 feet to the southeast corner thereof; thence westerly, parallel to the south line of Como Park Boulevard and along the south lines of said Subdivision Lots No. 3, 2 and 1, 91.80 feet to the east line of Gertrude Avenue, as a street 50 feet wide; thence southerly at right angles to the last mentioned course and along the east line of Gertrude Avenue, 37 feet to the extension easterly of the south line of Subdivision Lot No. 4, Block "N", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence westerly along the easterly extension of said south line and along the south line of Subdivision Lot No. 4, 157.24 feet to the southwest corner of said Subdivision Lot No. 4; thence southerly along the southerly extension of the west Line of said Subdivision Lot No. 4, 5 feet to the southeast corner of Subdivision Lot No. 22, Block "G", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence westerly along the south Lines of Subdivision Lots No. 22 through 5 inclusive, Block "G", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527, 613.01 feet to a point which is 27.19 feet easterly from the east Line of Union Road, as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence along the east Line of Union Road as now laid out in accordance with maps filed by the People of the State of new York in the Erie County Clerk's Office in Liber 7320 of Deeds at page 429 and in Liber 7320 of Deeds at page 427 respectively, the following courses and distances:

(a) South 1° 10' 10" west, 484.78 feet to a point;

(b) Thence south 88° 49' 50" east, 10 feet to a point;

(c) Thence south 1° 10' 10" west, 100 feet to a point;

(d) Thence north 88° 49' 50" west, 10 feet to a point;

(e) Thence south 1° 10' 10" west, 800 feet to a point;

(f) Thence south 88° 49' 50" east, 10 feet to a point;

(g) Thence south 1° 10' 10" west, 60 feet to a point;

(h) Thence south 52° 22' east, 36.34 feet to the north line of Bennett Road as laid out and described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at pages 504 and 505 respectively;

thence easterly along the north line of Bennett Road and upon a course of south 84° 15' 00" east, 977.04 feet to a point of curve; thence in an easterly direction along a line curving to the left having a radius of 1,085.92 feet, as arc distance of 262.60 feet to a point in a line drawn parallel to the west line of Lot No. 10 and distant 1320 feet easterly therefrom, measured along the original center line of Bennett Road, as a street 49.50 feet wide, thence northerly along such parallel line 1613.32 feet to the point or place of beginning, containing exactly 43.899 acres of land.

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: February 6, 1986

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

Linda M. Gras, 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 Feb. 6, 1986; last publication Feb. 6, 1986; and that no more than six days intervened between publications.

Linda M. Gras

Sworn to before me this 7th day of February, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

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 19th day of February 1986, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Charles J. Moore, as agent for Comal Associates for a Special Permit for motor vehicle sales, service and related uses on a portion of property known as the AppleTree Mall, which mall is located on Union Road between Como Park Boulevard and Bennett Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

Legal Description
AppleTree Mall
Special Use Application

From a point at the north line of Bennett Road as laid out and described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at pages 504 and 505 respectively;

Thence easterly along the north line of Bennett Road and upon a course of south 84°15'0" east 977.04 feet to a point of curve; thence in a northernly direction 283.0 feet to a point; thence 800.0 feet in a northerly direction to a point; thence in an easterly direction 240.0 feet to a point; thence in a southerly direction 800.0 feet to a point; thence in a westerly direction 280.0 feet to a point or place of beginning; being area for Special Use and containing exactly 4.4078 acres of land.

From a point at the east line starting at the northwest point of Union Road as now laid out in accordance with maps filed by the people of the State of New York in the Erie County Clerk's Office in Liber 7320 of Deeds at page 429 and in Liber 7320 of Deeds at page 427; thence easterly to a point 523.0 feet intersecting the north line of Bennett Road as described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at page 504 and 505 respectively; thence in a northerly direction 110.0 feet to a point at southwest corner of existing masonry structure;

Thence in a northerly direction 196.0 feet to a point, thence in an easterly direction 250.0 feet to a point; thence in a southerly direction 196.0 feet to a point; thence in a westerly direction 250.0 feet to a point or place of beginning, being area for Special Use and comprising a two story masonry structure.

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: February 6, 1986

Item No. 4A Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, requires Athletic White Stripe for the purpose of lining athletic fields, NOW, BE IT

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

RESOLVED that the specifications for said Athletic White Stripe may be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 19th day of February, 1986 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on February 19, 1986 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year 1986.

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 3, 1986

* *

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

*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

Linda M. Sturs, 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 Feb. 6, 1986;
last publication Feb. 6, 1986;
and that no more than six days intervened between publications.

Linda M. Sturs

Sworn to before me this 7th
day of February, 1986.
Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on February 19, 1986 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year 1986.

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 3, 1986
PUBLISH: February 6, 1986

Item No. 4B Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, it is in order that bids be advertised for the furnishing of chemical fertilizers and herbicides in the Town of Cheektowaga, AND

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

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of chemical fertilizers and herbicides, notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED that sealed bids will be received on the 18th day of February, 1986 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of chemical fertilizers and herbicides in the Town of Cheektowaga, New York.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

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

Richard M. Moleski
Town Clerk

DATED: February 3, 1986

* *

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

*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

Linda M. Hess, 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 Feb. 6, 1986; last publication Feb. 6, 1986; and that no more than six days intervened between publications.

Linda M. Hess

Sworn to before me this 7th day of February, 1986.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of chemical fertilizers and herbicides in the Town of Cheektowaga, New York.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

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

Richard M. Moleski
Town Clerk

DATED: February 3, 1986
PUBLISH: February 6, 1986

Item No. 4C Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division utilizes Portable Chemical Toilets at various locations to service Recreation Department activities and Special Events, NOW, BE IT

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

RESOLVED that specifications for said Leasing and Servicing of Portable Chemical Toilets be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 19th day of February, 1986 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on February 19, 1986 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the Leasing and Servicing of Portable Chemical Toilets for the year 1986.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 3, 1986

* *

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

*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

Linda M. Goss, 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 Feb. 6, 1986; last publication Feb. 6, 1986; and that no more than six days intervened between publications.

Linda M. Goss

Sworn to before me this 7th day of February, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on February 19, 1986 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the Leasing and Servicing of Portable Chemical Toilets for the year 1986.

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 3, 1986
PUBLISH: February 6, 1986

Item No. 4D Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, AND

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

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said public works projects, notice to be published in the CHEEKTOWAGA TIMES and the BUFFALO CRITERION, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 18th day of February, 1986 at 11:00 A.M., Eastern Standard 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 and considered by the Town Board of the Town of Cheektowaga on February 18, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best 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: February 3, 1986

* *

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

*SEE NEXT TWO (2) PAGES FOR AFFIDAVITS OF PUBLICATION.

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

Linda M. Hess, 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 Feb. 6, 1986; last publication Feb. 6, 1986; and that no more than six days intervened between publications.

Linda M. Hess

Sworn to before me this 7th day of February, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public work projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best 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: February 3, 1986
PUBLISH: February 6, 1986

STATE OF NEW YORK

Erie County, City of Buffalo ss.

The BUFFALO CRITERION

623-25 WILLIAM ST. BUFFALO 6, N. Y.

Notice to Bidders

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators, and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty [60] days after the actual date of the opening thereof.

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

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 6th..... day of .....February....., 19...86 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this .....14th day of .....March....., 19..86..

Frank E. Merriweather

~~Notary Public~~
Commissioner of Deeds

Item No. 4E Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, there is a need for the Town to purchase a van for the Police Department and a cab and chassis for the Dog Control Officer, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders for the purchase of the aforementioned van, cab and chassis in the CHEEKTOWAGA TIMES.

* *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on February 19, 1986 at 11:00 A.M. Eastern Standard Time, at the Town Hall,corner of Broadway and Union Roads, for the purchase of (1) 1986 Model, 3/4 ton, Van for use by the Police Department.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best 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; February 3, 1986

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on February 19, 1986 at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the purchase of one (1) 1986 Model, 3/4 Ton Cab and Chassis for use by the Dog Warden.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 3, 1986

* *

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

*SEE NEXT TWO (2) PAGES FOR AFFIDAVITS OF PUBLICATION.

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

Linda M. Hess, 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 Feb. 6, 1986; last publication Feb. 6, 1986; and that no more than six days intervened between publications.

Linda M. Hess

Sworn to before me this 6th day of February, 1986.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on February 19, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway & Union Road, for the purchase of one (1) 1986 Model, 3/4 ton, Van for use by the Police Department.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best 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: February 3, 1986
PUBLISH: February 6, 1986

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

Linda M. Sivo 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 Feb. 6, 1986; last publication Feb. 6, 1986; and that no more than six days intervened between publications.

Linda M. Sivo

Sworn to before me this 7th day of February, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on February 19, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway & Union Road, for the purchase of one (1) 1986 Model, 3/4 ton, Cab & Chassis for use by the Dog Warden.

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: February 3, 1986
PUBLISH: February 6, 1986

Item No. 5 Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, the need exists in the Cheektowaga Police Department for ten (10) new police cars, and

WHEREAS, funds have been allocated in the 1986 budget for the purchase of these vehicles, and

WHEREAS, South Union Chrysler Plymouth has been awarded a contract by the State of New York for the sale of law enforcement passenger cars, NOW, THEREFORE, BE IT

RESOLVED that the Chief of the Cheektowaga Police Department be and hereby is authorized to purchase the following vehicles:

Ten (10) 1986 four-door Plymouth Gran Furys specially constructed for law enforcement purposes and listed on the State Contract # P-23354 at a cost of $11,314.50 each, for a total cost of $113,145.00.

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 J. Rogowski Seconded by Supervisor Weber

WHEREAS, by resolution dated May 20, 1985, the contract for the furnishing of one 1985 model one ton pick-up with plow and hydraulic tailgate was awarded to Maier-Schule GMC, Inc. at the bid price of $11,907.00, and

WHEREAS, in December of 1985, a representative from Maier-Schule GMC, Inc. notified the Town that a mathematical error in the amount of $3,000.00 had been made on its bid proposal and requested that his company be allowed to withdraw its bid proposal, and

WHEREAS, this Town Board feels that it would be unconscionable to hold Maier-Schule GMC, Inc. to the error it made since this mistake is material, NOW, THEREFORE, BE IT

RESOLVED that Maier-Schule GMC, Inc. be and hereby is allowed to withdraw its aforementioned bid submitted for one 1985 model one ton pick-up with plow and hydraulic tailgate.

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

Item No. 7A Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) tractor for the Facilities Department, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED that the contract for the furnishing of one (1) tractor be awarded to Buffalo Tractor and Implement Company, Inc., 3045 Seneca Street, West Seneca, New York 14224 for their bid in the amount of $12,689.00 for one (1) 1986 tractor, said bid being the lowest bid meeting the requirements of the specifications.

*SEE NEXT PAGE FOR LETTER FROM 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
716—686-3447

January 30, 1986

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid for
One (1) Tractor for
the Facilities Department

Gentlemen:

At a public bid opening on January 20, 1986, bids were received and opened for the furnishing of one (1) tractor for use by the Facilities Department. Six (6) bids were received and are as follows:

BIDDERS	BID PRICE
Buffalo Tractor & Implement Company (Alternate)	$10,940.00*
Monroe Tractor (Alternate)	$11,550.00*
Buffalo Tractor & Implement Company	$12,689.00
Mecca-Kendall Corporation	$12,999.00
Yoder Brothers Inc.	$13,015.00
Monroe Tractor	$13,553,00

* Does not meet specifications

These bids were reviewed with James Matecki of the Facilities Department. The two lowest bidders were rejected for not meeting the specifications. It is, therefore, recommended that the bid for one (1) 1986 tractor be awarded to Buffalo Tractor and Implement Company, Inc., 3045 Seneca Street, West Seneca, New York 14224 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

ALLAN B. BLACHOWSKI
Sr. Engineer Assistant

ABB:dms

Item No. 7A 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. 7B Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) ice rink resurfacing machine for the Facilities Department, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED that the contract for the furnishing of one (1) ice rink resurfacing machine be awarded to Frank J. Zamboni & Company, Inc., 15714 Colorado Avenue, Paramount, California 90723 for their bid in the amount of $38,470.00 for one (1) 1986 ice rink resurfacing machine, said bid being the lowest bid meeting the requirements of the specifications.

*SEE NEXT PAGE FOR COPY OF LETTER FROM TOWN ENGINEER CONTAINING ANALYSIS, TABULATION AND REPORT.

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

January 30, 1986

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid for One (1)
Ice Rink Resurfacing Machine
for the Facilities Department

Gentlemen:

At a public bid opening on January 20, 1986, bids were received and opened for the furnishing of one (1) ice rink resurfacing machine for use by the Facilities Department. One (1) bid was received and is as follows:

BIDDER	BID PRICE	TRADE-IN TENANT ICE RINK RESURFACER
Frank J. Zamboni & Company, Inc.	$38,470.00	$100.00

The bid was reviewed with James Matecki of the Facilities Department. It is, therefore, recommended that the bid for one (1) 1986 ice rink resurfacer be awarded to Frank J. Zamboni & Company, Inc., 15714 Colorado Avenue, Paramount, California 90723 for their submission of the lowest bid meeting the requirements of the specifications. It is further recommended that the trade-in bid be rejected for not being in the best interest of the Town.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Sr. Engineer Assistant

ABB:dms

Item No. 7C Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for leasing storage space for highway equipment, which bids were duly received and opened at a public meeting called for that purpose, AND

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

WHEREAS, such analysis, tabulation and report has been made and is hereto attached and made part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract for leasing highway storage space be awarded to Borden Losson Corporation, 852 Borden Road, Cheektowaga, New York 14227, pursuant to the bid specifications and its bid of $3.35 per square foot with 14,000 square feet available, for a total bid price of $46,900.00 per year or $3,908.00 per month, AND, BE IT FURTHER

RESOLVED that time is of the essence, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign any and all documents, on behalf of the Town of Cheektowaga, deemed necessary or desirable in effectuating the hereinbefore authorized lease.

*SEE NEXT TWO (2) PAGES FOR COPY OF LETTER FROM TOWN HIGHWAY SUPERINTENDENT CONTAINING ANALYSIS, TABULATION AND REPORT.

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

February 3, 1986

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Award of Bid - Leasing Storage Space

Gentlemen:

On January 20, 1986 bids were received and opened for leasing storage space for the Highway Department. Three (3) bids were received as follows:

BIDDER	BID AMOUNT
T.K.B. Holding Corporation	$3.00/sq. ft.
Airport Industrial Park	$3.25/sq. ft.
Borden Losson Corporation	$3.35/sq. ft.

The facilities were inspected by the Engineering Department together with Mr. Alfred Wnek, Highway Superintendent.

Listed below are the specification requirements for each item:

	TKB HOLDING CORP		AIRPORT IND PARK		BORDEN LOSSON CORP	
	meets specs	does not meet specs	meets specs	does not meet specs	meets specs	does not meet specs
Site within 4 miles	X		X		X	
Building structurally sound	X		X		X	
Concrete floor	X		X		X	
Heating Rm Temp (60-68)		X		X	X	
1 Exterior Door (14' wide x 12' high)		X (no ext door)		X (only 12')	X	
Interior clearance (20')	X		X		X	
Hot & cold water toilet facilities		X	X		X	
Building security control		X	X		X	

	TKB HOLDING CORP		AIRPORT IND PARK		BORDEN LOSSON CORP	
	meets specs	does not meet specs	meets specs	does not meet specs	meets specs	does not meet specs
Service door/delivery	X		X		X	
Adequate lighting/ work area		X		X	X	
Outside parking 5 vehicles	X		X		X	
Building availability (Immediately)		X		X	X	

The T.K.B. Holding Corporation stated in the specifications dated January 20, 1986 that the building was available for occupancy as of January 1, 1986. It is our recommendation that this bid be rejected for not meeting all the requirements of the specifications as stated above, therefore, T.K.B. Holding Corporation is unable to furnish a building per the Highway Department's minimum requirements.

The Airport Industrial Park has also stated in their specifications dated January 20, 1986 that the building was available for occupancy immediately. It again is our recommendation that this bid be rejected for not meeting all the requirements of the specifications as stated above, therefore, Airport Industrial Park is unable to furnish a building per the Highway Department's minimum requirements.

In conclusion, it is recommended to this Board that the bid be awarded to Borden Losson Corporation, 852 Borden Road, Cheektowaga, New York 14227 for Highway equipment storage of 14,000 square feet @ $3.35 per square foot, this being the only bid that met the minimum requirements of the specifications and is available immediately as time is of the essence.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Allan B. Blachowski
Sr. Engineer Assistant

CLB:ABB:mjh

Item No. 8A Termination of Special Prosecutor to Town Justice Court.
This item was withdrawn.

Item No. 8B Motion by Councilman W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

PARKS DIVISION - #01-007110-1-0-1491-001

	Effective
Gordon Hagmier	2/17/86
John Bratek	2/17/86
Randy Palmisano	2/16/86
Stanley Siejak	2/17/86
John Slisz	2/16/86
Joseph Dolecki	2/15/86
Harry Rogalski	2/15/86
Willard Kratzke	2/15/86

STREET LIGHTING DIVISION - #01-905182-1-0-1492-001

Joseph Stallone	2/16/86

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

Item No. 8C Motion by Councilman Johnson 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:

	Effective
SEWER MAINTENANCE DEPARTMENT	
Ronald Lynch	2/18/86
Robert Latshaw	2/18/86
Rim Wojdan	2/18/86
TAX OFFICE	
Edwina Bobeck	1/17/86
SANITATION DEPARTMENT	
Daniel Ciechanski	2/14/86
Patrick Keefe	2/28/86
Thomas Larkin	2/28/86
John Sczepanik	2/28/86
Kimberly Ring	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. 9A Appointment of Deputy Town Attorney and designation of duties
This item was withdrawn.

Item No. 9B Appointment of Prosecuting Attorney
This item was withdrawn.

Item No. 9C Motion by Councilman J. Rogowski Seconded by Councilman Jaworowicz

WHEREAS, the State Environmental Quality Review Advisory Committee was established by this Town Board to review all developments with respect to their

Item No. 9C Cont'd.

impact on the environment, AND

WHEREAS, there has been a vacancy on this Advisory Committee, which vacancy was created by the death of the Town Health Officer, AND

WHEREAS, there is need to fill the vacancy with someone who is familiar with potential health problems due to possible discharges and spills of chemicals, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby appoints Earl Loder, Cheektowaga, New York 14225, who is the acting Disaster Coordinator, to become a member of the Town Environmental Quality Review Advisory Committee, 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. 9D Motion by Councilman Kowal Seconded by Councilman W. Rogowski

WHEREAS, by resolution dated January 20, 1986, this Town Board created the promotional position of Senior Clerk in the Accounting and Payroll Department, and

WHEREAS, such position was duly posted pursuant to the terms of the collective bargaining agreement between the Town and the Town of Cheektowaga Employees Association, and

WHEREAS, Joanne D. Orr, Clerk-Typist in the Accounting and Payroll Department, was the only applicant from within the Accounting and Payroll Department to apply for such position, and

WHEREAS, Joanne D. Orr appears in the top three positions on the eligible list resulting from the promotional civil service examination for Senior Clerk, NOW, THEREFORE, BE IT

RESOLVED that Joanne D. Orr of Depew, New York be and hereby is appointed to the promotional position of Senior Clerk in the Accounting and Payroll Department, effective February 4, 1986, at a salary in accordance with the collective bargaining agreement between the Town and the Town Employees Association.

Funds for this action are avaliable 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. 10 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 and at the rates listed:

SANITATION DEPARTMENT - $3.10 per hour	Effective
Larry Krajewski	2/3/86
John Kwiatkowski	2/3/86
Gerald Daminski	2/3/86
David Walkowski	2/3/86
Joseph Krzeminski	2/3/86
Leonard Jasinski	2/3/86
Terry Hughes	2/3/86
David Cavanaugh	3/3/86

Item No. 10 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. 11A Authorization to attend conference regarding Federal Revenue Sharing in New York City.
This item was withdrawn.

Item No. 11B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, the New York State Bar Association - Continuing Legal Education is conducting a seminar "Challenging A Search and Seizure" on Friday, February 28, 1986, at the Hyatt Regency in Buffalo, New York, and

WHEREAS, Town Justice Dennis L. Repka is requesting permission from the Town Board to attend said seminar, said registration fee being $75.00, NOW, THEREFORE, BE IT

RESOLVED that Town Justice Dennis L. Repka is hereby authorized to attend the seminar "Challenging A Search and Seizure" in Buffalo, New York on February 28, 1986, and BE IT FURTHER

RESOLVED that the registration fee of $75.00 be paid in connection with said seminar.

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

Item No. 11C Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the New York State Association of Traffic Safety Boards is holding its quarterly meeting in Albany, New York, on February 18 and 19, 1986, AND

WHEREAS, the Cheektowaga Traffic Safety Commission has requested that its Chairman, Mr. Carl Perlino, attend said meeting and be reimbursed for any expenses associated with the meeting, NOW, THEREFORE, BE IT

RESOLVED that Mr. Carl Perlino be and hereby is authorized to attend the quarterly meeting of the New York State Association of Traffic Safety Boards on February 18 and 19, 1986 and shall be reimbursed for all necessary and reasonable expenses not to exceed $200.00

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 Johnson Seconded by Councilman W. Rogowski

WHEREAS, the Town's insurance consultant and this Town Board have reviewed proposals for the provision of Workers Compensation Self-Insurance Claims Administration and Loss Control Services for 1986, and

WHEREAS, this Town Board feels it is in the best interests of the Town to retain Fred S. James & Co. of New York, Inc. as per its attached proposals, NOW, THEREFORE BE IT

RESOLVED that the services of Fred S. James & Co. of New York, Inc. be retained for 1986, as per the attached proposal at flat fees of $18,000.00 for Workers Compensation claims handling and $6,620.00 for Loss Control Services, AND, BE IT FURTHER

Item No. 12 Cont'd.

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all papers necessary to effectuate the provision of Workers Compensation Self-Insurance Claims Administration and Loss Control Services for the Town in 1986 by Fred S. James & Co., of New York, Inc.

*SEE NEXT FIFTEEN (15) PAGES FOR COPY OF PROPOSAL FROM FRED S. JAMES & CO. 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

James

DEC 12 1985

FRED.S.JAMES&CO.OF NEW YORK,INC. 1000 Sibley Tower, Rochester, New York 14604 716 546-4020 Telex 978434

Johnston Paviour Sibley Division

December 11, 1985

Mr. Ernest A. Holfoth, CPCU ARM
4947 Lakeshore Road
Hamburg, New York 14075

RE: Town of Cheektowaga

Dear Ernie:

A review of the claim history for the Town of Cheektowaga reveals that we substantially underestimated the claim activity during past years. I am sure you understand that our expenses are increasing and hope you understand our need to bring our Service Fees to a level that will allow us to continue to provide the high level of service our clients have come to expect. For 1986, we must receive an average rate of $120 per claim if we are to provide that high level of service and also meet our own profit objectives.

The Town of Cheektowaga has reported 133 Workers' Compensation claims for the first 10 months of 1985, and we expect that number to increase to approximately 160 for all of 1985. The flat $10,000 Service Fee produces revenue of only $62.50 per claim incurring a substantial loss to Fred. S. James and Company. While the 1985 fee was agreed to and will, of course, be honored, the 1986 Fee Schedule must be amended to reflect the fees being charged to our other clients.

We believe that the 160 claims expected in 1985 may not reflect a truly average year for the Town and feel that an estimate of 150 claims is more appropriate for 1986. Accordingly, we are requesting a deposit fee of $18,000 (150 claims @ $120 per claim) payable in equal quarterly installments of $4,500 each. Upon expiration of the Agreement, the fee can be adjusted based on the actual number of claims subject to a minimum fee of $14,000 and a maximum fee of $22,000. A flat fee of $18,000 would be acceptable to us.

With regard to Loss Control, Dan Powers recommends that the following programs be instituted or continued:

Back Injury Prevention and Control (Police Department)
Work Site Hazard Surveys
Supervisor Safety Skill Program
Traffic Control Program
Hazard Communication Compliance

Dan estimates that approximately 90 hours of consulting time will be required to complete the above work during 1986 at a cost of $6,120, based on a rate of $68 per hour. Travel and training material expenses are estimated at $500, bringing the total Loss Control cost to $6,620.

James

PROPOSAL TO PROVIDE SERVICES TO

THE TOWN OF CHEEKTOWAGA *

The following constitutes a proposal to provide services to The Town of Cheektowaga in the operations of a self-insured Workers' Compensation program in the State of New York.

OBJECTIVE

The primary objective of the proposed contract is to make available the assistance of technically qualified and experienced personnel and all resources necessary to the operation of a self-insured Workers' Compensation program which will meet all the requirements of the State Law applicable to a self-insured employer and maximize savings consistent with full and efficient provision of benefits to injured employees.

SERVICES

In order to meet the above stated objectives, services in the following areas will be provided :

Program Development and Review

Litigation and Subrogation

Claims Administration

Medical Control

Rehabilitation and Employee Services

Safety and Loss Control

Reporting Systems Control

* FROM DECEMBER 1982 PROPOSAL

FSJ—1036

James

The specific activities to be performed are as follows :

PROGRAM DEVELOPMENT AND REVIEW

1. Workers' Compensation program should be designed as a total system, including all those program elements necessary to achieve the objectives of monetary savings and full benefits to employees. The elements include medical control, employee services, rehabilitation and systems control as well as claims administration. We will review your organization's concept of its total Workers' Compensation "system", assist in system definition and suggest procedures and techniques for carrying on the required activities within a proper framework.

2. Self-insurance offers excellent opportunities for greater control in reducing costs of work-related injuries and improved employee relations through prompt provision of required benefits and sensitive handling of injured employees' problems. These goals can only be achieved if departmental management understands the program, how it operates, and its objectives. The key level is the first line supervisor who reports the injury, normally refers the employee for medical treatment, and generally is the employee's most direct contact with the company. It is equally important that payroll clerks and others who will be involved in the process understand the system in general, and their role in particular. Our firm will participate in the orientation of all your personnel involved directly or indirectly in the processing of industrial injury cases; or provide advice and assistance in the structure of meetings and training sessions with department heads, supervisors, payroll clerks, employee groups, etc.; and will provide examples of training aids, hand out material and instruction manuals.

3. Procedures and practices must be coordinated to ensure their compatibility with your general policies as well as State laws and regulations. It is, therefore, desirable that a procedures manual be made available to all units, in which procedures will be outlined, defined, and related to the forms utilized. We will consult with your key personnel on the review of procedures, practices and coordination and, if requested, assist in the preparation of this procedures manual in areas where we feel it would be of benefit to you.

4. The operation of a Workers' Compensation program requires a myriad of forms. We will provide all forms necessary for the reporting of industrial injuries, doctor's reports and invoices, claims administration, coordination of benefits, and fiscal reports to you. We will assist in the development and design of forms required by you for the internal processing of Workers' Compensation cases.

5. No program is static. Efficiency of operation and consistency with policies and objectives require constant monitoring and review. A representative of our firm will meet with your appropriate personnel as frequently as necessary to review the program progress and identify and resolve any problem areas. He will always be on call to respond to emergency needs.

James

PROGRAM DEVELOPMENT AND REVIEW - Con't.

6. There are continuing changes in State Law, rules and regulations of your State and the decisions of its administrative agency which directly affect your Workers' Compensation program. We will alert you to the potential changes affecting your responsibility as a self-insured employer and will provide information on such changes when they take place.

7. Every large self-insured employer must consider the future possibility of self-administration. We recognize that the question of self-administration is a matter of interest to our clients. We will periodically review with you the possibility of whole or partial self-administration, should self-administration become a desirable program. Indeed, our total system concept permits you to assume increasing responsibility for your own program on an incremental basis.

James

LITIGATION AND SUBROGATION

1. We retain an attorney specializing in Workers' Compensation claims who will be available for the defense of litigated claims. Controverted cases can be appealed as far as the Appellate Court, if necessary, without incurring additional costs for outside counsel.

2. We will monitor all cases for potential subrogation recoveries, prepare correspondence to effect collection and utilize legal counsel where litigation is required to effect recovery.

3. We will keep you currently informed as to the status of litigated cases.

James

CLAIMS ADMINISTRATION

1. Review and process all industrial injury cases in accordance with the requirements of the New York State Workers' Compensation Board for reporting and notification.

2. Determine compensability of injuries and illnesses in accordance with the State Workers' Compensation law.

3. Determine eligibility for and authorize payment of medical benefits. Authorize examination to determine the nature and extent of disability.

4. Determine eligibility for and authorize payment of temporary disability compensation and coordination with medical advice and rehabilitation efforts.

5. Determine the extent and degree of permanent disability utilizing as necessary and desirable, any medical sources or advisory bodies available.

6. Authorize permanent disability compensation and death benefits in accordance with advisory ratings, orders of the Workers' Compensation Board, or settlement agreement.

7. Maintain on each case current estimates of the cost of all anticipated benefits.

8. Investigate, as necessary and appropriate, questionable cases and status of disabled employees in order to assist in the adjustment and litigation of cases.

9. Develop an appropriate payment system to meet your fiscal policies and procedures as well as State requirements. Our firm can either issue checks for benefit payments drawn on a trust account established for that purpose, or provide adequate documentation and "audit trial" for payment of benefits by you.

James

MEDICAL CONTROL

It is desirable to exercise medical control to ensure a high quality of medical treatment for injured employees, prompt and complete medical reports necessary for the determination of compensability and the provision of benefits, and the regulation of medical cost. In addition, a program of medical control should include preventive measures designed to reduce injuries by ensuring that employees are physically capable of performing their jobs. Our firm offers a complete program designed to enable you to exercise medical control, including activities which:

1. Maintain a current roster of medical specialists for the treatment of employees with industrial injury requiring long-term or specialty care;

2. Monitor treatment programs for all injured or ill employees, including review of all medical reports;

3. Maintain close liaison with treating physicians;

4. Assist in establishing standards for the evaluation of physical capacity of injured employees to return to work, and provide guidance for the application of standards to individual cases;

5. Assist in the development of medical standards and health requirements for all jobs, and incorporate such standards in a program of pre-employment, pre-placement and periodic physical examination.

James

REHABILITATION AND EMPLOYEE SERVICES

Unnecessary litigation can be significantly reduced by providing information and guidance to injured employees and their departments regarding their rights and benefits, and limitations of the Workers' Compensation system. The examples in both private business and public agencies dramatically demonstrate what can be done by the employer through a program of "employee services". We will assist you in the development of such a program through the following activities which:

1. Provide consultation and recommendations regarding the development of policies and procedures for employees' service activities;

2. Assist in the provision of information and guidance to employees (we can do it directly, but strongly recommend that you develop your own program in collaboration with claims administration);

3. Identify and assist in solving employee problems arising out of industrial injuries;

4. Work with the injured employees, your personnel staff and other agencies to provide, whenever possible, rehabilitation, retraining or reassignment of employees with physical or performance limitations arising out of industrial injuries;

5. At your direction, consult with employee groups on problem cases;

6. Assist in the development of policies and procedures to ensure that return to work or reassignment of injured employees is consistent with the findings of your State Administrative agency.

James

REPORTING SYSTEMS CONTROL

Effective data processing is the key to management control of Workers' Compensation costs. Our firm utilizes computer programing to capture data generated in normal claims operations, and utilizes this data to provide a variety of periodic reports.

These reports provide management with continuing information on cash flow, incurred costs, progress of individual claims, and effectiveness of cost control programs. Our clients have the advantage of constant computer monitoring of the effect of claims adjustment on incurred costs. Our computer programs provide you with the following reports:

Monthly Claims Reports - A monthly listing of all claims for the current fiscal year plus all other open claims, showing on each claim the actual amounts paid this month, and to-date, plus estimated future costs. Costs can be totaled by unit to assist in determining unit experience and cost.

Quarterly Safety Report - A quarterly total by unit of reported industrial injuries showing the number of injuries, medical and compensation paid, and expected dollar loss by part of body, nature, and type of injury.

Our service includes all data processing, e.g., keypunching, tabulating and computer operation necessary to produce these reports for you.

In addition, our data base can be utilized with additional program development to provide on request saftey reports, a detailed listing of industrial injuries for special analysis of causes of high accident rates or abnormally high Workers' Compensation costs in particular departments or facilities, or an annual reevaluation report. In addition to the above reports, our firm could provide the following systems control activities:

1. Prepare and submit a comprehensive annual statistical summary survey and narrative report to serve as the basis for evaluation of your self-insurance program;

2. Provide periodic projections of cash flow, annual incurred costs, and budget requirements;

3. Establish procedures and necessary documentation to enable us to write checks for payment of benefits;

4. Prepare any reports on your claims and expenditures as may be required by The Workers' Compensation Board.

James

LOSS CONTROL PROPOSAL

TABLE OF CONTENTS

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2.0	Service Action Plan
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4.0	Consulting References
5.0	Proposal Costs

James

1.0 INTRODUCTION

James Technical Services proposes to assist the Town of Cheektowaga to reduce and eliminate the adverse impact of employee injuries and illnesses in both human and financial terms.

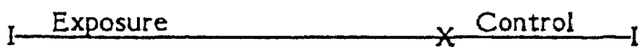
Our preliminary data evaluation conducted in preparation of this document indicates that a substantial adverse trend has developed in Workers' Compensation claims cost from 1981 to 1982. The principle cause for the increase is the back injury syndrome in the Sanitation, Highway and Police Departments.

James Service goal is to abate this trend in a cost effective manner through a team approach with the Town of Cheektowaga.

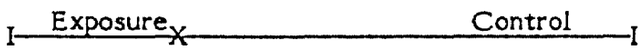
James

2.0 SERVICE ACTION PLAN

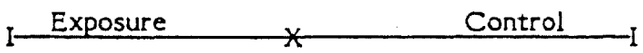
The most cost effective use of loss control service resources is to direct efforts at the back injury syndrome. Effective abatement systems have been developed in recent years for this previously thought uncontrollable problem. A key element in this regard is for the safety management consultant to determine the correct "exposure/control relationship". Excessive loss exposure or excessive control practices are undesirable. This relationship can be displayed as follows:



(Bad)



(Bad)



(Good)

An initial "exposure/control" evaluation should be completed early in the service process.

We believe this approach contrasts with ineffective service resource use such as generalized inspection activities, and restating well known problem areas to the client in reports of field visits.

James Technical Services proposes three programs for implementation in 1983 to supplement the existing Town of Cheektowaga safety program.

James

3.3 Supervisory Safety Training Course

A critical element in the success of any safety program is supervisory involvement. Involvement occurs more often when there is an understanding of fundamental accident prevention methodology by line managers. This 8 hour James training course covers the following topics:

Hour

1. Accident Causation, costs, regulatory requirements
2. Safety management responsibility, accountability
3. Hazard Identification
4. Safe behavior modification, safe behavior modeling
5. Personal Protective Equipment
6. Job Analysis
7. Job Training
8. Accident Investigation

The above topics are considered fundamental safety skills for line managers and supervisors.

James

3.0 HAZARD ABATEMENT SYSTEMS DESCRIPTIONS

Based on our initial data review we feel the following safety management systems should be utilized to respond to the Town of Cheektowaga claims experience.

3.1 Back Injury Prevention System

This is a 12 month James program which when implemented has reduced back injury incidents by 30 - 80%. The program's approach is to initiate involvement in the problem of both management and employees by means of education/motivation training modules and performance measurement. Topics include back injury awareness (supervisors, employees), back anatomy, back injury causation, biomechanics, orthotherapy, back injury investigation, task redesign.

3.2 Accident Repeater Program

Frequently a disproportionate number of accidents are experienced by a relatively small number of employees. These individuals are designated as accident repeaters. Studies indicate that "accident repeaters" are a dominant factor in back injury scenarios. The James accident repeater system is usually implemented simultaneously with the Back program. Its components are as follows:

- 3.21 Accident Repeater Identification
- 3.22 Accident Repeater Focusing
- 3.23 Problem Resolution
- 3.24 Safe Behavior Reinforcement
- 3.25 System Feedback Audit

James

4.0 CONSULTING REFERENCES

4.1 Mr. Ted Cwudzinski
Safety Manager
S. M. Flickinger Company
Buffalo, New York
(716) 668-7200

4.2 Mr. George Meyer
Corporate Safety Manager
R.T. French Company
Rochester, New York
(716) 482-8000

4.3 Mr. Richard J. Ryan
Manager Risk/Safety
Monroe County Water Authority
Rochester, New York
(716) 442-2000

James

CLAIM SERVICE - NEW YORK STATE
PERSONNEL

FRANK GRIFFIN
Vice President, Risk Management Group. Over 16 years experience in insurance and Risk Management and operation of Self-Insurance programs. Will work closely with Risk Manager and Financial Officer and other personnel to insure the high level of service required by your account.

*THOMAS C. WEILERT
Vice President, Self-Insurance Services. Over 25 years claims experience in Workers' Compensation claims. Tom is a Licensed Hearing Representative and attends Hearings in New York State and may appear before the Compensation Board on appeal matters. Tom will be personally responsible for the administration of your Self Insurance program in New York State, will set and revise reserves and will complete necessary forms pertaining to claims with the Self-Insurance Department of the Compensation Board.

*EARL F. BREESE, JR.
Senior Claims Administrator. Over 14 years experience in the administration and investigation of Workers' Compensation and Disability Benefits claims. Prior to his insurance experience, he completed a career assignment as a special agent, U. S. Army Intelligence, directing security investigative activities at various military installations. Earl holds a Hearing Representative License, also.

*JOYCE M. LASCH-RIZZO
Senior Claims Analyst. Joyce has 8 years experience in our Self-Insurance Department. She is responsible for EDP input and audit and is responsible for file control, claim payment schedules, auditing of medical bills and supervision of the clerical staff. Joyce has a Hearing Representative License and attends Hearings. All computer input and any financial auditing for your account will be Joyce's direct responsibility.

*JAMES P. MURPHY
Claim Administrator. Jim has over 10 years claims experience and will do the bulk of the investigations for your account. Jim holds a Hearing Representative License and will attend most Hearings involving your employees and will be the one who will be in direct contact with the Town, its supervisory personnel, and employees.

JOSEPH MCSHEA
Claim Administrator. Over 25 years of investigative experience in the fields of Workers' Compensation, Disability Benefits, Group Life and Health and Casualty/Property claims. Is licensed as an Independent Adjuster and has attended Workers' Compensation Hearings.

*ROBERT BATTAGLIA
Claim Administrator. Over 4 years of claim investigations including Workers' Compensation, Disability Benefits, Life Health and Property Casualty. Bob holds an Independent Adjusters License and is licensed by the Workers' Compensation Board to represent Self Insured Employers in Board related matters.

James

JOAN RAZZANTE
Claim Analyst. Over 23 years experience in the field of Workers' Compensation and Disability Benefits. Joan will be responsible for setting up files, issuing payments, and auditing and controlling medical payments for your account.

RICHARD S. LoMONACO, ATTORNEY This attorney is on retainer and handles Hearings, and writes appeals when needed. Dick has over 23 years of specialization in the field of Workers' Compensation and is a statewide respected authority in these matters. Dick would handle any of your cases where an appeal to the Courts was indicated and then he would complete the legal aspects of such a claim.

*Licensed in New York State to represent self-insured employers before the Workers' Compensation Board.

Item No. 13 Motion by Supervisor Weber Seconded by Councilman J. Rogowski

WHEREAS, the Niagara Frontier Transportation Authority ("NFTA") is the owner and operator of the Greater Buffalo International Airport ("Airport"), which is located in the Town of Cheektowaga, and

WHEREAS, Section 1299-o of the Public Authorities Law of the State of New York exempts the NFTA from paying taxes and assessments (excluding special benefit assessments) on the Airport property, and

WHEREAS, the Airport comprises approximately 585 acres of tax exempt property in the Town, and

WHEREAS, the impact of the Airport's tax exemption on taxpayers in the Town of Cheektowaga is substantial and results in an increase in their property taxes, and

WHEREAS, it is neither fair nor equitable that local residents should suffer particular financial hardship with respect to the operations of the NFTA, and

WHEREAS, this Board is desirous of having the NFTA pay its fair share of property taxes in the Town, as do all other residents and businesses in the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Legislature to repeal that portion of Section 1299-o of the Public Authorities Law which exempts the NFTA from paying property taxes and assessments, thereby requiring the NFTA to pay its fair share of all taxes and assessments on property it owns, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Senator Dale M. Volker, Assemblyman Dennis T. Gorski, the Secretary for the State Senate and the Clerk of the State Assembly.

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 J. Rogowski Seconded by Supervisor Weber

WHEREAS, the Town has received an application from the Buffalo Airport Center Associates, a limited partnership with Buffalo Airport Center, Inc., a wholly owned subsidiary of Snyder Corporation, as the general partner, seeking financial assistance in the amount of $2,000,000 for the purpose of acquiring an interest in and/or rehabilitating a parcel of real property located in the Town at 4454 Genesee Street, commonly known as the Westinghouse Facility, for use as an industrial-commercial center, AND

WHEREAS, the partnership has previously acquired an interest as the primary lessee in the property through the Erie County Industrial Development Agency (E.C.I.D.A.) which financed the acquisition of the property by means of an Industrial Revenue Bond issued under its auspices, and which now holds record title to the property, AND

WHEREAS, the United States Department of Housing and Urban Development (H.U.D.) has committed to the Town the sum of $2,000,000. as a loan to be guaranteed by the Town's future Community Development Block Grant entitlement under the H.U.D. Section 108 Loan Guarantee Program, for use in the acquisition of an interest in and/or rehabilitation of the Westinghouse Facility upon the Town's compliance with the special conditions set forth in a letter to the Town from H.U.D. dated September 27, 1985, a copy of which is attached, AND

WHEREAS, the Town Board has reviewed the partnership's request for financial assistance and it is of the judgement that said project will foster economic growth and development, job retention, job development, and will protect and ultimately enhance the tax base of the Town, to the benefit of the Town and its inhabitants, and that providing the requested financial assistance is neceessary to

Item No. 14 Cont'd.
effectuate the proposed redevelopment of the Westinghouse Facility, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to execute on the Town's behalf the Funding Approval and Grant Agreement and Loan Guarantee Acceptance Provisions with the Department of Housing and Urban Development and any additional supporting documents as necessary to obtain said Section 108 Loan Guarantee Funds in the amount of $2,000,000, AND BE IT

FURTHER RESOLVED that the Town's Director of Community Development be and hereby is authorized to submit to H.U.D. on behalf of the Town all documentation necessary to permit the release of said Section 108 Loan Guarantee Funds and to permit the Town to bring such loan to closing with H.U.D.

* *

Motion by Councilman Johnson Seconded by Councilman Gabryszak to table the above resolution and the vote was as follows:

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 Jaworowicz Seconded by Councilman Kowal

WHEREAS, the Western New York Chapter of the March of Dimes Birth Defects Foundation is sponsoring a thirty-three kilometer walk-a-thon which benefits the March of Dimes work in seeking both the causes of and cures of birth defects, AND

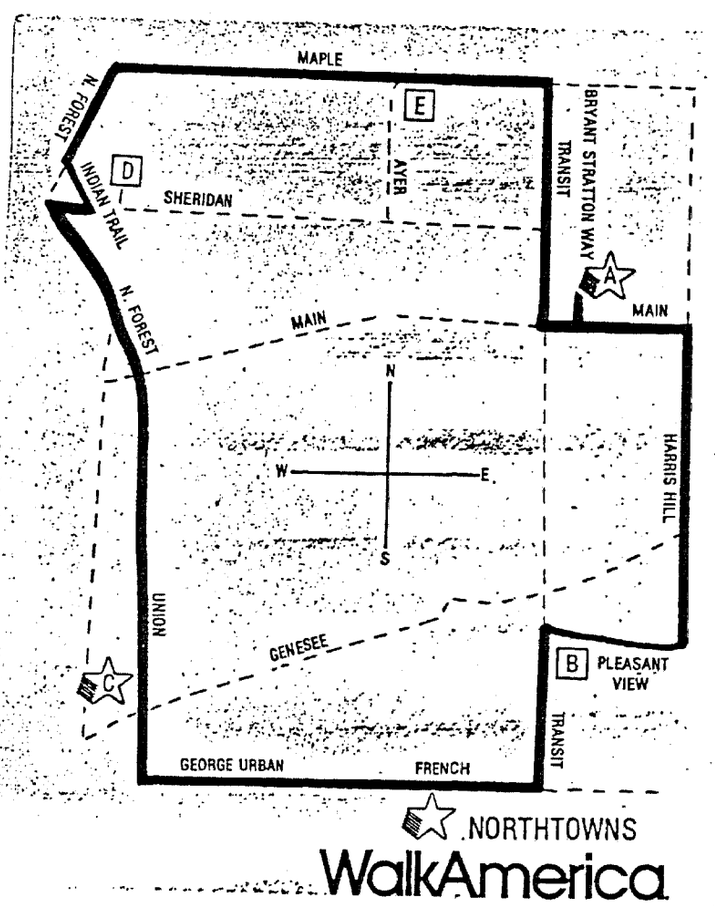
WHEREAS, the said walk-a-thon is scheduled for Sunday, April 27, 1986 from 8:00 A.M. until approximately 5:00 P.M. and will involve the use of certain designated highways within various municipalities, including the Town of Cheektowaga as is shown on the sketch attached hereto.

NOW, THEREFORE, BE IT RESOLVED that this Town Board hereby formally authorizes the use of those highways noted on the attached sketch which are within the boundaries of the Town of Cheektowaga by the Western New York Chapter of the March of Dimes Birth Defects Foundation on Sunday April 27, 1986 for its scheduled walk-a-thon, AND

BE IT FURTHER RESOLVED that the Chief of Police insure compliance with Section 1600 (a)(6) of the Vehicle and Traffic Law; and he is further authorized to make arrangements for any and all traffic safety and/or escort services.

*SEE NEXT PAGE FOR COPY OF SKETCH OF TOWN HIGHWAYS TO BE USED.

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


MAPLE
N. FOREST
E
AYER
BRYANT STRATTON WAY
TRANSIT
D
INDIAN TRAIL
SHERIDAN
A
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N. FOREST
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HARRIS HILL
UNION
GENESEE
B
PLEASANT VIEW
C
TRANSIT
GEORGE URBAN
FRENCH
NORTHTOWNS
WalkAmerica

Item No. 16 Motion by Councilman Johnson Seconded by Councilman W. Rogowski

WHEREAS, the Greater Niagara Frontier Council, Inc., Pioneer District, Boy Scouts of America, has requested permission to utilize Stiglmeier Park in the Town of Cheektowaga to conduct an Advancement Camp-O-Ree on May 16, 17 and 18, 1986, AND

WHEREAS, the intent and purpose of said Camp-O-Ree is to allow Scouts to camp overnight with adult supervision and to establish and improve the patrol method of camping, which will be open to the public on Saturday, May 17th and Sunday, May 18th, 1986, AND

WHEREAS, the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Pioneer District, encompasses the Town of Cheektowaga, Village of Sloan and Village of Depew and City of Buffalo, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grants to the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Pioneer District, exclusive use of Stiglmeier Park, located on Losson Road, Cheektowaga, New York, on May 16, 17 and 18, 1986 for the purpose of conducting said "Advancement Camp-O-Ree.

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 Johnson Seconded by Councilman W. Rogowski

WHEREAS, through prior resolution, permission has been granted by the Cheektowaga Town Board for the exclusive use of Stiglmeier Park by the Pioneer District, Boy Scouts of America on May 16, 17 and 18, 1986, AND

WHEREAS, the Code of the Town of Cheektowaga, Article 48-12, Park Closing Hours (amended 7/1/68; 6/21/76) states, "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 so closed, AND

WHEREAS, the Pioneer District has received assurances from the Cheektowaga Police Department and the Erie County Sheriff's Department to provide security in addition to adult Scouting Volunteers, AND

WHEREAS, only duly authorized Boy Scouts of America, their Troop Leaders and adult Scouting Volunteers shall be allowed to occupy the grounds of Stiglmeier Park during closing hours, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby waives Article 48-12 of the Code of the Town of Cheektowaga at Stiglmeier Park on May 16, 17 and 18, 1986, AND, BE IT FURTHER

RESOLVED that said waiver be extended to the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Pioneer District, AND, BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Chief of Police and Town Attorney, 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. 18 Motion by Councilman J. Rogowski Seconded by Councilman Kowal

WHEREAS, Change Order #1 on the Cheektowaga Sewer Maintenance Garage & Vehicle Storage Facility has been submitted with recommendation for approval by the consulting firm of Donald T. Maharan Associates and the Town Engineer, AND

Item No. 18 Cont'd.

WHEREAS, the scope of work and adjustment is outlined in Change Order #1 and described in the letter from the Town Engineer dated January 27, 1986 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order #1 on the Cheektowaga Sewer Maintenance Garage & Vehicle Storage Facility in the sum of $77.90 as an increase to the contract of Expressway Electric, Inc., 2328 George Urban Blvd., Depew, New York 14043, be approved, AND, BE IT FURTHER

RESOLVED that the Supervisor is hereby directed and authorized to sign said Change Order on behalf of the Town of Cheektowaga.

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER.

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

January 27, 1986

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 1
Sewer Maintenance Garage
& Vehicle Storage Facility
- Electrical

Gentlemen:

We are submitting for Town Board review and approval Change Order No. 1 in the sum of $77.90 as an increase to the contract of Expressway Electric, Inc. for the Sewer Maintenance Garage & Vehicle Storage Facility. This change order reflects an addition of two (2) switches for storage room lights per the architect's request.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Senior Engineer Assistant

ABB:mjh

Item No. 19 Motion by Supervisor Weber Seconded by Councilman Kowal

BE IT RESOLVED that the following fund transfers for the 1986 budget are hereby approved and made a part hereof.

GENERAL FUND

From:	1220.1374 (Clerk-Typist)	$18,000.00
To:	1220.1351 (Senior Clerk)	$18,000.00

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. 20 Motion by Supervisor Weber Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 3rd, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$ 214,600.83
SPECIAL DISTRICTS FUND	1,497,907.69
HIGHWAY FUND	68,640.55
TRUST AND AGENCY FUND	99,930.84
PART TOWN FUND	6,267.54
COMMUNITY DEVELOPMENT FUND	49,469.79
DEBT SERVICE FUND	53,033.50
SPECIAL ASSESSMENTS FUND	3,239.75
	$ 1,993,090.49

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

II. FROM THE TABLE

Item No. 21 Termination of Prosecuting Attorney to Town Justice Court.
This item was withdrawn.

Item No. 22 Authorize Supervisor to execute agreement for provision of services of Prosecuting Attorney to Town Justice Court.
This item was withdrawn.

Item No. 23 Re-appointment of Prosecuting Attorney to Town Justice Court.
This item was withdrawn.

Item No. 24 Appointment of Deputy Town Attorney.
This item was withdrawn.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 25 Building Permits.
Received and filed.

Item No. 26 Julia Boyer Reinstein, Town Historian: Annual Report for 1985.
Received and filed.

Item No. 27 Cheektowaga Traffic Safety Commission: Minutes of meeting of January, 1986.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 28 State of New York: Office of State Comptroller: Report of Examination of the Federal Revenue Sharing for Town of Cheektowaga. Copies of this report were sent to: Daniel E. Weber, Supervisor; William Wielinski, Supervising Accountant; Jim Kirisits, Town Attorney; and Karen McAuley, Council Secretary.
Received and filed.

Item No. 29 New York State Department of Transportation: Notices of Order regarding installation of traffic signal on Walden Avenue at intersection with major drive to Jim's Truck Stop.
A copy of this notice was sent to: Chester Bryan, Town Engineer.
Received and filed.

Item No. 30 New York State Department of Transportation: Designation of Restricted Highway: Portion of Genesee Street from intersection of Kensington Expressway east to Rein Road.
A copy of this notice was sent to: Chester Bryan, Town Engineer.
Received and filed.

Item No. 31A Notice of Claim: Zbigniew Wolowski vs. Town of Cheektowaga. Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent; and Joseph Naples & Associates, Town's Insurance Carrier.
Received and filed.

Item No. 31B Notice of Claim: Maryanne E. Grabner vs. Town of Cheektowaga. Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent; and Joseph Naples & Associates, Town's Insurance Carrier.
Received and filed.

Item No. 31C Notice of Claim: Cheektowaga Community Chorus vs Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Michael Miecznikowski, Recreation Director James Matecki, Facilities Department, and Joseph Naples & Associates, Town's Insurance Carrier.
Received and filed.

Item No. 31D Notice of Claim: Carol Finch vs. Town of Cheektowaga. Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent, and Joseph Naples and Associates, Town's Insurance Carrier.
Received and filed.

* *

Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski to suspend the rules to include the following two items, and the vote was as follows:

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. 32 Appointment of Clerk-Typist in Justice Court.

Motion by Councilman Kowal Seconded by Supervisor Weber

WHEREAS, Carol Ann Kilijanski, Clerk-Typist in the Town Justice Court, has notified the Town that she will be retiring from such position, and

WHEREAS, the position of Clerk-Typist in the Justice Court was duly posted in accordance with the collective bargaining agreement between the Town and the Town of Cheektowaga Employees' Association, and

WHEREAS, no Town employee bid on such job opening, and

WHEREAS, Barbara Lee T. Boehringer currently works for the County of Erie as a Clerk-Typist in the competitive civil service class and has expressed her desire to accept the aforementioned Clerk-Typist position, and

WHEREAS, Barbara Lee T. Boehringer has had experience working in the Cheektowaga Justice Court as a Temporary Clerk-Typist, and

WHEREAS, the Commissioner of the Erie County Department of Personnel has notified the Town that he will approve the transfer of Barbara Lee T. Boehringer from the County of Erie to the Town of Cheektowaga under Rule XVI of the Rules for the Classified Civil Service of the County of Erie, NOW, THEREFORE, BE IT

RESOLVED that Barbara Lee T. Boehringer of Depew, New York be and hereby is appointed to the position of Clerk-Typist in the Town Justice Court, effective February 17, 1986, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute the necessary PO-5 transfer form and the PO-1M personnel change form and forward same to the Erie County Department of Personnel.

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 Decision on rezoning: Maryvale East Elementary School (Moorman Drive).

Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, the Cheektowaga-Maryvale Union Free School District has petitioned for the rezoning from R-Residential District to Senior Citizen Housing District of property owned by it and located on Moorman Drive (Maryvale East Elementary School), 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 16th day of December, 1985 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, 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 Cheektowaga-Maryvale Union Free School District for the rezoning from R-Residential

Item No. 33 Cont'd.
District to Senior Citizen Housing District of the property specified in the attached legal description be and the same is hereby granted, and, BE IT FURTHER

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

* *

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot Number five (5), Township Number Eleven (11) and Range Number Seven (7) according to the Holland Land Company's Survey, and bounded and described as follows:

BEGINNING at the southeasterly corner of that parcel of land described in deed from Mary Burkhardt, et al to New York, West Shore and Buffalo Railway Company, dated April 12, 1883, recorded in the Office of the Clerk of said County of Erie in Liber 447 of Deeds at page 194; and running

THENCE westerly, along the southerly line of that parcel of land described in deed dated and recorded as aforesaid, and the westerly prolongation thereof, two hundred sixty-three and ninety-one hundredths (263.91) feet to a point distant southeasterly eighty (80) feet as measured at right angles from the center line of the altered and changed route of the New York, West Shore and Buffalo Railway as shown on the map and profile thereof filed in the Office of the Clerk of said County of Erie on the fourth (4th) day of February 1882;

THENCE northeasterly, parallel with said center line, two hundred ninety and twenty-one hundredths (290.21) feet to the easterly line of said parcel of land described in deed dated and recorded as aforesaid;

THENCE southerly, along the easterly line of that parcel of land described in deed dated and recorded as aforesaid, one hundred twenty-six and forty-three hundredths (126.43) feet to the point and place of beginning;

CONTAINING thirty-eight hundredths (0.38) acres of land, more or less, AND

ALL THAT TRACT OF PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number Four (4), Township Number Eleven (11) and Range Number Seven (7) of the Holland Land Company's Survey and more particularly described as Subdivision Lots Numbers 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, and 130 as shown on a Map filed in the Office of the Clerk of the County of Erie under Map Cover No. 976.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number Four (4), Township Number Eleven (11) and Range Number Seven (7) of the Holland Land Company's as shown on Map as filed in Erie County Clerk's Office under Map Cover 976 and being part of subdivision Lot No. 131 and more particularly described as follows: BEGINNING at a point on the north line of East Sienkiewicz Ave. at the southeast corner of Sublot Number 130 as shown on Cover Map 976; proceeding thence easterly and along the northerly line of East Sienkiewicz Ave. a distance of 28.83 feet; proceeding thence northerly and parallel with the westerly line of Bay Lane as filed under Map Cover No. 2169 in the Erie County Clerk's Office a distance of 312.64 feet; proceeding thence westerly

Item No. 33 Cont'd.

and along the northerly line of great Lot No. 4, Township No. 11 and Range 7 of the Holland Land Company's Survey a distance of 31.87 feet to the northeast corner of Sublot No. 130; proceeding thence southerly and along the easterly line of said Sublot 130 to the point or place of beginning.

All the aforementioned premises cover a measured distance of 6.94 acres, AND

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number Five (5), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of said Lot Number Five (5) distant 1417.58 feet westerly from the southeasterly corner of said lot number Five (5) as measured along said southerly line, said point of beginning being the southwesterly corner of lands conveyed to George Gantbittel, Jr. by deed recorded in Erie County Clerk's Office in Liber 275 of Deeds at Page 500 and being also the southeasterly corner of lands conveyed to Edward C. Drabek and Robert G. Reis by deed recorded in Erie County Clerk's Office in Liber 6455 of Deeds at Page 199; running thence northerly along the easterly line of said lands so conveyed to Edward C. Drabek and Robert G. Reis to the southeasterly line of lands heretofore conveyed to Buffalo, Corning & New York Railroad Co. The New York, West Shore & Buffalo Railroad Company and New York Central Railroad Company, now known as the West Shore Railroad; Thence southwesterly along the said southeasterly line of lands of the West Shore Railroad to the westerly line of lands conveyed to Edward C. Drabek and Robert G. Reis by aforesaid deed recorded in Liber 6455 of Deeds at Page 199; thence southerly along said westerly line of lands so conveyed to Edward C. Drabek and Robert G. Reis to the southerly line of said Lot Number five (5); thence easterly along said southerly line of Lot number Five (5), 315.90 feet to the point or place of Beginning.

AND

BEGINNING at a point in the northerly line of East Sienkiewicz Avenue as the same is shown on map filed in Erie County Clerk's Office under Cover No. 976 distant 106.79 feet westerly from its intersection with the westerly line of Bay Lane as the same is shown on map filed in said Clerk's Office under Cover No. 2169, said point of beginning being marked by a concrete monument; thence northerly at an angle in the northeasterly quadrant of 91°28'40" with said northerly line of East Sienkiewicz Avenue 650.99 feet more or less to a point marked by a concrete monument in the southeasterly line of lands heretofore conveyed to Buffalo, Corning and New York Railroad Co., the New York, West Shore and Buffalo Railroad Company and New York Central Railroad Company, now known as the West Shore Railroad.

* *

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

*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

Linda M. Goss, 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 Feb. 6, 1986; last publication Feb. 6, 1986; and that no more than six days intervened between publications.

Linda M. Goss

Sworn to before me this 7th day of February, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 3rd day of February, 1986 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, the Cheektowaga-Maryvale Union Free School District has petitioned for the rezoning from R-Residential District to Senior Citizen Housing District of property owned by it and located on Moorman Drive (Maryvale East Elementary School), 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 16th day of December, 1985 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, 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 Cheektowaga-Maryvale Union Free School District for the rezoning from R-Residential District to Senior Citizen Housing District of the property specified in the attached legal description be and the same is hereby granted, and, BE IT FURTHER

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

Schedule "A"

ALL that certain piece or parcel of land situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot Number five (5), Township Number Eleven (11) and Range Number Seven (7) according to the Holland Land Company's Survey, and bounded and described as follows:

BEGINNING at the southeasterly corner of that parcel of land described in deed from Mary Burkhardt, et al to New York, West Shore and Buffalo Railway Company, dated April 12, 1883, recorded in the Office of the Clerk of said County of Erie in Liber 447 of Deeds at Page 194; and running

Thence westerly, along the southerly line of that parcel of land described in deed dated and recorded as aforesaid, and the westerly prolongation thereof, two hundred sixty-three and ninety-one hundredths (263.91) feet to a point distant southeasterly eighty (80) feet as measured at right angles from the center line of the altered and changed route of the New York, West Shore and Buffalo Railway as shown on the map and profile thereof filed in the Office of the Clerk of said County of Erie on the fourth (4th) day of February 1882;

Thence northeasterly, parallel with said center line, two hundred ninety and twenty-one hundredths (290.21) feet to the easterly line of said parcel of land described in deed dated and recorded as aforesaid;

Thence southerly, along the easterly line of that parcel of land described in deed dated and recorded as aforesaid, one hundred twenty-six and forty-three hundredths (126.43) feet to the point and place of beginning;

CONTAINING thirty-eight hundredths (0.38) acres of land, more or less.

AND

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number Four (4), Township Number eleven (11) and Range Number Seven (7) of the Holland Land Company's Survey and more particularly described as Subdivision Lots Numbers 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, and 130 as shown on a Map filed in the Office of the Clerk of the County of Erie under Map Cover No. 976.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowga, County of Erie and State of New York, being part of Lot Number Four (4), Township Number Eleven (11) and Range Number Seven (7) of the Holland Land Company's as shown on Map as filed in Erie County Clerk's Office under Map Cover 976 and being part of subdivision Lot No. 131 and more particularly described as follows: BEGINNING at a point on the north line of East Sienkiewicz Ave. at the southeast corner of Sublot Number 130 as shown on Cover Map 976; proceeding thence easterly and along the northerly line of East Sienkiewicz Ave. a distance of 28.83 feet; proceeding thence northerly and parallel with the westerly line of Bay Lane as filed under Map Cover No. 2169 in the Erie County Clerk's Office a distance of 312.64 feet; proceeding thence westerly and along the northerly line of great Lot No. 4, Township No. 11 and Range 7 of the Holland Land Company's Survey a distance of 31.87 feet to the northeast corner of Sublot No. 130; proceeding thence southerly and along the easterly line of said Sublot 130 to the point or place of beginning.

All the aforementioned premises cover a measured distance of 6.94 acres.

AND

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number Five (5), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of said Lot Number Five (5) distant 1417.58 feet westerly from the southeasterly corner of said lot Number Five (5) as measured along said southerly line, said point of beginning being the southwesterly corner of lands conveyed to George Gantbittel, Jr. by deed recorded in Erie County Clerk's Office in Liber 275 of Deeds at Page 500 and being also the southeasterly corner of lands conveyed to Edward C. Drabek and Robert G. Reis by deed recorded in Erie County Clerk's Office in Liber 6455 of Deeds at Page 199; running thence northerly along the easterly line of said lands so conveyed to Edward C. Drabek and Robert G. Reis to the southeasterly line of lands hereto fore conveyed to Buffalo, Corning & New York Railroad Co. The New York, West Shore & Buffalo Railroad Company and New York Central Railroad Company, now known as the West Shore Railroad; Thence southwesterly along the said southeasterly line of lands of the West Shore Railroad to the westerly line of lands conveyed to Edward C. Drabek and Robert G. Reis by aforesaid deed recorded in Liber 6455 of Deeds at Page 199; thence southerly along said westerly line of lands so conveyed to Edward C. Drabek and Robert G. Reis to the Southerly line of said Lot Number Five (5); thence easterly along said southerly line of Lot number Five (5), 315.90 feet to the point or place of Beginning.

AND

BEGINNING at a point in the northerly line of East Sienkiewicz Avenue as the same is shown on map filed in Erie County Clerk's Office under Cover No. 976 distant 106.79 feet westerly from its intersection with the westerly line of Bay Lane as the same is shown on map filed in said Clerk's Office under Cover No. 2169, said point of beginning being marked by a concrete monument; thence northerly at an angle in the northeasterly quadrant of 91° 28' 40" with said northerly line of East Sienkiewicz Avenue 650.99 feet more or less to a point marked by a concrete monument in the southeasterly line of lands heretofore conveyed to Buffalo, Corning and New York Railroad Co., the New York, West Shore and Buffalo Railroad Company and New York Central Railroad Company, now known as the West Shore Railroad.

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. MOLESK
Town Clerk of the Town her
inafter described, DO HEREB
CERTIFY as follows:

1. A regular meeting of the Tow
Board of the Town of Cheekt
waga, a town located in the Count
of Erie, State of New York, was d
ly held on February 3, 1986, an
minutes of said meeting have bee
duly recorded in the Minute Boo
by me in accordance with law fo
the purpose of recording the min
utes of meetings of said Board, an
such minutes appear at item 33, in
clusive, of said book.

2. I have compared the attached
extract with said minutes so re
corded and said extract is a true
copy of said minutes and of the
whole thereof insofar as said min
utes 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 mem-
bers of said Board who attended
said meeting.

IN WITNESS WHEREOF, I
have hereunto set my hand and
have hereunto affixed the corpo-
rate seal of said Town, this 4th
day of February, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 6, 1986

MEETING NO. 3
February 3, 1986

Item No. 34 Motion by Supervisor Weber Seconded Unanimously that the meeting be adjourned in memory of the Seven Astronauts (names listed below) who were killed in the 25th Challenger Space Shuttle Attempt on Tuesday, January 28, 1986.

Christa McAuliffe, Teacher
Francis R. Scobee, Commander
Ronald E. McNair
Judith A. Resnik
Michael J. Smith, Pilot
Ellison S. Onizuka
Gregory B. Jarvis

* *

RICHARD M. MOLESKI
Town Clerk

DATED: February 3, 1986

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 19th day of February, 1986 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; James Kirisits, Town Attorney; Casey Kozminski, Assessor; Leonard J. Smolarek, Chief of Police; Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector; Mike Miecznikowski, Recreation Director; Jerry Gabryszak, Community Development Director; Ray Pugh, Planning Board; Alfred Wnek, Highway Superintendent; Pat Wojcik, Recreation Director, Senior Citizens; James Matecki, Director of Facilities Department.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4A of the Code of the Town of Cheektowaga ("Ambulance Services Ordinance") which, among other things provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheketowaga and for the creation of an Emergency Medical Services Board ("EMS Board"); and

WHEREAS, the EMS Board, in the course of its operation and in conjunction with the Town's Law Department and Police Department, has reviewed the said Ambulance Services Ordinance and evaluated its implementation and impact upon the provision of ambulance services to the residents of the Town of Cheektowaga; and

WHEREAS, as a result of such review and evaluation, certain amendments to said Ambulance services Ordinance were recommended; and

WHEREAS, a public hearing concerning such amendments was duly held on January 20, 1986, at which time the public was afforded the opportunity to discuss such amendments, all in accordance with the provisions of the Town Law; and

WHEREAS, the Town Board has reviewed such recommendations and wishes to amend the Ambulance Services Ordinance to incorporate such recommendations; NOW, THEREFORE, BE IT

RESOLVED that the Ambulance Service Ordinance shall be and hereby is amended as follows:

1. Section 4A-2. Definitions shall be amended by adding thereto the following definition:

Item No. 2 cont'd

BASE STATION - the location where ambulances are stationed and dispatched from.

2. Section 4A-5. shall be amended to read as follows:

D. In the event that the Town Board concurs with the recommendation of the EMS Board and agrees to issue a license to a carrier for a specific ambulance, such carrier, prior to the issuance of said license, shall make himself aware of the provisions of the ordinance, and shall abide by the rules and regulations of the ordinance and of the EMS Board, as amended from time to time.

3. Section 4A-7. shall be amended to read as follows:

A. There is hereby created an Emergency Medical Services (EMS) Board composed of the following-referenced thirteen (13) individuals:

(1) one member and one alternate member for each of the ten (10) duly organized volunteer fire districts located in the Town of Cheektowaga; such members shall be designated by such fire districts;
(2) one member and one alternate member for the Village of Sloan Fire Company; such member shall be designated by such fire company;
(3) the Chief of Police of the Town of Cheektowaga or his designee; and
(4) one member designated by the Town Board

In the event any volunteer fire district or the Village of Sloan Fire Company shall fail to designate a member or alternate member, the Town Board shall designate an individual to serve in the place of such member on the EMS Board. The Town Board shall also designate one of the members of the EMS Board to serve as the Chairman thereof.

Each member of the EMS Board shall be allowed only one vote in all matters coming before such Board. In addition, each members of the EMS Board shall serve for a term of one year and shall receive no compensation for his/her services.

4. Section 4A-7.B.(1) shall be deleted and the following subsections shall be renumbered as follows:

4A-7.B.(2) shall become 4A-7.B.(1)
4A-7.B.(3) shall become 4A-7.B.(2)
4A-7.B.(4) shall become 4A-7.B.(3)
4A-7.B.(5) shall become 4A-7.B.(4)

5. Section 4A-7.B.(4)(d) to read as follows:

"(d) Requiring the owner of ambulances to maintain daily records and submit such to the EMS Board as or if requested."

and 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 February 19, 1986 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 publicaiton shall be filed with the Town Clerk, and BE IT FURTHER

Item No. 2 cont'd

RESOLVED that the aforementioned amendments to the 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

AFFIDAVIT - NEX PAGE

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

Linda M. Jass, 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 Feb. 27, 1986; last publication Feb. 27, 1986; and that no more than six days intervened between publications.

Linda M. Jass

Sworn to before me this 28th day of February, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 19, 1986, 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 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 19th day of February, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 27, 1986

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 19th day of February, 1986 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 Johnson
Seconded by Councilman Jaworowicz

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4A of the Code of the Town of Cheektowaga ("Ambulance Services Ordinance") which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga and for the creation of an Emergency Medical Services Board ("EMS Board"); and

WHEREAS, the EMS Board, in the course of its operation and in conjunction with the Town's Law Department and Police Department, has reviewed the said Ambulance Services Ordinance and evaluated its implementation and impact upon the provision of ambulance services to the residents of the Town of Cheektowaga; and

WHEREAS, as a result of such review and evaluation, certain amendments to said Ambulance Services Ordinance were recommended; and

WHEREAS, a public hearing concerning such amendments was duly held on January 20, 1986, at which time the public was afforded the opportunity to discuss such amendments, all in accordance with the provisions of the Town Law; and

WHEREAS, the Town Board has reviewed such recommendations and wishes to amend the Ambulance Services Ordinance to incorporate such recommendations; NOW, THEREFORE, BE IT

RESOLVED, that the Ambulance Services Ordinance shall be and hereby is amended as follows:

1. Section 4A-2. Definitions shall be amended by adding thereto the following definition:

BASE STATION — the location where ambulances are stationed and dispatched from.

2. Section 4A-5. shall be amended to read as follows:

D. In the event that the Town Board concurs with the recommendation of the EMS Board and agrees to issue a license to a carrier for a specific ambulance, such carrier, prior to the issuance of said license, shall make himself aware of the provisions of the ordinance, and shall abide by the rules and regulations of the ordinance and of the EMS Board, as amended from time to time.

3. Section 4A-7. shall be amended to read as follows:

A. There is hereby created an Emergency Medical Services (EMS) Board composed of the following-referenced thirteen (13) individuals:

(1) one member and one alternate member for each of the ten (10) duly organized volunteer fire districts located in the Town of Cheektowaga; such members shall be designated by such fire districts;

(2) one member and one alternate member for the Village of Sloan Fire Company; such member shall be designated by such fire company;

(3) the Chief of Police of the Town of Cheektowaga or his designee; and

(4) one member designated by the Town Board

In the event any volunteer fire district or the Village of Sloan Fire Company shall fail to designate a member or alternate member, the Town Board shall designate an individual to serve in the place of such member on the EMS Board. The Town Board shall also designate one of the members of the EMS Board to serve as the Chairman thereof.

Each member of the EMS Board shall be allowed only one vote in all matters coming before such Board. In addition, each member of the EMS Board shall serve for a term of one year and shall receive no compensation for his/her services.

4. Section 4A-7.B.(1) shall be deleted and the following subsections shall be renumbered as follows:
4A-7.B.(2) shall become 4A-7.B.(1)
4A-7.B.(3) shall become 4A-7.B.(2)
4A-7.B.(4) shall become 4A-7.B.(3)
4A-7.B.(5) shall become 4A-7.B.(4)

5. Section 4A-7.B.(4)(d) to read as follows:

"(d) Requiring the owner of ambulances to maintain daily records and submit such to the EMS Board as or if requested."

and, 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 February 19, 1986 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 IT FURTHER

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

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

Item No. 3a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, this Town Board believes that the Town has a responsibility to provide a defense for an employee in any civil action or proceeding arising out of any act or omission which allegedly occurred while such employee was acting within the scope of his public employment or duties, and

WHEREAS, this Town Board further believes that the Town has a duty to indemnify and save harmless an employee from the amount of any judgment or settlement obtained against him on account of any act or omission which occurred while such employee was acting within the scope of his public employment or duties, and

WHEREAS, section 18 of the Public Officers Law, entitled "Defense and indemnification of officers and employees of public entities", authorizes the enactment of a local law for the purpose of conferring defense and indemnification benefits upon its employees,

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on the 17th day of March, 1986 at 6:30 p.m. at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the purpose of considering the advisability of adopting Local Law No. 1 of the year 1986 entitled "DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES", and BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to publish the attached Notice of Public Hearing in the CHEEKTOWAGA TIMES.

* *

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Town Board of Cheektowaga on the 17th day of March, 1986 at 6:30 p.m. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and if need be, act upon the following proposed Local Law No. 1 of the Year 1986, entitled DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES, which provides for the legal defense and indemnification of town employees who are sued in a civil action or proceeding arising out of an act or omission occurring while such employee was acting within the scope of his public employment or duties.

DATED: Cheektowaga, New York
February 19, 1986

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

RICHARD M. MOLESKI
Town Clerk

* *

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

See next three (3) pages for copy of Local Law No. 1 of 1986

AFFIDAVIT - NEXT PAGE

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~
Town of Cheektowaga
~~Village~~

Local Law No. 1 of the year 19 86

A local law entitled "DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES"
(Insert title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~
Town of Cheektowaga as follows:
~~Village~~

Local Law No. 1 of the Year 1986

DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES

Section 1. Purpose

The purpose of this local law is to provide for the legal defense and financial protection of various officers and employees of the town of Cheektowaga from state or federal civil actions or proceedings commenced against them as a result of an act or omission occurring while they were acting within the scope of their employment or duties.

Section 2. Adoption and Acceptance of Public Officers Law §18.

The Town Board of the town of Cheektowaga does hereby determine and agree:

(i) to confer the benefits of section 18 of the Public Officers Law upon its employees, and

(ii) the town shall be liable for the costs incurred under these provisions.

Section 3. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State and State Comptroller of the State of New York.

(If additional space is needed, please attach sheets of the same size as this and number each)

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 19 86 of the (~~XXXXX~~ ~~XXX~~ Town ~~XXXXXX~~) of Cheektowaga was duly passed by the Town Board (Name of Legislative Body) on March 17 19 86 in accordance with the applicable provisions of law.

2. ~~(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer*~~ or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the (County / City / Town / Village) of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19..... and was (not disapproved / approved / repassed after disapproval) by the ..... Elective Chief Executive Officer * and was deemed duly adopted on ..... 19..... , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the (County / City / Town / Village) of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19..... and was (not disapproved / approved / repassed after disapproval) by the ..... Elective Chief Executive Officer * on ..... 19..... Such local law was submitted to the people by reason of a (mandatory / permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general / special / annual) election held on ..... 19..... , in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the (County / City / Town / Village) of ..... was duly passed by the ..... on (Name of Legislative Body) ..... 19..... and was (not disapproved / approved / repassed after disapproval) by the ..... on Elective Chief Executive Officer * ..... 19..... Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on ..... 19....., ~~in accordance with the applicable provisions of law.~~

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*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision ~~proposed by petition.~~)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the City of ..... having been submitted to referendum pursuant to the provisions of $\frac{\S\ 36}{\S\ 37}$ of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the $\frac{\text{special}}{\text{general}}$ election held on .... 19 ..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. ..... of 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ..... above.

~~Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body~~

Richard M. Moleski
Town Clerk

Date: March 17, 1986

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF .....ERIE.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

.....
Signature

James J. Kirisits, Town Attorney.....
Title

~~County~~
~~City~~ of .....Cheektowaga.....
Town
~~Village~~

Date: March 17, 1986

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

Linda G. Sass, 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 Feb. 27, 1986; last publication Feb. 27, 1986; and that no more than six days intervened between publications.

Linda G. Sass

Sworn to before me this 28th day of February, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of Cheektowaga on the 17th day of March, 1986 at 6:30 p.m. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss, and if need be, act upon the following proposed Local Law No. 1 of the Year 1986, entitled DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES, which provides for the legal defense and indemnification of town employees who are sued in a civil action or proceeding arising out of an act or omission occurring while such employee was acting within the scope of his public employment or duties.

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

Richard M. Moleski
Town Clerk

DATED: February 19, 1986
PUBLISH: February 27, 1986

Item No. 3b Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, this Town Board is of the opinion that the present M1-Light Manufacturing District zoning classification of some properties located on the north and south sides of Losson Road in the vicinity of the intersection of Losson Road and the former Losson Road right-of-way, are incompatible with present uses, adjacent properties and surrounding neighborhoods, and

WHEREAS, the system of zoning is designed to establish and maintain residential, commercial and industrial uses in their appropriate locations pursuant to an overall master plan, and

WHEREAS, this Board feels that the zoning district classification of the above-referenced properties, which are further described on the attached Notice of Hearing, should be changed to R-Residential District, and

WHEREAS, Article X, Section 82-70 of the Code of the Town of Cheektowaga authorizes the Town Board on its own motion, or on a recommendation by the Zoning Board of Appeals, or the Planning Board, to amend, supplement or repeal the zoning district regulations, provisions or boundaries, and

WHEREAS, a resolution adopted at the December 16, 1985 Town Board meeting inadvertently omitted the above-referenced properties from the list of those properties to be rezoned, and

WHEREAS, the Cheektowaga Planning Board and the Town's Environmental Advisory Committee have already reviewed and approved the rezoning of the properties described in the attached Notice of Hearing, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, a public hearing be held on the 3rd day of March, 1986 at 6:30 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 the Town Board shall consider the proposed rezoning of properties described on the attached Notice of Hearing, and BE IT FURTHER

RESOLVED that the Town Clerk shall published 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

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, corner of Broadway and Union Road, on the 3rd day of March, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering the rezoning from M1-Light Manufacturing District to R-Residential District of properties located on the north and south sides of Losson Road in the vicinity of intersection of Losson Road and the former Losson Road right-of-way, and further described on the attached Legal Description, and to amend the Zoning Map and Ordinance accordingly, pursuant to Article X, Section 82-70 of the Code of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard at said hearing in regard to such proposal.

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

DATED: Cheektowaga, New York
February 19, 1986

RICHARD M. MOLESKi
Town Clerk

* *

Item No. 3b 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 next page for Legal Description of properties to be rezoned

AFFIDAVIT - NEXT PAGE

LEGAL DESCRIPTION
OF PROPERTIES TO BE REZONED
FROM
M1-LIGHT MANUFACTURING DISTRICT
TO
R-RESIDENTIAL DISTRICT

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots 56 and 57, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:

BEING a triangular-shaped parcel of land bounded on the:

(a) north and east by the centerline of the former Losson Road right-of-way;

(b) south by the centerline of Losson Road; and

(c) west by the centerline of the former Gardenville Running Track right-of-way.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, bounded and described as follows:

BEING a rectangular-shaped parcel of land bounded on the:

(a) north by the centerline of Losson Road;

(b) south by a line being 433± feet south of the centerline of Losson Road;

(c) west by the west boundary line of Lot 56 of the Buffalo Creek Reservation; and

(d) east by a line being 830± east of the west boundary line of Lot 56 of the Buffalo Creek Reservation.

ALL AS MORE PARTICULARLY SHOWN ON A MAP ON FILE IN THE TOWN CLERK'S OFFICE, TOWN HALL, BROADWAY AND UNION ROAD, CHEEKTOWAGA, NEW YORK; SUCH MAP MAY BE VIEWED BY THE PUBLIC DURING REGULAR BUSINESS HOURS AT ANY TIME PRIOR TO THE MARCH 3, 1986 PUBLIC HEARING.

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

Linda M. Haas, 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 Feb. 20, 1986; last publication Feb. 20, 1986; and that no more than six days intervened between publications.

Linda M. Haas

Sworn to before me this 21st day of February, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE OF HEARING

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, corner of Broadway and Union Road, on the 3rd day of March, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering the rezoning from M1-Light Manufacturing District to R-Residential District of properties located on the north and south sides of Losson Road in the vicinity of the intersection of Losson Road and the former Losson Road right-of-way, and further described on the attached Legal Description, and to amend the Zoning Map and Ordinance accordingly, pursuant to Article X, Section 82-70 of the Code of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard at said hearing in regard to such proposal.

Legal Description
of Properties To Be Rezoned
From
M1-Light Manufacturing District
To
R-Residential District

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots 56 and 57, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:

BEING a triangular-shaped parcel of land bounded on the:

(a) north and east by the centerline of the former Losson Road right-of-way;

(b) south by the centerline of Losson Road; and

(c) west by the centerline of the former Gardenville Running Track right-of-way.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, bounded and described as follows:

BEING a rectangular-shaped parcel of land bounded on the:

(a) north by the centerline of Losson Road;

(b) south by a line being 433± feet south of the centerline of Losson Road;

(c) west by the west boundary line of Lot 56 of the Buffalo Creek Reservation; and

(d) east by a line being 830± east of the west boundary line of Lot 56 of the Buffalo Creek Reservation.

ALL AS MORE PARTICULARLY SHOWN ON A MAP ON FILE IN THE TOWN CLERK'S OFFICE, TOWN HALL, BROADWAY AND UNION ROAD, CHEEKTOWAGA, NEW YORK; SUCH MAP MAY BE VIEWED BY THE PUBLIC DURING REGULAR BUSINESS HOURS AT ANY TIME PRIOR TO THE MARCH 3, 1986 PUBLIC HEARING.

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 19, 1986
PUBLISH: February 20, 1986

Item No. 3c Motion by Councilman J. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is eligible to receive up to $817,000 in Community Development Block Grant funds for fiscal year 1986-87, and

WHEREAS, the Town of Cheektowaga has entered in Cooperation Agreements with the Village of Sloan, Depew and Williamsville to procure these funds, and

WHEREAS, the Town of Cheektowaga, as required by federal rules and regulations, must hold a public hearing for the purpose of obtaining the views of Town citizens regarding community development and housing needs, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on March 3, 1986, at 6:30 P.M. at Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the above said purpose, and BE IT FURTHER

RESOLVED that a notice of such public hearing also contain a notice of proposed community development objectives and use of funds and a statement of the rate of allowed activities under the Community Development Program, be published in the Cheektowaga Times on Thursday, February 20, 1986.

* *

NOTICE OF PUBLIC HEARING

STATEMENT OF OBJECTIVES AND PROPOSED USE OF FUNDS

The Town of Cheektowaga will hold a Public Hearing on Monday, March 3, 1986, at 6:30 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, regarding the Town's 1986-87 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew, Sloan and Williamsville are eligible to receive up to $817,000 under Title I of the Housing and Community Development Act of 1977, as amended. The purpose of this hearing is to provide the citizens of the Town of Cheektowaga with the opportunity to express their views and opinions on housing and community development needs in the Town. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and industrial development. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 2600 Harlem Road, Cheektowaga, Nw York 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays, or can be discussed with the Community Development Director by calling 896-1700 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

* *

Item No. 3c cont'd

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

AFFIDAVIT - NEXT

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

Linda M. Sass, 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 Feb. 20, 1986; last publication Feb. 20, 1986; and that no more than six days intervened between publications.

Linda M. Sass

Sworn to before me this 21st day of February, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
STATEMENT OF OBJECTIVES
AND PROPOSED USE
OF FUNDS

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A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 2600 Harlem Road, Cheektowaga, New York, 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays, or can be discussed with the Community Development Director by calling 896-1700 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

PUBLISH: February 20, 1986

Item No. 4a Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, bids were duly received on February 3, 1986 as the result of advertisement, therefore, for the furnishing of all corrugated metal, metal slotted and reinforced concrete pipe requirements of the Town of Cheektowaga for the year of 1986. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 12, 1986, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of pipe to the Town for the year of 1986 as per said unit prices and as recommended by the Town Engineer is hereby awarded to the following for corrugated metal and metal slotted pipe and reinforced concrete pipe:

Chemung Supply Corporation
P.O. Box 527
Elmira, New York 14902
607-733-5506

12" dia. C.M.P.	$ 4.24/ft.
15" dia. C.M.P.	5.22/ft.
18" dia. C.M.P.	6.24/ft.
21" dia. C.M.P.	7.24/ft.
24" dia. C.M.P.	9.62/ft.
30" dia. C.M.P.	11.99/ft.
36" dia. C.M.P.	14.34/ft.
42" dia. C.M.P.	21.19/ft.
48" dia. C.M.P.	24.18/ft.
54" dia. C.M.P.	27.23/ft.
60" dia. C.M.P.	36.72/ft.
72" C.M.P.	43.99/ft.
84" C.M.P.	51.29/ft.
43" X 27" C.M.P.	14.74/ft.
43" X 27" C.M.P. paved invert	19.24/ft.
50" X 31" C.M.P.	17.18/ft.
50" X 31" C.M.P. paved invert	23.19/ft.
58" X 36" C.M.P.	24.68/ft.
58" X 36" C.M.P. paved invert	31.79/ft.
65" X 36" C.M.P.	27.78/ft.
65" X 36" C.M.P. paved invert	35.78/ft.
72" X 44" C.M.P.	30.86/ft.
72" X 44" C.M.P. paved invert	39.74/ft.
15" C.M.P. perforated U.D.	$ 5.36/ft.

K & S Contractors Supply
1971 Gunville Road
Lancaster, New York 14086
759-6911

30" C.M.P. end section	$130.00/ea.
36" C.M.P. end section	195.56/ea.
12' - 2 1/2" Slotted drain pipe	$ 22.98/ft.
12" - 6" Slotted drain pipe	30.83/ft.
12" Slotted drain band	19.80/ft.
15" - 2 1/2" Slotted drain pipe	$ 25.56/ft.
15" - 6" Slotted drain pipe	31.94/ft.
15" Slotted drain band	22.24/ft.
18" - 1 1/2" Slotted drain pipe	$ 28.59/ft.
18" - 6" Slotted drain pipe	36.49/ft.
18" Slotted drain band	24.42/ea.
10" C.M.P. perforated U.D.	$ 3.99/ft.
15" R.C.P. - Class III	$ 8.31/ft.
- Class IV	8.46/ft.

Item No. 4a cont'd

18" R.C.P. - Class III	10.59/ft.
- Class IV	11.21/ft.
21" R.C.P. - Class III	12.97/ft.
- Class IV	14.25/ft.
24" R.C.P. - Class III	15.87/ft.
- Class IV	18.29/ft.
30" R.C.P. - Class III	22.75/ft.
- Class IV	25.22/ft.
33" R.C.P. - Class III	28.26/ft.
- Class IV	33.11/ft.
36" R.C.P. - Class III	32.54/ft.
- Class IV	36.53/ft.
42" R.C.P. - Class III	42.70/ft.
- Class IV	46.88/ft.
48" R.C.P. - Class III	52.16/ft.
- Class IV	59.76/ft.
54" R.C.P. - Class III	57.52/ft.
- Class IV	65.72/ft.
60" R.C.P. - Class III	70.12/ft.
- Class IV	82.68/ft.
66" R.C.P. - Class III	86.28/ft.
- Class IV	99.80/ft.
72" R.C.P. - Class III	103.32/ft.
- Class IV	118.64/ft.
84" R.C.P. - Class III	141.96/ft.

12" dia. Plastic Liner/C.M.P.	$ 7.39/ft.
15" dia. Plastic Liner/C.M.P.	8.79/ft.
18" dia. Plastic Liner/C.M.P.	10.24/ft.
21" dia. Plastic Liner/C.M.P.	11.85/ft.
24" dia. Plastic Liner/C.M.P.	13.55/ft.
30" dia. Plastic Liner/C.M.P.	16.49/ft.
36" dia. Plastic Liner/C.M.P.	19.61/ft.
42" dia. Plastic Liner/C.M.P.	23.13/ft.
48" dia. Plastic Liner/C.M.P.	28.32/ft.

Lane Metal Products Co., Inc.
Box 711
Bath, New York 14810
607-776-3366

6" dia. C.M.P.	$ 2.20/ft.
8" dia. C.M.P.	2.89/ft.
10" dia. C.M.P.	3.61/ft.

6" C.M.P. perforated U.D.	$ 2.40/ft.
8" C.M.P. perforated U.D.	3.20/ft.
12" C.M.P. perforated U.D.	4.30/ft.

Paul Riefler,Inc.
5690 Camp Road
Hamburg, New York 14075
649-3260

12" R.C.P. - Class III	$ 6.40/ft.
- Class IV	6.50/ft.
84" R.C.P. - Class IV	$160.00/ft.

* See next page for letter

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

February 12, 1986

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Bid Award -
Corrugated Metal, Metal Slotted
and Reinforced Concrete Pipe

Gentlemen:

At a public bid opening on February 3, 1986, bids were received and publicly opened for the purchase of corrugated metal, metal slotted and reinforced concrete pipe in various sizes for the year of 1986. Due to the large quantity of items that were bid, the lowest bidders in each item for eighty-six (86) different sizes of pipe and related items are listed on the attached resolution.

It is, therefore, recommended that the bid be awarded to the attached listed bidders for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

William R. Pugh
Junior Engineer

WRP:mjh

Item No. 4b Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, bids were received for modification of various Town buildings to facilitate their use by the handicapped, which bids were opened at a public bid opening called for that purpose on February 3, 1986, and

WHEREAS, bids were referred to the architect, Donald T. Maharan Associates, and the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report from the Town Engineer dated February 13, 1986 is hereto attached and made part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Bid #1 for the provision of handicapped use for Town Hall, the Court Building and Reinstein Library be and hereby is awarded to Building Systems of Buffalo, 45 Stanley Street, Buffalo, New York 14206, for their bid price of $47,299,said being the lowest bid meeting the requirements of our specifications, and BE IT FURTHER

RESOLVED that Bid #2 for the provision of handicapped use for the Recreation Center and the Town Park Pool be and hereby is awarded to Building Systems of Buffalo, 45 Stanley Street, Buffalo, New York 14206 for their bid price of $40,607.00, said being the lowest bid meeting the requirements of our specifications, and BE IT FURTHER

RESOLVED that the Supervisor is authorized and directed to sign said agreeement with Building Systems of Buffalo for contract #1 and contract #2 on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the cost associated with building modifications for handicapped use are to be charged to Account No. 1625.2101 (General Fund).

* See next two (2) pages for letter

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

40

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

February 13, 1986

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Building Renovations for Handicapped Use

Gentlemen:

On January 20, 1986 the Town Board approved the receipt of bids for modifications of several Town buildings to facilitate their use by the handicapped. Plans and specifications were drawn for two (2) separate contracts.

Contract #1 - Town Hall
Court Building
Reinstein Library

Contract #2 - Recreation Center
Town Park Pool

Two (2) bids were received. These were opened and read by the Town Clerk at a public bid opening on February 3, 1986 at 11:00 A.M. A third bid was submitted by Telco Construction after the time posted for bid opening and after all bids were read in public. This bid was obviously rejected. The bidder was in the audience while the other two (2) bids were being read and did not submit his sealed bid until after these bids were opened and read. The bids were submitted as follows:

BIDDER	BASE BID #1	ALTERNATE #1
Building Systems of Buffalo	$ 47,299.	$ 1,200.
L.C.P. Construction	$ 48,576.	$ 1,600.

BIDDER	BASE BID #2	ALTERNATE #1	ALTERNATE #2
Building Systems of Buffalo	$ 40,607.	- $ 4,400.	- $ 2,800.
L.C.P. Construction	$ 47,383.	- $ 2,800.	- $ 700.

The alternate bids were to deduct concrete work from the base bid contracts. The purpose was to omit this item should the bids submitted be in excess of monies that were allocated towards this project. The targeted project amount was $50,000. for each of the two (2) bids.

The combined bids as submitted by both bidders did not reflect any savings to the Town. The total bids as submitted by both bidders were an exact total of their individual Bid #1 and Bid #2 submissions. Since the bids were under the target maximum $50,000. cost, it is recommended by the Architect and the Engineering Department that the bids be awarded for the total scope of work including concrete work.

It is the recommendation of the Architect, Donald T. Maharan Associates and the Town Engineer that Base Bid #1 be awarded to Building Systems of Buffalo in the amount of $47,299. this being the lowest bid meeting the requirements of the specifications. It is also recommended that Base Bid #2 be awarded to Building Systems of Buffalo for their base bid price of $40,607., which is the lowest bid meeting the requirements of our specifications. Building Systems of Buffalo is located at 45 Stanley Street, Buffalo, New York 14206.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Rudolph E. Bogacki
Senior Engineer Asst.

CLB:REB:mjh

Item No. 4c Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

WHEREAS, bids were duly received and opened at the January 20, 1986 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees, and said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 14, 1986, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of work uniforms to the Town of Cheektowaga employees, as recommended by the Town Engineer, be and the same is hereby awarded to:

Amherst Wholesalers, Inc.
241 Patrice Terrace
Amherst, New York 14221

for:

ITEM I	Work Pants (sizes up to 42)	$ 9.50 each
ITEM II	Work Pants (sizes 44 and up)	10.30 each
ITEM III	Shirts (long sleeve, sizes up to 17 1/2)	8.25 each
ITEM IV	Shirts (long sleeve, sizes 18 and up)	9.00 each
ITEM V	Chambray Shirts (long sleeve, sizes up to 17 1/2)	7.15 each
ITEM VI	Chambray Shirts (long sleeve, sizes 18 and up)	8.00 each
ITEM VII	Shirts (short sleeve, sizes up to 17 1/2)	7.20 each
ITEM VIII	Shirts (short sleeve, sizes 18 and up)	7.90 each
ITEM IX	Coveralls (long sleeve)	15.50 each
ITEM X	Denim Jeans (sizes up to 42)	8.30 each
ITEM XI	Denim Jeans (sizes 44 and up)	9.65 each
ITEM XII	Bib Overalls	13.10 each

said bid being a responsible bidder meeting the requirements of the specifications.

* See next two (2) pages for letter

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

February 14, 1986

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Award of Bid: Work Clothing

Gentlemen:

On January 20, 1986 bids were received and opened for the furnishing of work uniforms to Town employees as required thru the Cheektowaga Employees Association Agreement. Six (6) bidders submitted bids on twelve (12) items of the specifications. The totals of the bids submitted are as follows:

BIDDERS	BID AMOUNT
Jim & Janes Work Clothes	$ 8,801.86
Kristen Sales Inc.	$ 9,373.60
Amherst Wholesalers	$ 9,385.45
United Uniforms	$ 10,479.53
Washington Surplus	$ 12,188.85
Sears, Roebuck & Co.	$ 13,103.86

Listed below are the specification requirements for the three (3) lowest bidders:

	JIM & JANES		KRISTEN SALES		AMHERST WHOLESALERS	
	meets specs	does not meet spec/quality	meets specs	does not meet spec/quality	meets specs	does not meet spec/quality
Work Pants	X			X	X	
Work Shirts		X		X	X	
Chambray Shirts		X		X	X	
Coveralls		X	X		X	
Denim Jeans		X	X		X	
Bib Overalls	X		X		X	

It is our recommendation that Jim & Janes Work Clothes' and Kristen Sales' bids be rejected for not meeting the requirements of the specifications or quality as stated above.

In conclusion, it is recommended to this Board that the bid be awarded to Amherst Wholesalers, Inc. 241 Patrice Terrace, Amherst, New York 14221, for the furnishing of work uniforms, said bid being the lowest bid meeting Town requirements.

This bid will be awarded on the basis of unit prices which are quoted as follows:

Item I	Work Pants (sizes up to 42)	$ 9.50 each
Item II	Work Pants (sizes 44 and up)	$10.30 each
Item III	Shirts (long sleeve, sizes up to 17½)	$ 8.25 each
Item IV	Shirts (long sleeve, sizes 18 and up)	$ 9.00 each
Item V	Chambray Shirts (long sleeve, sizes up to 17½)	$ 7.15 each
Item VI	Chambray Shirts (long sleeve, sizes 18 and up)	$ 8.00 each
Item VII	Shirts (short sleeve, sizes up to 17½)	$ 7.20 each
Item VIII	Shirts (short sleeve, sizes 18 and up)	$ 7.90 each
Item IX	Coveralls (long sleeve)	$15.50 each
Item X	Denim Jeans (sizes up to 42)	$ 8.30 each
Item XI	Denim Jeans (sizes 44 and up)	$ 9.65 each
Item XII	Bib Overalls	$13.10 each

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Senior Engineer Assistant

ABB:mjh

Item No. 4d Motion by Supervisor Weber, Seconded by Councilman Kowal

WHEREAS, bids were duly received on February 3, 1986 as the result of advertisement for the purchase of vehicles for the Facilities Department and Sewer Maintenance Department, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 13, 1986, NOW, THEREFORE, BE IT

RESOLVED that the bid for the purchase of vehicles for the Facilities Department and the Sewer Maintenance Department, as recommended by the Town Engineer be and the same is hereby awarded to the following:

		BASE BID	TRADE-IN VALUE
ITEM I	Mernan Chevrolet 2751 Bailey Avenue Buffalo, New York 14215	$ 9,536./ea. (2) 3/4 P.U.	$3,200. (2) 1979 P.U.
ITEM II	Keller Chevrolet 3600 Genesee St. Cheektowaga, N.Y. 14225	$13,876. (1) 3/4, 4 X 4 with plow	$ 500. (1) 1980 P.U.
ITEM III	Mernan Chevrolet 2751 Bailey Avenue Buffalo, New York 14215	$12,339. (1) one-ton stake truck	No trade-In

said bids meeting all the requirements of the specifications. Funds have been budgeted for this purpose.

* See next two (2) pages for letter

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

February 14, 1986

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Award of Bid for:
Two (2) 3/4 ton pick-up; Sewer Maintenance
One (1) 3/4 ton 4x4/plow; Facilities
One (1) stake truck; Facilities

Gentlemen:

At a public bid opening on February 3, 1986 bids were received and publicly opened for the purchase of various vehicles for the Sewer Maintenance and Facilities Departments. Three (3) bids were received and are as follows:

Bidder	Item I 3/4 ton pick-up (2)	Total (2) Vehicles	Trade-in Value 1979 3/4 ton pick-up (2)	Item I Less Trade
Mernan Chevrolet	$9,536. ea.	$19,072.00	$3,200.00	$15,872.00
Keller Chevrolet	$9,438. ea.	$18,876.00	$1,900.00	$16,976.00
Gillogly Chevrolet	$9,554. ea.	$19,108.00	$1,430.00	$17,678.00

It is, therefore, recommended that the bid for Item I be awarded to Mernan Chevrolet for their submission of the lowest bid including the trade-in value and meeting Town requirements.

Bidder	Item II 3/4 ton 4 x 4 pick-up w/plow	Trade-in value 1980 pick-up	Item II less trade
Keller Chevrolet	$13,876.00	$ 500.00	$13,376.00
Mernan Chevrolet	$14,079.00	$ 600.00	$13,479.00
Gillogly Chevrolet	$14,139.00	$ 566.00	$13,573.00

It is, therefore, recommended that the bid for Item II be awarded to Keller Chevrolet for their submission of the lowest bid including the trade-in value and meeting Town requirements.

Bidder	Item III one ton stake truck	Trade-in value 1978 stake truck
Mernan Chevrolet	$ 12,339.00	$2,100.00
Keller Chevrolet	$ 12,620.00	$1,000.00
Gillogly Chevrolet	$ 12,744.00	$1,372.00

It was determined not to trade-in the 1978 stake truck due to the fact that after bids were accepted, the engine in this vehicle developed major mechanical problems. It is, therefore, recommended that the bid for Item III be awarded to Mernan Chevrolet for their submission of the lowest bid without the trade-in and meeting Town requirements.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Senior Engineer Assistant

ABB:mjh

Item No. 5a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, it is in order that bids be advertised for the purchase of round tapered aluminum street light standards with trss arms for the 1986 fiscal year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of round tapered aluminum street light standards with truss arms, said Notice to be published in The Cheektowaga Times, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 3rd day of March 1986 at 11:00 A.M., Eastern Standard 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 and considered by the Town Board of the Town of Cheektowaga on March 3, 1986 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the furnishing of round tapered aluminum street light standards and truss tapered elliptical arms for the Town Facilities Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 19, 1986

* *

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Sno, 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 Feb. 20, 1986; last publication Feb. 20, 1986; and that no more than six days intervened between publications.

Linda M. Sno

Sworn to before me this 21st day of February, 1986.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of round tapered aluminum street light standards and truss tapered elliptical arms for the Town Facilities Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 19, 1986
PUBLISH: February 20, 1986

Item No. 5b Motion by Councilman Kowal, Seconded by Councilman Gabryszak

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting season for 1986. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York.

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on March 3, 1986 at 11:00 A.M. in the Council Chambers of the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

Sealed proposals will be received and considered by the Cheektowaga Town Board on March 3, 1986 at a public bid opening at 11:00 A.M. at the Town Hall, Broadway and Union Roads, Town of Cheektowaga, New York for the purpose of furnishing new trees for 1986 spring planting.

Specifications for new trees may be picked up at the office of the Superintendent of highways, Alfred F. Wnek, located at 3145 Union Road, Town of Cheektowaga, New York, 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

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

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

* *

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Hora, 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 Feb 20, 1986; last publication Feb 20, 1986; and that no more than six days intervened between publications.

Linda M. Hora

Sworn to before me this 21st day of February, 1986.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA,
NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on March 3, 1986 at a public bid opening at 11:00 AM at the Town Hall, Broadway & Union Rds., Town of Cheektowaga, New York for the purpose of furnishing new trees for 1986 spring planting.

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

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

RICHARD MOLESKI
Town Clerk
Town of Cheektowaga,
New York
PUBLISH: February 20, 1986

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

WHEREAS, the Facilities Department is in need of one (1), one-ton 4 X 4 pickup with hydraulic tailgate and plow, NOW, THEREFORE BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one (1) one-ton 4 X 4 pickup with hydraulic tailgate and plow for the Facilities Department, information for bidders and specifications may be obtained from the Office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received by the Town of Cheektowaga on March 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, at which time they will be publicly opened and read.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on March 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall corner of Broadway and Union Roads, for the furnishing of one (1), one-ton 4 X 4 pickup with hydraulic tailgate and plow for the Facilities Department.

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 19, 1986

* *

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Goss, 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 Feb. 20, 1986 ; last publication Feb. 20, 1986 ; and that no more than six days intervened between publications.

Linda M. Goss

Sworn to before me this 21st day of February, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on March 3, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one (1), one-ton 4 x 4 pickup with hydraulic tailgate and plow for the Facilities Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 19, 1986
PUBLISH: February 20, 1986

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

WHEREAS, law enforcement officials in Erie County have long been urging the County of Erie to implement an updated or enhanced 911 (E-911) system in Erie County for dispatching emergency help, and

WHEREAS, the E-911 system proposed for Erie County would include 26 stations in Buffalo, Cheektowaga and other suburbs throughout the County where calls would be transferred immediately, thereby placing the emergency call in the jurisdiction where it could be handled most quickly, and

WHEREAS, the E-911 system would enable dispatchers of police, fire and ambulance service calls in Cheektowaga to pinpoint the origin of a call, thereby eliminating confusion caused by street names that sound alike, and

WHEREAS, such system would also save lives by enabling those who are too young, hurt or frightened to communicate their need for help, to receive emergency assistance merely by dialing 911, and

WHEREAS, Monroe County presently has enhanced 911 system, which has been proven effective, and

WHEREAS, the County's efforts to provide an E-911 system has now reached a crucial stage and this Town Board wishes to push for its prompt implementation, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby goes on record in favor of the E-911 system for Erie County, and BE IT FURTHER

RESOLVED that this Town Board hereby memorializes the Erie County Legislature to implement the E-911 system with all deliberate speed and to pay all costs associated with its implementation without conditioning its approval on the continuation of the eight per cent sales tax, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the County Executive, the County Legislature and to all municipalities in Erie County to solicit their support for the E-911 system.

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

Item No. 7 Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, Witben Realty is the owner of a 36.8 acre parcel of land located on the south side of Losson Road just east of the former Gardenville Running Track, and

WHEREAS, approximately 900 feet south of Losson Road and 750 feet east of the former Gardenville Running Track there exists an abandoned waste disposal area commonly referred to as the Union/Losson Road Disposal Site, and

WHEREAS, the New York State Department of Environment and Planing and a private environmental research firm have invesigated this disposal site consisting of 50+ drums and a one-quarter acre pool of tar-like material and have indicated that potentially hazardous materials exist therein, and

WHEREAS, the New York State Department of Environmental Conservation has notified that Town that it is presently conducting further sampling, analysis and evaluation of this site and is looking into the possibility of removing exposed drums therefrom by mid-April, 1986, and

WHEREAS, until such further investigation is complete, no state or county agency is willing to take action to fence or post this area, and

Item No. 7 cont'd

WHEREAS, this Town Board is concerned that children from near-by residential subdivisions will trespass on this property and enter into the disposal site area, thereby leading this Board to believe that this area is a nuisance, and

WHEREAS, this Town Board, as the local board of health, is authorized to make such orders and regulations for the suppression of nuisances and may cause such property to be posted, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby declares that the Union/Losson Road disposal Site, as described above, is detrimental to the public health and is a nuisance, and BE IT FURTHER

RESOLVED that the Town Engineering Department be and hereby is directed to hire the services of a fence company to enclose the tar pit area with a suitable fence and to post such property with signs alerting the public to potentially hazardous materials thereon, and BE IT FURTHER

RESOLVED that moneys for such fencing and posting shall be appropriated from the General Fund, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to pursue recovery of the costs incurred to the Town for the aforesaid fencing and posting in conjunction with New York State, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Witben Realty and Charles P. Maxwell, Esq.

* See Attached Letters for Additional Information (See next twelve (12) pages)

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

The Town of Cheektowaga

OFFICE OF THE TOWN ATTORNEY
TOWN HALL, BROADWAY AND UNION ROAD
CHEEKTOWAGA, NEW YORK 14227
686-3457

JAMES J. KIRISITS
TOWN ATTORNEY

KEVIN G. SCHENK
Deputy Town Attorney

DENNIS J. CIOTUSZYNSKI
Special Prosecutor

February 12, 1986

Mr. Charles P. Maxwell
Attorney at Law
7350 Boston State Road
North Boston, New York 14110

Re: Witben Realty Property Located on South Side of Losson Road, Cheektowaga, NY
Union/Losson Road Disposal Site

Dear Mr. Maxwell:

PLEASE TAKE NOTICE, that the Cheektowaga Town Board will consider a resolution at its February 19, 1986 Town Board meeting directing that the pit/lagoon area located on property owned by your company on the south side of Losson Road in the Town of Cheektowaga, New York be fenced and posted to avoid injury to area residents. As you know, the New York State Department of Environmental Conservation has determined that there are high levels of lead, copper and zinc in deteriorated drums located in the pit/lagoon area which measures approximately 80 feet by 140 feet. More tests are being conducted by the DEC at the present time.

In the meantime, the Town of Cheektowaga, in order to protect the health, safety and welfare of the residents of the community and pursuant to the authority given it under the State's Public Health Law, intends to take action to post your property and to take further action necessary to suppress the nuisance which exists on your property.

Both the Town and the DEC have repeatedly requested your company to take action to remove or abate the existing nuisance (see enclosed copies of letters dated December 16, 1985 and June 29, 1984). To date, nothing has been done by your company. Therefore, since the health and safety of Town residents are in jeopardy, the Town will take action to fence the pit/lagoon area and to post same with the following depicted sign:

15"

KEEP OUT

AREA CONTAINS
POTENTIALLY
HAZARDOUS
MATERIALS

24"

Should your company decide it is in your best interests to voluntarily take action to fence and post the pit/lagoon area, please notify me of your intentions and the time table for action on your part. Otherwise, the Town of Cheektowaga will take the necessary action and hold your company responsible for all costs incurred in fencing and posting your property.

Very truly yours,

DEPARTMENT OF LAW

Kevin G. Schenk

Kevin G. Schenk
Deputy Town Attorney

KGS/
Enclosures
cc: Councilman Johnson
William Pugh, Jr. Engineer
Certified Mail #4781576

The Town of Cheektowaga

OFFICE OF THE TOWN ATTORNEY
TOWN HALL, BROADWAY AND UNION ROAD
CHEEKTOWAGA, NEW YORK 14227
686-3457

JAMES J. KIRISITS
TOWN ATTORNEY
KEVIN G. SCHENK
Deputy Town Attorney
DENNIS J. CIOTUSZYNSKI
Special Prosecutor

February 12, 1986

Witben Realty
c/o Universal Marion Corp.
Att'n: Albert Z. Fleet
P.O. Box 4369
Jacksonville, Florida 33201

Re: Witben Realty Property Located on South Side of Losson Road, Cheektowaga, NY
Union/Losson Road Disposal Site

Dear Mr. Fleet:

PLEASE TAKE NOTICE, that the Cheektowaga Town Board will consider a resolution at its February 19, 1986 Town Board meeting directing that the pit/lagoon area located on property owned by your company on the south side of Losson Road in the Town of Cheektowaga, New York be fenced and posted to avoid injury to area residents. As you know, the New York State Department of Environmental Conservation has determined that there are high levels of lead, copper and zinc in deteriorated drums located in the pit/lagoon area which measures approximately 80 feet by 140 feet. More tests are being conducted by the DEC at the present time.

In the meantime, the Town of Cheektowaga, in order to protect the health, safety and welfare of the residents of the community and pursuant to the authority given it under the State's Public Health Law, intends to take action to post your property and to take further action necessary to suppress the nuisance which exists on your property.

Both the Town and the DEC have repeatedly requested your company to take action to remove or abate the existing nuisance (see enclosed copies of letters dated December 16, 1985 and June 29, 1984). To date, nothing has been done by your company. Therefore, since the health and safety of Town residents are in jeopardy, the Town will take action to fence the pit/lagoon area and to post same with the following depicted sign:

15"

KEEP OUT

AREA CONTAINS
POTENTIALLY
HAZARDOUS
MATERIALS

24"

Should your company decide it is in your best interests to voluntarily take action to fence and post the pit/lagoon area, please notify me of your intentions and the time table for action on your part. Otherwise, the Town of Cheektowaga will take the necessary action and hold your company responsible for all costs incurred in fencing and posting your property.

Very truly yours,

DEPARTMENT OF LAW

Kevin G. Schenk

Kevin G. Schenk
Deputy Town Attorney

KGS/
Enclosures
cc: Councilman Johnson
William Pugh, Jr. Engineer
Certified Mail #4781575

New York State Department of Environmental Conservation
600 Delaware Avenue, Buffalo, N.Y. 14202-1073

Henry G. Williams
Commissioner

February 3, 1986

Mr. Thomas Johnson, Councilman
Town of Cheektowaga
Broadway and Union Road
Cheektowaga, New York 14227

Dear Mr. Johnson:

Universal Marion Property
Union Road Site No. 915128

This letter will confirm our January 28th meeting discussions regarding the Universal Marion (Witben Realty) property in the Town of Cheektowaga.

The Union Road Site is listed in the 1985 Inactive Hazardous Waste Site Registry (copy of listing attached) as a Code 2A site. This classification means that insufficient technical information is available to fully assess the impact of the site on the environment.

With respect to current activities and planned actions to address the problem(s) at this site, the following summary is pertinent:

1) Phase I Investigation - The Phase I Investigation scheduled for completion under the State Superfund Program will provide a ranking score for quantifying the potential of this site relative to other Inactive Hazardous Waste Sites in the State. This investigation is a necessary prerequisite to further State efforts to perform additional field sampling of the ground and surface waters.

2) Barrel Removal - Region 9 will be making a field assessment of the possibility of removing full barrels of waste from the site by April 15, 1986. Any decision to remove barrels will depend on the number of drums, availability of funding in the State Superfund Drum Removal program, and the condition of the barrels. The Town will be advised of the results of this field assessment.

3) NYS Health Department - The New York State Health Department has been provided with a current field conditions assessment by the Erie County Health Department.

4) Posting and Fencing - With respect to your inquiry on fencing the tar pit area and/or posting warning signs, we are aware of two situations where sites have been fenced and posted. These are:

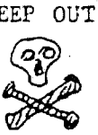
a) Bloody Run Site in Niagara County

(Site owned by Occidental Petroleum - posted by NYSDEC)
Site Sign - 15" X 24" yellow with black letters

DANGER HAZARDOUS AREA NO UNAUTHORIZED PERSONNEL KEEP OUT NYS DEC 1-800-342-9296

b) Babcock Street Boys Club

(Site owned by City of Buffalo, posted by Erie Co. Health Dept.)
Site sign - 16" X 24", white with red letters

KEEP OUT  AREA CONTAINS POTENTIALLY HAZARDOUS MATERIALS ERIE COUNTY HEALTH DEPT.

The preceeding information summarizes the current status of the site from my perspective. If the Town of Cheektowaga decides to fence and/or post the tar pit area, it would be appreciated if you advised me of any action you may decide upon.

You will be kept apprised of our activities on this site. If you have any additional questions, please feel free to contact either Mr. Clare or myself at 847-4585.

Very truly yours,

Peter J. Buechi, P.E.
Regional Engineer for Solid & Hazardous Waste

cc: Mr. Walter Demick
Mr. Ronald Tramantano
Mr. John Kociela
Mr. Anthony Voell
Mr. Lawrence Clare

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID AND HAZARDOUS WASTE
INACTIVE HAZARDOUS WASTE DISPOSAL SITE REPORT

CLASSIFICATION CODE: 2a REGION: 9 SITE CODE: 915128

NAME OF SITE : Union Road Site
STREET ADDRESS: Lawson Road

TOWN/CITY:	COUNTY:	ZIP:
Cheektowaga	Erie	14110

SITE TYPE: Open Dump-X Structure- Lagoon- Landfill- Treatment Pond-
ESTIMATED SIZE: 2 Acres

SITE OWNER/OPERATOR INFORMATION:
CURRENT OWNER NAME....: Witben Realty Corp(ParCom UnivmarCor
CURRENT OWNER ADDRESS.: 2150 Boston State Rd-POBox 141 N Boston,NY 14110
OWNER(S) DURING USE...: New York Central Railroad
OPERATOR DURING USE...: Unknown
OPERATOR ADDRESS.....:
PERIOD ASSOCIATED WITH HAZARDOUS WASTE: From Unknown ? To 1960

SITE DESCRIPTION:
The site was apparently used as a disposal area by the New York Central Railroad prior to 1979. A large (1/4 acre) pool of tar like material is exposed on the site with about 50 barrels visible. The Erie Co. Dept. of Env. and Planning sampled the tar in April 1983 - finding high levels (12%) lead in some samples. A further investigation by the owner confirmed movement of the tar toward a stream. Groundwater and upstream surface water analysis needed. Phase I investigation has been scheduled for completion by March 1986.

HAZARDOUS WASTE DISPOSED: Confirmed-X Suspected -

TYPE	QUANTITY (units)
Unknown	Unknown

SITE CODE: 915128

ALYTICAL DATA AVAILABLE:

ir- Surface Water-X Groundwater-X Soil-X Sediment- None-

CONTRAVENTION OF STANDARDS:

roundwater- Drinking Water- Surface Water- Air-

EGAL ACTION:

YPE..: None State- Federal-
TATUS: In Progress- Completed-

EMEDIAL ACTION:

roposed- Under Design- In Progress- Completed-
ATURE OF ACTION:

EOTECHNICAL INFORMATION:
OIL TYPE: Varies - fill over clay
ROUNDWATER DEPTH: Unknown

SSESSMENT OF ENVIRONMENTAL PROBLEMS:

oval of barrels and tar required. along with further investigation the site to determine full extent of environmental problems.

SSESSMENT OF HEALTH PROBLEMS:

edium	Contaminants Available	Migration Potential	Potentially Exposed Population	Need for Investigation
ir				
urface Soil				
roundwater				
urface Water				

ealth Department Site Inspection Date :

THOMAS M. JOHNSON
COUNCILMAN
171 MEADOWLAWN ROAD
CHEEKTOWAGA, N.Y. 14225
685-3123

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

TOWN HALL, BROADWAY AND UNION ROAD
CHEEKTOWAGA, NEW YORK 14227
716—686-3445

December 16, 1985

Mr. Charles P. Maxwell
Attorney at Law
7350 Boston State Road
North Boston, New York 14110

Re: Universal Marion Property
Losson Road Disposal Site
Cheektowaga, New York

Dear Mr. Maxwell:

A potentially hazardous situation has recently come to my attention with respect to property owned by Universal Marion and located south of Losson Road in the Town of Cheektowaga. I am writing this letter to you, as attorney and local agent for Universal Marion, to seek a resolution to this problem.

The area in question is a pit/lagoon area measuring 80 feet by 140 feet and is located approximately 900 feet south of Losson Road and 750 feet east of the former Gardenville railroad tracks. Based upon reports I was able to obtain from the New York State Department of Environmental Conservation, this area was used by the railroad company to dispose of its waste oil and sludge material during the 1950's and 1960's. Also dumped in this area are 56 drums containing high levels of lead, copper and zinc. In addition, the possibility exists for more volatile compounds to be present in deeper layers of the pit and for both the tars and solids to be defined as hazardous wastes through the E.P. Toxicity test. It has also been suggested that contamination of water in the Slate Bottom Creek upstream originated from this pit area.

Both the DEC and Recra Research, Inc. (the private firm hired by you to evaluate this area) recommended further evaluation, sampling and remedial work at this site. The DEC in 1984 notified you that removal of the tars and exposed drums from the pit area would be required. However, to date, no action has been taken by Universal Marion.

My concern over this area is heightened now that a new residential subdivision just 800 feet east of the pit is being developed. Children will thus be exposed to an attractive nuisance and Universal Marion will be liable for any injuries or deaths sustained as a result of accidents near the pit area.

I strongly suggest that you discuss this matter with Universal Marion and take immediate steps to remove or abate the hazardous conditions which exist on this property. At the minimum, you should feel obligated to post this area with warning signs and/or erect some type of enclosure around the pit area. Should you decide to take no action with respect to this problem, be advised that the Cheektowaga Town Board does have authority under the Public Health Law to post private property and to make such orders for the suppression of nuisances and other matters detrimental to the public health. Such action will be taken should Universal Marion do nothing to alleviate the hazards in this area.

Be further advised that the Town of Cheektowaga will prod the DEC to also take action with respect to Universal Marion's property.

Please keep me informed as to Universal Marion's plans with respect to this site. Should you wish, I would be happy to meet with you to discuss this matter.

Sincerely yours,

Thomas M. Johnson
Councilman

TMJ:ks
cc: Town Engineer
Town Attorney

New York State Department of Environmental Conservation
600 Delaware Avenue, Buffalo, New York 14202-1073

Henry G.
Commis

June 29, 1984

Mr. Charles P. Maxwell
Attorney at Law
7350 Boston State Road
North Boston, New York 14110

Re: Universal Marion Property
Losson Road Disposal Site
Cheektowaga, New York

Dear Mr. Maxwell:

This letter is to confirm the discussions held on the subject site during the meeting of June 11, 1984 between representatives of Universal Marion Corporation, Erie County Department of Environment and Planning (ECDEP) and the New York State Department of Environmental Conservation.

A preliminary report prepared by Recra Research, Inc., Univeral Marion's consultant, indicates the need for further investigation and remedial work at the site. Outlined below are our recommendations for such follow-up activities. The recommendations reflect the current position of this Department and the ECDEP.

1. Removal of the "tars" from the depression will be required. Prior to removal and disposal, additional information is needed. An accurate estimate of the volume of material and analyses of samples of "tar" taken from near the bottom of the depression are necessary. We are recommending the additional analyses of "tars" to determine if the composition of the substance changes with depth. Once we are confident that the nature of the material has been clearly established, a suitable disposal method and site can be chosen.

2. Exposed drums must be removed and disposed of properly. When appropriate the content of the drums must be analyzed to determine if it is hazardous so that proper disposal methods and sites can be chosen.

3. Our review of aerial photography indicates that the areas immediately to the south and west of the depression have received fill. We are recommen that test pits be dug in these areas to ascertain if they have received waste material. Follow-up activities in these areas will be dependent o test pit findings.

4. We are recommending that the groundwater be evaluated near the site to determine depth to groundwater, the direction of flow and the imp of disposal on groundwater quality.

5. Recra's field observations indicated that overland flow caused "tars" to migrate from the depression into the marsh area east of the depre We are recommending that sediment samples be taken in the marsh area determine to what extent this area has been affected.

6. Additional sampling of the creek to the east of the site is recommen Surface water samples should be obtained further upstream of the prev Recra sampling and at a point between the site drainage discharge int the creek and the confluence of the south branch of Slate Bottom Cree

7. In addition to the previously selected parameters, analysis of the sa should include Polynuclear Aromatics (PNAs).

Any proposal prepared by your consultant should address these recommendat well as any other work they feel is appropriate or necessary. For interpreta discussion of these recommendations, feel free to contact Mr. Ronald Koczaja at 846-8556. I can be reached at 847-4590.

Very truly yours,

Peter J. Buechi (cag)

Peter J. Buechi, P.E.
Associate Sanitary Engineer

AT:cag

cc: Mr. John McMahon
Mr. Ahmad Tayyebi
Mr. Lawrence Clare
Mr. Ronald Koczaja

Item No. 8 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, Cub Scout Pack #618, Cub Scouts of America, has requested permission to conduct an overnight campout on August 23, 1986 and August 24, 1986 at John C. Stiglmeier Park, 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 permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, said waiver extended to Cub Scout Pack #618, Cub Scouts of America for the use of John C. Stiglmeier Park on August 23, 1986 and August 24, 1986, and BE IT FURTHER

RESOLVED that a copy of said resolution be forwarded to the Chief of Police, Facilities Department Director and Recreation 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. 9a Motion by Supervisor Weber, Seconded by Councilman J. Rogowski

WHEREAS, the Dresser Industries Plant in Depew closed in 1985 and is currently non-operational, and

WHEREAS, the closing of the Dresser Industries plant resulted in a number of layoffs, thus increasing the unemployment in this area, and

WHEREAS, representatives of the County of Erie, Town of Lancaster, Village of Depew and Depew Union Free School District have arrived at a reasonable solution for the future development of the Dresser Industries Plant, and

WHEREAS, said solution involves the transfer of the Dresser Industries Plant to the Erie County Industrial Development Agency, which would, in turn, lease same to a private developer, and

WHEREAS, as part of said solution, the Town of Cheektowaga is being asked to execute a Letter of Understanding, a copy of which is attached herto, whereby it would accept payment in lieu of taxes for such property for a period of ten years, and

WHEREAS, the impact of the Town's agreeing to such payment in lieu of taxes is minimal since the Town presently collects only $463.66 in annual taxes from the Dresser Industries property, and

WHEREAS, the Town's agreeing to execute the Letter of Understanding will help to encourage a private developer to lease and develop the Dresser Industries Plant, thereby bring jobs back into this area, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the aforementioned Letter of Understanding, a copy of which is attached hereto and made a part hereof, on behalf of the Town.

* See next five (5) pages for copy of Letter of Understanding

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

LETTER OF UNDERSTANDING

THIS LETTER OF UNDERSTANDING is made this 23rd day of January, 1986, by and between representatives of the COUNTY OF ERIE, hereinafter "County"; of the TOWN OF LANCASTER, hereinafter "Lancaster", of the TOWN OF CHEEKTOWAGA, hereinafter "Cheektowaga"; of the VILLAGE OF DEPEW, hereinafter "the Village"; and of the DEPEW UNION FREE SCHOOL DISTRICT, hereinafter "School District."

WHEREAS, the parties aforementioned have a common desire to retain the Dresser Industries Plant located in Depew, New York, in an operational capacity to assure both the economic well-being of the community and a continuing tax base, which is also in the public interest, and

WHEREAS, the Erie County Industrial Development Agency (E.C.I.D.A.) has discussed with Dresser Industries, the transfer of the plant from Dresser Industries to Buffalo and Erie County Industrial Land Development Corporation (I.L.D.C.) in order to avoid abandonment of the plant, and, secondly, to assure a continuing tax base by lease or sale to a prospective redeveloper/ lessee, and

WHEREAS, I.L.D.C. would accept the donation of the plant from Dresser Industries and subsequently transfer same to E.C.I.D.A., and

WHEREAS, E.C.I.D.A. has noticed the parties herein that a basic Understanding to be followed by written Agreement has been reached with a prospective redeveloper to lease the plant from E.C.I.D.A. and I.L.D.C. is prepared to request the donation of the plant from Dresser Industries, and

WHEREAS, it will be necessary for the parties herein, representing the several taxing districts involved with the plant, to set forth tax liabilities, tax refunds and future real property tax considerations in order to accomplish the donation of the property from Dresser Industries to I.L.D.C. and the subsequent transfer to E.C.I.D.A. and the further lease of the premises from E.C.I.D.A. to a private sector redeveloper/lessee, and

WHEREAS, the parties have agreed to certain terms with respect to the foregoing;

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the parties aforementioned, representing the several taxing districts affecting the Plant, do hereby agree as follows:

1. That the mutual covenants and promises set forth herein are reasonable and necessary to the economic health of the community, and that the parties hereto will urge their respective boards to confirm the same prior to April 1, 1986.

2. The real property tax liability of Dresser Industries for all real property taxing districts shall terminate retroactively as of December 31 1985, conditioned upon the donation of the Plant in Depew, New York, by Dresser Industries to I.L.D.C. and the acceptance of same by I.L.D.C.

3. Upon completion of the transfer referred to in (2), "the Village" shall provide to Dresser Industries a refund of Village of Depew real property taxes collected for the tax year 1985-86, in an amount representing the pro-rata share of Village taxes, including adjustment to reflect the assessed value reached in settlement of the pending Article 7

Proceeding under the Real Property Tax Law, for the period after December 31, 1985, to the end of the Village tax year, which is May 31, 1986, said payment of the Village refund liability to be paid to Dresser Industries on or after June 30, 1986. Water and sewer charges to the property by the Village of Depew are not to be construed as part of this Agreement.

4. Upon completion of the transfer referred to in (2), the "School District" shall provide to Dresser Industries a refund of school taxes collected for the tax year 1985-86 in an amount representing the pro-rata share of school district taxes, including adjustment to reflect the assessed value reached in settlement of the pending Article 7 Proceeding under the Real Property Tax Law, for the period after December 31, 1985, to the end of the School District tax year, which is June 30, 1986, said payment of the school district refund liability to be paid to Dresser Industries on or after July 31, 1986.

5. Upon completion of the trensfer referred to in (2), "Lancaster", "Cheektowaga", and the "County" will direct the appropriate actions within their taxing units to cause the implementation of the settlement reached in the Article 7 Proceedings and the substitution of the Payment In Lieu of Taxes (PILOT) as described hereinafter for taxes levied commencing January 1, 1986, and release Dresser Industries from payment of taxes imposed by their respective taxing units for the tax year commencing January 1, 1986, on the Plant property, based upon the PILOT Agreement.

6. Upon completion of the transfer recited in (2), the parties hereto agree that a PILOT will be accorded the prospective private sector redeveloper who will lease the Plant from E.C.I.D.A., and said PILOT will be for a term of ~~five (5)~~ ten (10) years and shall be in the sum of Fifty Thousand Dollars ($50,000.00) per year, which shall be due and payable commencing

1170
2/13/86
2/5/86

July 1, 1986, for the "County"/"Town" apportioned share of the PILOT, and succeeding payments to the respective taxing authorities will be made in the apportioned share of PILOT to each taxing authority on the date that taxes become due in the respective taxing authorities during the term of the PILOT Agreement. Water and sewer charges by the Village of Depew are not included in this PILOT Agreement.

7. In addition, the prospective redeveloper/lessee shall be liable for a payment to the several taxing authorities herein in an amount which is equal to five per cent (5%) of the net profit in excess of One Million Dollars ($1,000,000.00) generated by the redeveloper/lessee during the fiscal year commencing on April 1, 1991 for the twelve (12) months immediately preceding and on the 1st day of April in each succeeding year until April 1, 1996. The additional sum so determined shall be apportioned each year between the several taxing authorities set forth hereinafter and paid on or before July 15th following each respective fiscal year.

8. The apportionment between the several taxing authorities of the base and any additional payment shall be made to the percentage share each taxing authority imposed of the total of all real property taxes levied (before adjustment) by these same taxing authorities on Dresser Industries for the following tax years:

Erie County	1985
Town of Lancaster	1985
Town of Cheektowaga	1985
Village of Depew	1985-86
Depew Union Free School District	1985-86

9. The PILOT shall terminate on December 31, 1995, and the additional payment as recited above shall terminate with the fiscal year ending March 31, 1996, and for the tax years commencing on or after January 1, 1996, the redeveloper/lessee shall either enter into a further approved PILOT Agreement jointly with the several taxing authorities or shall be liable for all taxes thereafter as determined by the assessed valuation of the real property.

10. Any Agreement regarding PILOT shall not be assignable by the redeveloper/lessee to any other party without the express written consent of each and every taxing authority herein.

11. The parties hereto which are respondents in a Tax Certiorari Proceeding under Article 7 of the Real Property Tax Law of the State of New York, pending in Supreme Court, Erie County, do hereby consent to the Depew Union Free School District joining the action as a respondent, and further consent to the said Depew Union Free School District interposing an Answer therein and entering into a Stipulation in the proceeding relative to the tax refund liability of said School District, as part of this proceeding and as has been hereinbefore set forth.

APPROVED AS TO CONTENT:

COUNTY OF ERIE

By: _____

Title: Comm of Finance

VILLAGE OF DEPEW

By: _____

Title: Mayor

TOWN OF LANCASTER

By: _____

Title: Supervisor

DEPEW UNION FREE SCHOOL DISTRICT

By: _____

Title: Atty/Attorney

TOWN OF CHEEKTOWAGA

By: _____

Title: Supervisor

Item No. 9b Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, it is the desire of this Town Board to make additional improvements in the Stiglmeier Park by the construction of a pond and waterway system, which system would have environmental and recreational uses for Town residents, and

WHEREAS, there has been a request and support from various groups and citizens for such an undertaking within the confines of the Stiglmeier Park land, NOW, THEREFORE, BE IT

RESOLVED that the proposal for the preparation of plans and specifications and for inspection services for the construction of the pond and waterway system in the Stiglmeier Park as submitted to the Town Engineer in a proposal dated January 29, 1986 by Merriman Conservation Consultants, Inc. be and hereby is approved, at the initial cost for plan preparation in the amount of $4,500, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is directed and authorized to sign said agreement with Merriman Conservation Consultants, Inc. for the provision of professional services for the construction of the pond and waterway system in Stiglmeier Park, and BE IT FURTHER

RESOLVED that funding for said Stiglmeier Park development is to be appropriated from Capital Improvements Project #29.

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

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

WHEREAS, the Town of Cheektowaga has received Community Develoment Block Grant funds from the Department of Housing & Urban Development, the application for which funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans to elgible homeowners, and

WHEREAS, the Town of Cheektowaga has established such a Housing Rehabilitation Loan 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:

$5743.00 - 54 Wallace Avenue

and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to sign a Loan Agreement with the owner(s) of the above listed property 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 completed to the satisfaction of the Town Housing Inspector and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

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

WHEREAS, it is the intention of the Town of Cheektowaga to sponsor a "Polish-American Arts Festival" within the Town during the month of August, 1986, and

WHEREAS, the goal of such a Festival is the cultural enrichment of area and State residents, and the preservation of the Polish-American cultural heritage, and

WHEREAS, such a Festival will include presentation by various professional singing and dancing companies and societies, and

WHEREAS, financial assistance is available through the New York State Council on the Arts to help defray the costs and expenses of said presentation, and

WHEREAS, an application to the New York State Council on the Arts is being prepared requesting the amount of $5,000 for the presentation of the Cheektowaga "Polish-American Arts Festival", NOW, THEREFORE, BE It

RESOLVED that the Supervisor be and hereby is authorized to sign said application on behalf of the Town Board, and any all related documents for submission to the New York State Council on the Arts, and BE IT FURTHER

RESOLVED that a certified copy of this Resolution be forwarded to State Assemblyman Dennis Gorski and State Senator 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. 10 Motion by Councilman Kowal, Seconded by Supervisor Weber

BE IT RESOLVED that the following Holidays shall be observed by the Town of Cheektowaga in 1986:

New Year's Day	January 1, 1986 (Wednesday)
Day After New Year's	January 2, 1986 (Thursday)
Washington's Birthday	February 17, 1986 (Monday)
Good Friday	March 28, 1986 (Friday)
Memorial Day	May 26, 1986 (Monday)
Independence Day	July 4, 1986 (Friday)
Labor Day	September 1, 1986 (Monday)
Columbus Day	October 13, 1986 (Monday)
Election Day	November 4, 1986 (Tuesday)
Veteran's Day	November 11, 1986 (Tuesday)
Thanksgiving Day	November 27, 1986 (Thursday)
Day After Thanksgiving	November 28, 1986 (Friday)
Christmas Eve	December 24, 1986 (Wednesday)
Christmas	December 25, 1986 (Thursday)

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 Kowal, Seconded by Councilman Johnson

BE IT RESOLVED that the salaries of the School Crossing Guards be and hereby are established at $4.75 per hour, effective as of January 1, 1986, and BE IT FURTHER

RESOLVED that the School Crossing Guards shall be paid retroactively for Martin Luther King Day (January 20, 1986) since such day was a school holiday.

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. Rogowski, Seconded by Supervisor Weber to waive the reading of the salaries in Item No. 11b

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 Councilman Kowal, Seconded by Councilman Johnson

RESOLVED that the salaries of the following Town Officials and employees who are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1986:

Town Attorney	$32,645
Deputy Town Attorney	18,522
Town Engineer	44,625
Supervising Accountant	31,500
Building and Plumbing Inspector	33,843
Assessor	31,458
Real Property Appraiser	29,485
Executive Director - Youth Bureau	30,847
Director of Recreation	29,151
Senior Recreation Supervisor	20,920
Clerk of Justice Court	27,850
Clerk to Justice Court	21,687
Secretary to Supervisor	21,697
Deputy Receiver of Taxes	20,683
First Deputy Town Clerk	21,946
Second Deputy Town Clerk	20,683
Council Secretary	21,697
General Foreman - Sanitaiton	30,998
Senior Citizens Director	25,000
Program Director - Youth Bureau	20,424
Deputy Highway Superintendent	32,361
Director of Community Development	29,271
Employment & Training Services Director	35,988
Disaster Coordinator (part-time)	8,453
Mail Clerk (part-time)	4,962
Recreation Attendant (part-time Recreation)	6,946
Planning Board (5)	2,351
Secretary (1)	2,977
Chairman (1)	3,474
Zoning Board (4)	2,722
Chairman (1)	3,849
Assessment Review Board (4)	975
Chairman (1)	1,215
Bingo Inspectors (5)	4,865
Chairman (1)	5,095
Police Matrons (2)	6,967

Item No. 11b 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. 12 Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

WHEREAS, various business matters, especially associated with the Town's wastewater projects, flood control and drainage projects are presently pending between the Town of Cheektowaga and a number of State Agencies and Departments in Albany, New York and Federal Agencies in New York City and Washington, and

WHEREAS, conferences, meetings and consultations are expected to be held between representatives of State and Federal Agencies and others to transact business affecting the Town of Cheektowaga during the coming months, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer be and hereby is authorized to attend such meetings as are necessary to transact business on behalf of the Town and to attend the September conference of the American Public Works Association within the period ending December 31, 1986, and BE IT FURTHER

RESOLVED that all reasonable and necessary expenses to attend such meetings be reimbursed by the Town and chargeable to the Sanitary Sewer District Training and Seminar Budget Items of Sewer District #3 and Sewer District #5, Budget Items #308123.4087 and #508125.4087.

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 Johnson, Seconded by Councilman Gabryszak

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 Services Ordinance, and

WHEREAS, said Ordinance provides for the establishment and authorization of an Emergency Medical Services Board ("EMS Board") which will act as the 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 4A-7 of the Ordinance, NOW, THEREFORE, BE IT

RESOLVED that the following individual shall be designated to serve as a member of the EMS Board for a term of one year following appointment:

Mrs. Phyllis Reinstein

Cheektowaga, New York 14227

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 Jaworowicz, Seconded by Councilman Kowal

WHEREAS, by resolution dated January 20, 1986, this Town Board created the promotional position of Senior Clerk in the Police Department, and

WHEREAS, in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, this position was duly posted, and

WHEREAS, Carol Bannister has applied for such position, and

WHEREAS, Carol Bannister is in the top three positions on the eligible list resulting from the Erie County Civil Service Examination for Senior Clerk (Promotional), NOW, THEREFORE, BE It

RESOLVED that Carol Bannister be and hereby is appointed to the promotional position of Senior Clerk in the 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. 14a Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, Carol Ann Kilijanski, a Clerk-Typist in the Town of Cheektowaga Justice Department, has given written notice to the Town Board of her intentions to resign said position, NOW, THEREFORE, BE It

RESOLVED that the Town Board accepts Carol Ann Kilijanski's resignation, and BE IT FURTHER

RESOLVED that Carol Ann Kilijanski be and hereby is terminated effective January 29, 1986.

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

Item No. 14b Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

Parks Division - #01-007110-1-0-1491-001

	Effective
Mark Cartenuto	3/3/86
Bruce Blachowski	3/9/86
Kenneth Ostempowski	3/3/86

Street Lighting Division - #01-905182-1-0-1492-001

Joseph Coffta	3/10/86
William Richards	3/9/86

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

Item No. 14c Motion by Councilman Johnson, 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:

	EFFECTIVE
MAIN PUMP STATION	
David Cavanaugh	2/28/86
John Johnson	2/28/86
SANITATION DEPARTMENT	
David Walkowski	2/4/86

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 Johnson, Seconded by Councilman Kowal

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

	EFFECTIVE
SEWER MAINTENANCE DEPARTMENT - $3.10	
Ronald Lynch	2/19/86
Robert Latshaw	2/19/86
Tim Wojdan	2/19/86
SANITATION DEPARTMENT - $3.10 per hour	
Mark Gawron	2/17/86

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. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the rate of $3.10 per hour as follows:

		EFFECTIVE
Parks Division - #01-007110-1-0-1491-001		
Willard Kratzke	retroactive to	2/15/86
Joseph Dolecki	"	" 2/15/86
Harry Rogalski	"	" 2/10/86
Cam Viverto	"	" 2/17/86
John Bratek	"	" 2/16/86
Randy Palmisano	"	" 2/17/86
Stanley Siejak	"	" 2/16/86
John Slisz	"	" 2/17/86
Gordon Hagmier		
Street Lighting Division - #01-905182-1-0-1492-001		
Joseph Stallone	"	" 2/16/86

Item No. 15b 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. 16 Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, a total obstruction in front of #48 Nassau Lane was reported by the Sewer Maintenance Department, and

WHEREAS, it was necessary to effect immediate repairs and the Town's Sewer Maintenance Department was unable to do the repairs due to the depth of the sewer and the various utilities in this work area, and

WHEREAS, M.C. Morgan Contractors, Inc. was delegated to affect said sewer repair, and which extent of work is outlined in the February 14, 1986 memo of the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the voucher of M.C. Morgan Contractors, Inc. in the amount of $5,969.42 to make the necessary sewer repair 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 #5 Emergency Repairs 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. 17 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

BE IT RESOLVED that the New York State Electric and Gas Corporation be and hereby is authorized to install and energize three (3) 14,400 lumen H.P.S. luminaires with 14-foot brackets on existing wood poles on Postal Drive, in the Town of Cheektowaga, at an annual increase to the Town's General Lighting District of $403.86 in accordance with the attached proposal, dated December 11, 1985, which is hereby made a part of this resolution.

* See next page for proposal

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

NYSEG

December 11, 1985

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Postal Drive

Install 3 - 14400 lumen HPS lamps @ $117.81 ea. ---------- $351.93
(P-1,3;4, L-3761)

Install 3 - 14-ft. brackets @ $17.31 ea. ---------- $ 51.93
(P-1,3,4, L-3761)

TOTAL ANNUAL INCREASE ---------- $ 403.86

Item No. 18 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

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

SPECIAL DISTRICTS FUND

From:	508125.4543 (Sewer-Remedial)	$7,500.00
To:	508125.4201 (Sewer-Telephone)	$2,500.00
	508125.4221 (Sewer-Gas)	5,000.00

GENERAL FUND

From:	1910.4711 (Contingency)	$5,884.00
To:	3020.2513 (Police Communications Equip.)	$5,884.00

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

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 Supervisor Weber, Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 19th, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$ 88,074.67
SPECIAL DISTRICT FUND	9,894.44
HIGHWAY FUND	29,162.65
TRUST AND AGENCY FUND	26,176.42
CAPITAL FUND	136,284.10
HUD-CDBG FUND	6,181.09
PART TOWN FUND	893.50
	$296,666.87

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

II. FROM THE TABLE

Item No. 20 Motion by Councilman J. Rogowski, Seconded by Supervisor Weber

WHEREAS, the Town has received an application from the Buffalo Airport Center Associates, a limited partnership with Buffalo Airport Center, Inc. a wholly owned subsidiary of Snyder Corporation, as the general partner, seeking financial assistance in the amount of $2,000,000 for the purpose of acquiring an interest in and/or rehabilitating a parcel of real property located in the Town at 4454 Genesee Street, commonly known as the Westinghouse Facility, for use as an industrial-commercial center, and

Item No. 20 cont'd

WHEREAS, the partnership has previously acquired an interest as the primary lessee in the property through the Erie County Industrial Development Agency (E.C.I.D.A.) which financed the acquisition of the property by means of an Industrial Revenue Bond issued under its auspices, and which now holds record title to the property, and

WHEREAS, the United States Department of Housing and Urban Development (H.U.D.) has committed to the Town the sum of $2,000,000 as a loan to be guaranteed by the Town's future Community Development Block Grant entitlement under the H.U.D. Section 108 Loan Guarantee Program, for use in the acquisition of an interest in and/or rehabilitation of the Westinghouse Facility upon the Town's compliance with the special conditions set forth in a letter to the Town from H.U.D. dated September 27, 1985, a copy of which is attached, and

WHEREAS, the Town Board has reviewed the partnership's request for financial assistance and it is of the judgement that said project will foster economic growth and development, job retention, job development, and will protect and ultimately enhance the tax base of the Town, to the benefit of the Town and its inhabitants, and that providing the requested financial assistance is necessary to effectuate the proposed redevelopment of the Westinghouse Facility, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to execute on the Town's behalf the Funding Approval and Grant Agreement and Loan Guarantee Acceptance Provisions with the Department of Housing and Urban Development and any additional supporting documents as necessary to obtain said Section 108 Loan Guarantee Funds in the amount of $2,000,000, and BE IT FURTHER

RESOLVED the the Town's Director of Community Development be and hereby is authorized to submit to H.U.D. on behalf of the Town all documentation necessary to permit the release of said Section 108 Loan Guarantee funds and to permit the Town to bring such loan to closing with H.U.D.

* *

Motion by Councilman Kowal, Seconded by Councilman Johnson to table the above resolution.

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

* *

THIS ITEM WAS TABLED BY MAJORITY VOTE.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Cheektowaga Library Board - minutes of January meeting
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 22 N.Y.S. Dept. of Trans. - Notice of Order - signal on Union at Appletree Mall
Copies were sent to: Daniel E. Weber, Supervisor; Alfred Wnek, Highway Superintendent; Town Board; Leonard J. Smolarek, Chief of Police.
Received and Filed.

Item No. 23 N.Y.S. Dept. of Env. Conservation - Notice of Public Hearing
Received and Filed.

Item No. 24 E.C. Dept. of Public Works - Designation of Restricted Highway - Holtz Drive
Copies were sent to: Daniel E. Weber, Supervisor; Town Board; Alfred Wnek, Highway Superintendent; Leonard J. Smolarek, Chief of Police.
Received and Filed.

Item No. 25a SUMMONS & COMPLAINT - Dennis Maciuba vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Leonard J. Smolarek, Chief of Police.
Received and Filed.

Item No. 25b SUMMONS & COMPLAINT - Farshid Etghayi vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Leonard J. Smolarek, Chief of Police; Schmitt & Kraft, Insurance Company
Received and Filed.

Item No. 26a NOTICE OF CLAIM - Dan Gorowsky vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Mike Miecznikowski, Recreation Director; James Matecki, Facilities Director; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 26b NOTICE OF CLAIM - Amelia Snyder vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Matecki, Facilities Director; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 26c NOTICE OF CLAIM - Ralph Zangara vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Mike Miecznikowski, Recreation Director; James Matecki, Facilities Director; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 26d NOTICE OF CLAIM - Thomas Fial vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Mike Miecznikowski, Recreation Director; James Matecki, Facilities Director; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 26e NOTICE OF CLAIM - State Farm Insu (B. Hovanes) vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 26f NOTICE OF CLAIM - Gloria Bottita vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Burst, Sewer Maintenance Department; Joseph J. Naples, 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 two (2) 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. 27 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, Section A-8 of the Ambulance Ordinance of the Town of Cheektowaga provides that application fees for the issuance of ambulance drivers/attendants licenses may be established by resolution of the Town Board from time to time, and

WHEREAS, by resolution dated November 5, 1984, this Town Board established the application fee for the issuance of drivers/attendants licenses at $5.00, and

WHEREAS, by letter dated September 30, 1985, the Emergency Medical Services Board recommended that there be only an initial application fee of $5.00 for drivers/attendants licenses and that no annual renewal fees be charged for such licenses, and

WHEREAS, this Town Board is in agreement with the aforementioned recommendation of the Emergency Medical Services Board, NOW, THEREFORE, BE IT

RESOLVED that the waiver of renewal fees for drivers/attendants licenses, as provided for hereinbefore, shall be applied to applications for renewals of such licenses which are submitted to the Town Clerk on or after February 20, 1986, and BE IT FURTHER

RESOLVED that the attached "Renewal Application for Ambulance Driver/Attendant License", as prepared by the Emergency Medical Services Board, be and hereby is accepted by this Town Board for use by the Town Clerk for renewals of all driver/attendant licenses on or after February 20, 1986.

See next two (2) pages for application

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

RENEWAL ONLY

RENEWAL ONLY

TOWN OF CHEEKTOWAGA
EMERGENCY MEDICAL SERVICES BOARD
c/o TOWN CLERK
Broadway and Union Roads
Cheektowaga, New York

NO FEE

NO FEE

RENEWAL APPLICATION FOR AMBULANCE DRIVER/ATTENDANT LICENSE
(Orginal license expiration date must not exceed 30 days)

APPLICANT:_____.EMPLOYER:_____
(Please Print)

RESIDENCE:_____.PHONE NO._____
(Please Print)

CITY/TOWN_____.ZIP._____

Applicant hereby agrees to comply with all rules,regulations,statutes & ordinances of the Town of Cheektowaga & State of New York, now in effect or which may hereafter be adopted governing ambulance service & further swears to the truth of all statements in the attached application.

SWORN TO BEFORE ME THIS _____DAY OF_____19___

_____ _____
Notary Public Applicants Signature

My commission expires:_____

==========

FOR THE CHEEKTOWAGA POLICE DEPARTMENT (Criminal Records Bureau)

NO CRIMINAL HISTORY INFORMATION REPORTED: _____

CRIMINAL HISTORY RECORD INFORMATION ATTACHED: _____

Certified by:_____ Date:_____

==========

PLEASE ATTACH PHOTO COPY OF CURRENT CHEEKTOWAGA AMBULANCE DRIVER - ATTENDANT LICENSE AND COPY OF CURRENT E.M.T.CARD(S). APPLICATION WILL NOT BE PROCESSED IF COPIES ARE NOT ATTACHED.COPIES MUST BE LEGIBLE.

==========

TURN OVER AND COMPLETE OTHER SIDE

1. MOTOR VEHICLE CHAUFFEUR'S OR OPERATOR'S LICENSE:

NUMBER:_____ DATE ISSUED:_____

2. Have you been charged or convicted of any crime, misdemeanor, offense or any other violation of the law other than traffic violations since your orginal application ? If yes give date(s), nature of charge and disposition._____

_____

_____.

3. Have you, since your orginal application been charged or convicted of any traffic violations ? If yes, give date(s), nature of charge and disposition._____

_____

_____

_____.

4. Have you, since your orginal application had a license refused or license suspended or revolked ? If yes, give date, and particulars of such event: _____

_____

_____

_____.

APPLICANTS SIGNATURE _____DATE___/___/____

==========

FOR THE CHEEKTOWAGA EMERGENCY MEDICAL SERVICES BOARD

APPROVED DRIVER/ATTENDANT ( )

APPROVED DRIVER ONLY ( )

APPROVED ATTENDANT ONLY ( )

(check one of the above only)

COMMENTS:

DATE:_____

_____

CHEEKTOWAGA EMERGENCY MEDICAL SERVICES BOARD

Item No. 28 Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, the Niagara Frontier Transportation Authority (NFTA) has filed an application for State and Federal funding to finance and/or reimburse it for the cost of implementing changes to the 1982 Greater Buffalo International Airport Master Plan to incorporate the Westinghouse facility and property in the Plan, and

WHEREAS, such changes are intended to lay the foundation for application for further funding to finance the purchase or acquisition under eminent domain of the Westinghouse facility and property by the NFTA, and

WHEREAS, such acquisition would result in the eventual demolition of structures and conversion of the property to Airport use, and

WHEREAS, the involved 130 acres and buildings contained thereon are wholly within the Town of Cheektowaga, and

WHEREAS, the potential tax revenues from the full commercial utilization of 2.5 million square feet of building floor space and the remaining acreage would never be realized should the land be acquired for Airport terminal, parking, and runway expansion, as proposed in the changes or revision to the Greater Buffalo International Airport Master Plan that are the subject of an application for funding now under A-90 Review by the Erie-Niagara Counties Regional Planning Board, and

WHEREAS, the current Master Plan provides for expansion of Airport facilities to meet projected needs without acquisition of Westinghouse property, and

WHEREAS, the Town Board has considered the economic and environmental impacts of NFTA acquisition, the extent of any "in lieu of" tax payments, and the development prospectus for the Westinghouse property under private ownership, and

WHEREAS, it is the belief of the Town Board of the Town of Cheektowaga that a concensus of Town residents is opposed to any expansion of the perimeters of the Greater Buffalo International Airport beyond that which was set by the 1982 Master Plan, and in particular, any acquisition of the Westinghouse property, and

WHEREAS, it is the judgement of the Town Board of the Town of Cheektowaga that the health ,welfare, and best interests of the community would be served by the NFTA continuing on course with its implementation of the current Master Plan, which excludes the subject Westinghouse property, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the Erie-Niagara Counties Regional Planning Board to disapprove the NFTA application currently before it, i.e., "Update of Master Plan for Greater Buffalo International Airport (R-DOT-AIP-15)", and BE IT FURTHER

RESOLVED that a certified copy of this resolution be filed immediately with the local office of the Erie-Niagara Counties Regional Planning Board in advance of their "Information Conference" to be held on February 24, 1986 at 9:30 A.M. at 3101 Sheridan Drive, Amherst, New York 14226, and B IT FURTHER

RESOLVED that the Town Board hereby notifies the Federal Aviation Administration of the U.S. Department of Transportation and the N.Y.S.D.O.T. of its opposition to the proposed update.

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 Kowal to adjourn the meeting in memory of Cecelia Rudzinski, wife of former Assessor, Eugene Rudzinski and Ferdinand Wegner, father of Don Weger, Chairman of Zoning Board of Appeals.

RICHARD M. MOLESKi
Town Clerk

PUBLIC HEARINGS HELD AT 6:30 P.M.

Meeting No. 5 March 3, 1986

1 Rezoning from M1-Light Manufacturing District to R-Residential District of certain properties on Losson Road

2 Proposed use of 1986-87 Community Development Block Grant Program

Meeting No. 6 March 17, 1986

1 Proposed Local Law No. 1 of the Year 1986, entitled "DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES

Meeting No. 7 April 7, 1986

1 Special Use Permit for auto rental, sales and light detail on property located at 4900 Transit Road

Meeting No. 8 April 21, 1986

1 Rezoning from R-Residential to RA-Apartment District at 1 Cayuga Creek Road

2 Special Use Permit for automobile repair and towing service at 468 Kennedy Road

3 Rezoning from M1-Light Manufacturing District to CM-General Commercial District and Special Use Permit for Mobile Home Park at 320 Losson Road

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PUBLIC HEARINGS

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NO.	ITEM	PAGE
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2	Acquisition of certain property for access to "Cheektowaga Volunteer Firemen's Memorial Park"	1

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

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4	Authorization for Supervisor to sign Agreements with:	
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	c. Chief of Police and Assistant Chief of Police	3
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	e. Nussbaumer & Clarke regarding sewer remedial projects	4
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10	Appointments:	
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3	Adoption of Local Law No. 1 of 1986: Defense and Indemnification of Town Officers and Employees	1-2
4	Decisions on REzoning and Special Use Permit-Appletree Mall located on Union Rd. between Como Park Blvd. & Bennett Road	
	a. Rezoning	2-4
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5	Notice to Bidders - furnishing of round tapered aluminum street light standards with truss arms	7
6	Awards of Bid:	
	a. Application of chemical fertilizers and herbicides	8
	b. One (1) 1986 one (1) tonc 4X4 pick-up truck with snow plow, duraliner and hydraulic tailgate for Facilities Department	9
7	Acceptance of Captains and Lieutenants Contract	
8	Change rate of pay for:	
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	b. Supervisor's Receptionist	

NO.	ITEM	PAGE
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Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of March, 1986 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; Stewart Alexander, Planning Consultant; Chester Bryan, Town Engineer; Jerry Gabryszak, Community Development Director; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor; Sal LaGreca, Employment and Training Director II; Ronald Marten, Building Inspector; Raymond Pugh, Member of Cheektowaga Planning Board; Mary Lou Rath, Erie County Legislator; Julia Reinstein, Town Historian; Richard Slisz, Erie County Legislator; Leonard J. Smolarek, Chief of Police; Sam Tadio, President of Economic Development Corporation; Donald Wegner, Chairman of Zoning Board; Fred Wnek, Superintendent of Highways; Barney Wojtkowiak, Mayor of Sloan; and Ronald Zoeller, Foreman, Sanitation Department.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Kowal Seconded by Councilman Johnson

WHEREAS, this Town Board, by resolutions dated January 7, 1985 and May 6, 1985 requested the New York State Retirement System to transfer Frank Dux from Tier III to Tier II and to transfer John Banas from Tier II to Tier I, and

WHEREAS, this request was made because errors made previously incorrectly placed the aforesaid individuals in the wrong tiers for the purpose of retirement, and

WHEREAS, under New York State law, the Town of Cheektowaga does not have the authority to change the tiers for the aforesaid Town employees, and

WHEREAS, Assembly Bill A.7333-A and Senate Bill S.5178-A have been introduced which would allow John Banas to transfer from Tier II to Tier I in the New York State Retirement System, and

WHEREAS, Assembly Bill A.7351-A and Senate Bill S.5310-A have been introduced which would allow Frank Dux to transfer from Tier III to Tier II in the New York State Retirement System, and

WHEREAS, this Town Board, pursuant to Section 40 of the Municipal Home Rule Law of the State of New York, may request the New York State Legislature to enact a special law relating to the property or affairs of the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby strongly requests the New York State Assembly to enact Assembly Bills A.7333-A and A.7351-A and the New York State Senate to enact Senate Bills S.5178-A and S.5310-A, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized to execute

Item No. 2 Cont'd.
the Home Rule Request forms for the aforementioned Senate and Assembly bills, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to forward executed copies of such Home Rule Request forms to the State Senate, State Assembly, State Assemblyman Dennis T. Gorski and State Senator Dale M. 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. 3 Motion by Supervisor Weber Seconded by Councilman J. Rogowski

WHEREAS, Municipal Governments generally must propose their budgets prior to their respective general elections and submit them to the scrutiny of the general public, and

WHEREAS, the Erie County Charter permits the County Executive to propose his Budget after the November General Election, and

WHEREAS, the citizens of Erie County would be better served by a full revelation of the County Budget prior to said election, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby memorializes the County Executive and County Legislature to amend the Erie County Charter so as to require submission and adoption of the net annual County Budget prior to the annual election day in each November, and, BE IT FURTHER

RESOLVED that a copy of this resolution be submitted to the County Executive, the Clerk of the Legislature and to Legislators Richard A. Slisz and Ralph M. Mohr, all Towns in Erie County and to the Association of Erie County Governments.

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 Johnson Seconded by Councilman J. Rogowski to read Item 4A and tabled Item 15 following Items 4b,4c,4d and 4e.

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

* *

Item No. 4b Motion by Councilman Kowal Seconded by Councilman Johnson

BE IT RESOLVED that the Supervisor is hereby authorized to execute the attached Agreement between the Town of Cheektowaga and the Cheektowaga Supervisory Group; said Agreement representing the 1986-88 contract between both parties.

*SEE NEXT NINE (9) PAGES FOR COPY OF AGREEMENT.

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

MEMORANDUM OF AGREEMENT

between

THE TOWN OF CHEEKTOWAGA

and

THE CHEEKTOWAGA SUPERVISORY GROUP

In order to establish a successor agreement between the Town of Cheektowaga and the Cheektowaga Supervisory Group for the contract period January 1, 1986 through December 31, 1988, the parties agree to adopt the existing Agreement between the parties, except for the modifications attached hereto.

1) ARTICLE 3 SUPERVISORY GROUP SECURITY

SECTION 3.05 JOB SECURITY

A) "The Board agrees that for the life of this Agreement, permanent employees covered by this Agreement shall be 21 employees:

New Paragraph

B) "However, the Town may reduce the work force to 19 members in the event of a consolidation of departments, said reduction shall be achieved through attrition only".

2) ARTICLE 5 HOURS OF WORK

Amend Section 5.03 - Inclement Weather as follows:

Add to first sentence after "regularly scheduled time", "unless notified that the department is closed, such closing will be made by radio announcement, as per Section 5.04." "If the department is not closed, an employee who is unable to report to work on time but does report by 12:00 Noon, shall be paid as if he reported to work on time." (The rest remains).

Add new Section 5.04 - Closing of Departments to read:

"The Town Supervisor, due to inclement weather, may shut down any or all departments. The closing of the department shall mean that no employee shall report to work. Any employee whose department has been shut down by inclement weather conditions shall have the option of using a sick or personal day. If he has no accrued sick or personal days, he may use a vacation day."

"If the department is closed for three (3) consecutive work days by order of the Supervisor, one (1) 'Act of God' day (eight [8] hours) will be allowed each employee."

Add new Section 5.05 - Inclement Weather Call In to read:

"After the Town Supervisor has declared an inclement weather condition, and after all department full-time employees have been utilized, if it becomes necessary to utilize additional full-time employees from other departments, employees will be called in according to a town-wide seniority list on the basis of their experience and demonstrated ability to operate related equipment. Any employee who works in another department during an emergency situation will be charged with such overtime."

3) ARTICLE 7 - VACATIONS

Add new Section 7.06 - Vacation Sell Back to read:

"After ten (10) years of service, employees shall have the option of electing to receive the cash equivalent of earned vacation as follows: 1986, 1987 - five (5) days; 1988 - ten (10) days. Cash equivalent shall be made in December of year vacation is to be taken. Vacation sell back shall be no less than five (5) days."

4) ARTICLE 8 - SICK LEAVE

Amend Section 8.03 (b) to read:

Delete: One (1) full day's pay for every five (5) days of accumulated sick leave.

Add: 25% - 1986, 30% - 1987, 35% - 1988 of accumulated sick leave.

5) ARTICLE 13 - INSURANCE COVERAGE

Amend to read:

"The Board will provide a Twenty Thousand Dollar ($20,000.00) life insurance policy for every member of the unit in 1986, and an increase of $5,000.00 in the current life insurance policy in 1987 which shall carry through for the life of this Agreement."

6) ARTICLE 14 - HEALTH INSURANCE

Amend paragraph (e) to read:

"Beginning January 1, 1987, the Town will provide, without cost to the employee, CHI M-1 Dental Plan. The coverage shall also include Prosthetic, Orthodontia, and Dependents to Age 23 Benefits. (Riders covering employees with Dependents to Age 23 shall apply only to those employees who have Dependents to Age 23)."

Amend paragraph (g) to read:

"Effective Janaury 1, 1986, the Town will provide, without cost to the employee, the following riders to the Blue Cross and Blue Shield Coverage. (Riders covering employees with Dependents to Age 23 shall apply only to those employees who have Dependents to Age 23)."

Blue Cross and Blue Shield, Basic Rider 8
(insuring Dependents to Age 23 years).
Major Medical Rider 8 ($100.00 deductible).
Prescription Drug Rider 8 (Covering Dependents to Age 23).
Blue Shield, Basic Rider 4 (Covering emergency, accidents, etc.
Blue Shield, Basic Rider 3 (in-patient visits to 365).
Blue Shield, Basic Rider 12 (Pathology and Lab).

7) ARTICLE 15 - WAGES

SECTION 15.01 - WAGE SCHEDULE:

Delete: Current Language

Add: "The wage schedule for all employees covered by this Agreement shall be set forth in Appendix "A" - 1986, Appendix "B" - 1987 and Appendix "C" - 1988 of this Agreement and shall be the only method by which wages shall be paid."

8) SECTION 15.02 - LONGEVITY SERVICE PAY

	1986	1987	1988
6 years	$125.00	$150.00	$175.00
12 years	$175.00	$175.00	$200.00
16 years	$275.00	$275.00	$300.00

9) SECTION 15.05 - SHIFT DIFFERENTIALS

Add paragraph (b) to read:

"All employees who have completed ten (10) years of service and are regularly scheduled to work on Saturday and/or Sunday shall receive an additional twenty-five cents ($.25) per hour."

10) ARTICLE 17 - WORK FORCE CHANGES

SECTION 17.01 - LAY OFF

Amend Paragraph (B)

"When an employee is laid off due to a reduction in the work force, he will be permitted to exercise his seniority rights to bump an employee with less seniority in the same job classification or a lower classification listed in Appendix "A", "B", "C" of this Agreement."

11) SECTION 17.03 - JOB VACANCIES

New Section

"Whenever a permanent job opening occurs in the Supervisory Group, employees in the same job classification or higher job classification may bid on the vacancy providing the employee meets the qualification of the position."

A) Notice of vacancies will be sent to the President of the Supervisory Group and all qualified employees will have ten (10) working days to apply for the existing vacancy.

SECTION 17.03 - PROMOTIONAL OPPORTUNITIES (continued)

B) Bid application will be made to the Department Head with a copy to the Supervisory Group President and the Town Board.

C) The Board shall fill such vacancy from those applicants who meet the standards of the job requirements except that if there is more than one employee who is qualified for the job, then said position shall be filled within five (5) working days or such other time as necessary to have such appointment considered at the regularly scheduled Board Meeting.

D) Employee(s) with the greater seniority shall have preference for said position, however, vacancies shall be filled at the pleasure of the Town Board.

E) This section shall not be subject to the grievance procedures.

12) ARTICLE 21 - GENERAL PROVISIONS

SECTION 21.03 - WORK CLOTHING, PROTECTIVE CLOTHING, shall read:

"After "three (3) uniforms per year," delete "during the month of January" and add "allowance for safety shoes of $50.00 beginning January 1988,....."

13) Add new SECTION 21.06 - RESIDENCY REQUIREMENTS to read:

"Providing employee maintains equal assessment on tax rolls in Cheektowaga, he may reside outside the Town after 20 years of service."

14) Add new SECTION 21.07 - HEALTH AND WELFARE to read:

"The Board agrees to pay to the Supervisory Group the sum as follows

1987 - $500.00, 1988 - $500.00. This sum shall be paid to the Association no later than January 31st of each year."

15) ARTICLE 23 TERMINATION AND MODIFICATION

Change to read:

"This Agreement shall become effective the day of 1986, and continue in full force and effect until midnight December 31, 1988,....."

APPENDIX A

WAGE SCHEDULE - 1986

	January 1, 1986
General Foreman Facilities Department	$30,841.07
" " Central Garage	$29,774.47
" " Sewer Maintenance	$29,774.47
" " Highway Department	$29,774.47
Supt. of Wastewater Treatment	$29,774.47
Automotive Mechanic Foreman, Central Garage	$27,366.49
" " " , Highway Dept.	$27.366.49
Working Foremen	$26,445.48
Assistant Supt. Wastewater Treatment	$26,445.48

APPENDIX B

WAGE SCHEDULE - 1987

	January 1, 1987
General Foreman Facilities Department	$32,246.56
" " Central Garage	$31,712.96
" " Sewer Maintenance	$31,712.96
" " Highway Department	$31,712.96
Supt. of Wastewater Treatment	$31,712.96
Automotive Mechanic Foreman Central Garage	$28,771.98
" " " Highway Dept.	$28,771.98
Working Foremen	$27,850.97
Assistant Supt. Wastewater Treatment	$27,850.97

APPENDIX C

WAGE SCHEDULE - 1988

	January 1, 1988
General Foreman Facilities Department	$33,735.66
" " Central Garage	$33,735.06
" " Sewer Maintenance	$33,735.06
" " Highway	$33,735.06
Supt. Wastewater Treatment	$33,735.06
Automotive Mechanic Foreman Central Garage	$30,261.08
" " " Highway	$30,261.08
Working Foremen	$29,340.07
Assistant Supt. Wastewater Treatment	$29,340.07

ARTICLE 23

TERMINATION AND MODIFICATION

This Agreement shall become effective the first day of January, 1986, and continue in full force and effect until midnight December 31, 1988, and from year to year thereafter unless on or before July 1 prior to any expiration date, either party shall notify the other in writing of its intending to negotiate for the succeeding year. The parties shall meet no later than fifteen (15) days after such notice is given.

IN WITNESS WHEREOF, the partis have set their hands this 3rd day of March, 1986.

TOWN OF CHEEKTOWAGA:

Daniel E. Weber, Supervisor

TOWN OF CHEEKTOWAGA SUPERVISORY GROUP:

Joseph Klosko, President

Item No. 4c Motion by Councilman Kowal Seconded by Councilman Johnson

BE IT RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Agreement between the Town of Cheektowaga and the Chief of Police and Assistant Chief of Police; said agreement representing changes made to the existing agreement between such parties to be applied to the 1985 and 1986 calendar years.

*SEE NEXT THREE (3) PAGES FOR COPY OF AGREEMENT.

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

RECEIVED
1986 MAR -5 AM 9:07
CHEEKTOWAGA
TOWN CLERK

AGREEMENT

between

THE TOWN OF CHEEKTOWAGA

and

THE CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

1985-1986

CHANGES:

ARTICLE IV

SECTION 4.01 - UNIFORM ALLOWANCE

Change $370.00 in 1983 to $425.00 in 1985.

Change $400.00 in 1984 to $450.00 in 1986.

ARTICLE V

SECTION 5.01 - SALARIES

Change to read:

January 1, 1985	-	Chief	- $42,388.50
		Assistant Chief	- $38,220.00
January 1, 1986	-	Chief	- $44,507.93
		Assistant Chief	- $40,131.00

ARTICLE V

SECTION 5.03 - LONGEVITY PAY

	Years	Rate
Change in 1985	from 6 to 5	from $275.00 to $300.00

Article V Section 5.03 - Longevity Pay con't

	Years	Rate
Change in 1986		from $300.00 to $325.00
	from 12 to 10	from $250.00 to $275.00
	from 16 to 15	from $350.00 to $375.00

Add New Section:

SECTION 5.06 - ADDITIONAL SALARIES

The Chief and Assistant Chief shall be paid pursuant to and consistent with the salary schedules set forth previously. For the responsibility of filing reports and the necessary administrative procedures required, previous and subsequent to the regularly scheduled tour of work, each member shall receive two hundred dollars ($200.00) to be added and pro-rated with his regularly salary.

ARTICLE VIII

SECTION 8.01 - VACATIONS

Add to last paragraph:

An officer who has at least seventeen (17) years of service may elect to be paid the value of not more than ten (10) days of accumulated vacation, each year, in lieu of leave.

ARTICLE XI

SECTION 11.01 - SICK LEAVE

Change 298 to 300 days

ARTICLE XI

SECTION 11.05 - SICK LEAVE UPON RETIREMENT

Change 2. from 25% to 40% in 1985
and 45% in 1986

ARTICLE XIX

SECTION 19.03 - TERMS OF AGREEMENT

Change January 1, 1983 to January 1, 1985
Change December 31, 1984 to December 31, 1986

ARTICLE XX

SECTION 20.04 - ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties.

The parties hereto have set their hands and seals this 3rd day of MARCH, , 1986.

TOWN OF CHEEKTOWAGA

Supervisor

TOWN OF CHEEKTOWAGA CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

Chief of Police

Item No. 4d Motion by Councilman Johnson Seconded by Councilman J. Rogowski

WHEREAS, Nussbaumer & Clarke, Inc. has been authorized to proceed with survey, mapping and design of a drainage system to relieve flooding conditions on Mafalda Drive, and

WHEREAS, it is necessary to enlarge on the scope of the Town of Cheektowaga contract for such professional services with Nussbaumer & Clarke, Inc., which additional work is needed to provide a re-alignment of the proposed storm sewer system to be situated along the west side of Harlem Road and along the east line of the Mt. Calvary Cemetery, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted to the Town Engineer in their proposal of February 18, 1986 to make the necessary alignment changes of the storm sewer at a fee of $1,265.00 and also to prepare maps and legal descriptions for easements along Harlem Road at a fee of $250.00 be and hereby is approved and accepted, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said proposal on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED that the cost for said additional services shall be charged to the Sewer District #5 WWFR Remedial Program, 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. 4e Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, there is need to undertake sewer remedial projects at four (4) locations in Sanitary Sewer District #5 and three (3) locations in Sanitary Sewer District #7, which remedial work is needed in order to alleviate conditions during storm water periods and in one case to replace a section of deteriorated sanitary sewer on Union Road, which areas have been targeted for remedial work by the Town Engineer, and

WHEREAS, funds have been budgeted for such sanitary sewer system upgrading, NOW, THEREFORE, BE IT

RESOLVED that the proposal as submitted by Nussbaumer & Clarke, Inc., to the Town Engineer and dated February 26, 1986, be and hereby is accepted and approved for the provision of professional services including field survey, preparation of plans and specifications and provision of services during construction be and hereby is accepted and approved, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said proposal on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED that costs for survey, plan and specification preparation in the amount of $15,100.00 for Sewer District #5 and $8,600.00 for Sewer District #7 and the costs for services during construction in the amount of $7,700.00 for Sewer District #5 and $7,200.00 for Sewer District #7 are to be chargeable to WWFR Remedial 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. 4a Motion by Councilman J. Rogowski Seconded by Supervisor Weber

WHEREAS, the Buffalo Airport Center Associates has submitted an application to the Town seeking the Town's participation in the acquisition and/or rehabilitation of the Westinghouse Plant properties in the Town in the sum of $2,000,000.00, which sum would be obtained by the Town through its entitlement to

Item No. 4a Cont'd.
receive funding under the Section 108 Guaranteed Loan Program of the United States Department of Housing and Urban Development, AND

WHEREAS, the Westinghouse premises is the subject of an existing agreement between the Buffalo Airport Center Associates and the Erie County Industrial Development Agency, the record title holder of the premises, fixing a payment in lieu of taxes for the premises, and subject to the outcome of a pending assessment review procedure, which agreement covers all Town and School District taxes which would be normally assessed against the premises for a period of ten (10) years; AND

WHEREAS, it is the judgement of the Town Board that it is in the best interests of the Town and its residents that the existing contingencies in the present agreement for payments in lieu of taxes should be fully resolved by separate agreement between the Buffalo Airport Center Associates and the Town as a condition precedent to action by the Town Board on the pending application for participation by the Town in the project, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute an agreement on behalf of the Town with the Buffalo Airport Center Associates for the purpose of providing for payments in lieu of taxes for the Westinghouse premises covering all Town taxes for the period from the first applicable tax status date covered by the said agreement between Buffalo Airport Center Associates and E.C.I.D.A. to the 1995 tax year, and for all School District taxes from the first applicable tax status date covered by the agreement between Buffalo Airport Center Associates and E.C.I.D.A. to the 1994-95 tax year, with such agreement to conclude at the end of such last mentioned tax years for each entity, the provisions of which the parties shall agree shall supercede the provisions of said existing agreement for payment in lieu of taxes between the Buffalo Airport Center Associates and E.C.I.D.A., in a form acceptable to the Town, which agreement shall include the following provisions:

1. Buffalo Airport Center Associates shall make an annual payment in lieu to taxes on account of the above mentioned taxes of $40,000.00 to the Town, to be attributed in accordance with the schedule attached to and made part of this resolution;

2. The construction of any new buildings on the Westinghouse premises, excepting appurtenances to the existing structures at the site in the nature of loading docks and bays, entranceway enclosures, and such other appurtenances constructed to provide access and movement for tenants of the existing structures, shall not be covered by the provisions of any agreement for payments in lieu of taxes, but such new buildings shall be subject to taxing and assessment in the normal fashion as prescribed by law upon the construction of same at the premises;

3. The provisions for payments in lieu of taxes shall not be subject to diminution as the result of any adverse changes at the premises during the term of the agreement;

4. Buffalo Airport Center Associates agrees that it shall waive any benefit that might accrue to it during the term of the agreement as a result of the outcome of the pending assessment review proceedings commenced by the Westinghouse Corporation relative to the premises;

5. In the event that the premises cease to be used in accordance with the provisions of the current lease between Buffalo Airport Center Associates and E.C.I.D.A., and/or the provisions to be set forth in an agreement between Buffalo Airport Center Associates and the Town relating to proposed Town participation in the project, should such agreement be reached, the Town may elect to terminate such payment in lieu of taxes agreement;

6. Such agreement is to be contingent upon the Town's subsequent agreement to participate in the project, and shall be of no effect in the event that the Town should fail to participate in the project for whatever reason;

7. Buffalo Airport Center Associates shall obtain such concurrence as is necessary from E.C.I.D.A. in order to effectuate the payment in lieu of taxes between Buffalo Airport Center Associates and the Town;

Item No. 4a Cont'd.

8. Buffalo Airport Center Associates shall agree to pay all legal costs incurred by the Town in relation to preparation of such agreement for payment in lieu of taxes.

*SEE NEXT PAGE FOR COPY OF SCHEDULE OF PAYMENTS

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

P.I.L.O.T. SCHEDULE

TAX	ANNUAL P.I.L.O.T.
Maryvale School District	$ 86,342.80
Lancaster School District	112,147.69
General Town Tax	44,653.66
Highway Tax, 1,2,3,4,	35,288.81
General Garbage Tax	32,008.80
General Lighting Tax	12,508.80
Storm Sewer District #3 Tax	80.80
Sanitary Sewer District #6 Tax	680.80
Sanitary Sewer District #6 Tax (fixed)	33,010.40
Saitary Sewer District #7 Tax	27,650.80
U-Crest Fire District Tax	15,626.80

Item No. 15 Motion by Councilman J. Rogowski Seconded by Supervisor Weber

WHEREAS, the Town has received an application from the Buffalo Airport Center Associates, a limited partnership with Buffalo Airport Center, Inc., a wholly owned subsidiary of Snyder Corporation, as the general partner, seeking financial assistance in the amount of $2,000,000 for the purpose of acquiring an interest in and/or rehabilitating a parcel of real property located in the Town at 4454 Genesee Street, commonly known as the Westinghouse Facility, for use as an industrial-commercial center, and

WHEREAS, the partnership has previously acquired an interest as the primary lessee in the property through the Erie County Industrial Development Agency (E.C.I.D.A.) which financed the acquisition of the property by means of an Industrial Revenue Bond issued under its auspices, and which now holds record title to the property, and

WHEREAS, the United Stated Department of Housing and Urban Development (H.U.D.) has committed to the Town the sum of $2,000,000 as a loan to be guaranteed by the Town's future Community Development Block Grant entitlement under the H.U.D. Section 108 Loan Guarantee Program, for use in the acquisition of an interest in and/or rehabilitation of the Westinghouse Facility upon the Town's compliance with the special conditions set forth in a letter to the Town from H.U.D. dated September 27, 1985, a copy of which is attached, and

WHEREAS, the Town Board has reviewed the partnership's request for financial assistance and it is of the judgement that said project will foster economic growth and development, job retention, job development, and will protect and ultimately enhance the tax base of the Town, to the benefit of the Town and its inhabitants, and that providing the requested financial assistance is necessary to effectuate the proposed redevelopment of the Westinghouse Facility, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to execute on the Town's behalf the Funding Approval and Grant Agreement and Loan Guarantee Acceptance Provisions with the Department of Housing and Urban Development and any additional supporting documents as necessary to obtain said Section 108 Loan Guarantee Funds in the amount of $2,000,000, and, BE IT

FURTHER RESOLVED that the Town's Director of Community Development be and hereby is authorized to submit to H.U.D. on behalf of the Town all documentation necessary to permit the release of said Section 108 Loan Guarantee Funds and to permit the Town to bring such loan to closing with H.U.D.

*SEE NEXT SIX (6) PAGES FOR COPY OF LETTER FROM H.U.D. AND FUNDING APPLICATION

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

Funding Approval
Under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383) as Amended

HI-00515R

U.S. Department of Housing and Urban Development

Community Development Block Grant Program

1. Name of Grantee	2. Grant No.
Town of Cheektowaga	B-85-MC-36-0009
3. Grantee's Address *(Include Street, City, County, State and Zip Code)*	**4. Date of Submission**
Broadway & Union Roads Cheektowaga, New York 14227	10/5/85
	5. Date of HUD Receipt of Submission 10/5/85 **Date Grantee Notified** SEP 27 1985 **Start of Program Year** 5/20/85
	6. ☐ Original Funding Approval ☒ Admendment. Admendment No. 1

All section references below are to the Housing and Community Development Act of 1974, as amended, unless otherwise indicated.

7. Category of Community Development Block Grant for This Funding Action

(Check only one)

a. ☐ Entitlement (Sec. 106(b))
b. ☐ HUD Administered Small Cities (Sec. 106) (d) (2) (B)
c. ☐ Secretary's Discretionary (Sec. 107)

8. Amount of Community Development Block Grant	FY _____	FY _____	FY _____
a. Amount of CDBG Funds Currently Reserved for this Grantee	$ _____	$ _____	$ _____
b. Amount of CDBG Funds Now Being Approved for this Grantee	$ _____	$ _____	$ _____
c. Amount of Reservation to be Cancelled (Line 8a minus 8b)	$ _____	$ _____	$ _____

HUD ACCOUNTING USE ONLY

BATCH	TAC	PROGRAM	Y	A	REG	AREA	DOCUMENT NO	PROJECT NUMBER — S
	153 176						7082	
1	4	9	12	13	14	16	18	23 30 35

CATEGORY	AMOUNT 1	EFFECTIVE DATE	F	AMOUNT 2	SCHEDULE NO
38	41 45 50	54	60	61 65 70	74 79

9. Distribution of Community Development Block Grant	FY _____	FY _____	FY _____
a. Grant amount withheld for payment of principal and interest on loans guaranteed pursuant to Sec. 108	$ _____	$ _____	$ _____
b. Grant amount deducted by HUD to settle outstanding Urban Renewal Loans (Sec. 112 (a)(1))	$ _____	$ _____	$ _____
c. Sum of lines 9a, and 9b	$ _____	$ _____	$ _____
d. Amount of CDBG Funds available for disbursement (Line 8b minus 9c)	$ _____	$ _____	$ _____

10. Amount of Surplus Urban Renewal Funds approved and balance available (Sec. 112(b))

a. Amount of surplus U.R. Funds reserved for this grantee	$
b. Amount of surplus U.R. Funds now being approved	$
c. Balance of surplus U.R. Funds available for future use (Line 10a minus 10b)	$

HUD ACCOUNTING USE ONLY

BATCH	TAC	PROGRAM	Y	A	REG	AREA	DOCUMENT NO	PROJECT NUMBER	— S
	153 176						7082		
1	4	9	12	13	14	16	18	23 30 35	

CATEGORY	AMOUNT 1	EFFECTIVE DATE	F	AMOUNT 2	SCHEDULE NO
38	41 45 50	54	60	61 65 70	74 79

11. Maximum amount of loan guarantee commitment available and amount now being approved.

a. Grantee's latest entitlement amount — $ 817,000 x 3 — $ 2,451,000

b. Principal amount of outstanding loans pursuant to Section 108 — $

c. Amount of outstanding loan guarantee commitments approved pursuant to Section 108 — $

d. Maximum amount of loan guarantee commitment available (Line 11a minus 11b, and 11c) — $ 2,451,000

e. Amount of loan guarantee commitment now being approved — $ 2,000,000

12. Recipient of loan guarantee *(Check applicable box)*

a. ☒ Grantee identified in block No. 1

b. ☐ Public Agency designated to receive loan guarantee *(Name and address)*

13. Special conditions *(Check applicable box)*

a. ☐ Not applicable b. ☒ Attached

U.S. Department of Housing and Urban Development

Jeffrey A. Finkle

By

Deputy Assistant Secretary for Program Management

Title

27 SEP 1985

Date

Grant Agreement and Loan Guarantee Acceptance Provisions

U.S. Department of Housing and Urban Development

Community Development Block Grant Program

Grant Agreement

This Grant Agreement is made by and between the Department of Housing and Urban Development (HUD) and Town of Cheektowaga, New York (the Grantee) pursuant to the authority of Title I of the Housing and Community Development Act of 1974 (Public Law 93-383), as amended. The Grantee's submissions for Title I assistance and the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), which are incorporated by reference, together with the HUD Funding Approval Form 7082 and any special conditions, which are hereto attached, constitute part of the Agreement.

In reliance upon and in consideration of the mutual representations and obligations hereunder, HUD and the Grantee agree as follows:

Subject to the provisions of this Grant Agreement, HUD will make the funding assistance for Fiscal Year 19 _____ specified in the attached HUD Funding Approval Form 7082 available to the Grantee upon execution of the Agreement by the parties. The obligation and utilization of the funding assistance provided is subject to the requirements of the regulations and any special conditions set forth in the HUD Funding Approval Form 7082, including the requirement for a release of funds by HUD under the Environmental Review Procedures at 24 CFR Part 58 for any activities requiring such release.

The Grantee agrees to comply with all applicable requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601) as specified in regulations issued by the Secretary and published in 24 CFR Part 42.

The Grantee further agrees to assume all of the responsibilities for environmental review, decision making and actions, as specified and required in regulations issued by the Secretary pursuant to section 104(f) of the Act and published in 24 CFR Part 58.

The Grantee further agrees to accept responsibility for adherence to the Agreement by subrecipient entities to which it makes funding assistance hereunder available.

U.S. Department of Housing and Urban Development

Jeffrey A. Finkle

By

Deputy Assistant Secretary for Program Mangement

Title

27 SEP 1985

Date

The Grantee

Town of Cheektowaga

By

Title

Supervisor

Date

3/4/86

Loan Guarantee Acceptance Provisions

(Use only for Section 108 Loan Guarantee Assistance to designated public agency)

The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on _____ with respect to grant number _____, as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.

Name of Public Agency/Grantee

Signature of Authorized Official

Title

Title

13. Special Conditions: (continued)

(a) In the event the applicant shall fail to submit a promissory note to HUD for inspection and guarantee before May 1, 1986, this commitment shall terminate and expire as of such date.

(b) The applicant shall, as a condition for receiving the loan guarantee assistance, comply with requirements identical to those set forth at 24 CFR Part 42 (Uniform Relocation Assistance and Real Property Acquisition). Such requirements shall apply to acquisition of real property and any resulting displacement for any project financed in whole or in part with loan guarantee assistance provided hereunder.

(c) Notwithstanding any descriptions or statements to the contrary in the applicant's application regarding activities to be assisted, guaranteed loan funds may be utilized only for activities authorized under 24 CFR §570.701.

(d) The repayment schedule is limited to six years. The schedule may not contain a repayment for any one year (principal plus interest) which exceeds the applicant's 1985 Community Development Block Grant entitlement amount without the approval by the Secretary of an unconditional and irrevocable Letter of Credit as additional security. The form of the Letter of Credit must be reviewed and approved by the Secretary and issued by an acceptable financial institution.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410-7000

OFFICE OF THE ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

27 SEP 1985

Mr. Daniel E. Weber
Supervisor Town of Cheektowaga
Broadway & Union Roads
Cheektowaga, New York 14227

Dear Mr. Weber:

We are pleased to inform you that the City of Cheektowaga's request for loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, has been approved. Such assistance is to consist of the guarantee of a note in the principal amount of $2,000,000.00, plus interest thereon, which shall be issued to finance the acquisition of real property and related activities, as described in application B-85-MC-36-0009.

This offer of commitment is subject, however, to the conditions specified in Item 13 of the Funding Approval (Form HUD-7082).

The first condition provides that in the event the City fails to submit a note for inspection and guarantee by HUD before May 1, 1986, the offer will expire as of such date.

The second condition requires the applicant to comply with requirements identical to those under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as set forth in 24 CFR Part 42.

The third condition provides that the activities to be assisted must be eligible under §570.701 of the block grant regulations.

The fourth condition provides that a repayment in any one year under the repayment schedule may not exceed the applicant's 1985 Block Grant amount without a backup Letter of Credit as additional security.

In addition to the special conditions cited above, the release of funds for the project to be carried out with loan guarantee assistance is conditioned upon compliance by the City with all applicable provisions of the HUD Environmental Review Procedures (24 CFR Part 58). In this regard a request for release of funds must be approved by HUD prior to the obligation or utilization of funds for the project.

RECEIVED
OCT 15 1985
DANIEL E. WEBER
SUPERVISOR

We should like to call to your attention certain requirements applicable to the debt obligation to be guaranteed and the loan agreement. As provided under §570.703(d) of the regulations, the debt obligation shall be a promissory note made and issued in a form acceptable to HUD.

At a mutually acceptable time for loan closing, you will be required to execute a contract with HUD as provided under §570.703(b)(1) of the regulations. The contract will include among its provisions the pledge of grants, required under §570.703(b)(2) of the regulations, as security for the repayment of the loan. You will be provided in the near future with copies of the promissory note and contract for execution.

Please execute the three enclosed copies of the Funding Approval and return two copies to the Department of Housing and Urban Development, Office of Block Grant Assistance, Financial Management Division, Room 7180, 451 Seventh Street, S.W., Washington, D.C. 20410. One copy should be retained for your files. The Funding Approval amends the Grant Agreement authorized by HUD on August 5, 1985 under the Funding Approval for grant number B-85-MC-36-0009 to include loan guarantee assistance. The Grant Agreement thereby incorporates this Funding Approval, the loan guarantee application, and Subpart M of the block grant regulations governing loan guarantees, as well as such agreements, schedules, and other documentation required to be submitted or executed in connection therewith.

Sincerely,

Jeffrey A. Finkle
Deputy Assistant Secretary
for Program Management

Enclosures

Item No. 5 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, Chapter 4A of the Code of the Town of Cheektowaga ("Ambulance Services Ordinance") provides for the licensing of ambulances and drivers/attendants in the Town, and

WHEREAS, this Town Board established license fees of $50.00 per year for ambulances and $5.00 for drivers/attendants pursuant to such ordinance, and

WHEREAS, the State Division of Criminal Justice Services currently charges the Town $14.00 per driver/attendant to conduct criminal background investigations of such drivers/attendants, and

WHEREAS, the Town's Emergency Medical Services Board has determined that the license fees collected by the Town are sufficient to cover the costs of fingerprinting and for criminal background checks and has recommended to this Board that the Town waive its fingerprinting charge and pay the costs for the services provided by the Division of Criminal Justice Services, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby waives the $3.00 fee the Cheektowaga Police Department charges for fingerprinting, and BE IT FURTHER

RESOLVED that the charges for the criminal background checks conducted by the Division of Criminal Justice Services shall hereafter be paid by the Town of Cheektowaga out of the Town-(outside of Villages) budget account into which the ambulance and driver/attendant license fees are deposited.

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 W. Rogowski Seconded by Councilman Kowal

WHEREAS, the New York State Department of Environmental Conservation requires that all Petroleum Bulk Storage locations be properly registered, and

WHEREAS, the Department of Environmental Conservation requires payment of said registration fees to be submitted with the application, and

WHEREAS, the Cheektowaga Facilities Department has completed said application procedures as required by the Department of Environmental Conservation for storage locations at Town Park and Losson Park Garage, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby authorize the Supervising Accountant to issue payment to the New York State Department of Environmental Conservation in the amount of $100.00, AND, BE IT FURTHER

RESOLVED that said funds shall be charged to the Facilities Department Account #7110.4162

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

Item No. 7 Motion by Councilman Johnson Seconded by Councilman W. Rogowski

WHEREAS, it is necessary that the Town of Cheektowaga provide ingress to and egress from that landlocked parcel of land known as "Cheektowaga Volunteer Firemen's Memorial Park," and

WHEREAS, acquisition of a generally rectangular parcel of land situate on the north side of Losson Road would provide the necessary access; such land being more fully described in a deed recorded in the Erie County Clerk's Office in Liber 9535 of Deeds at page 129, and

Item No. 7 Cont'd.

WHEREAS, said property is currently under private ownership, having recently been acquired by M.J. Ogiony, Inc. from Robert F. Miller and Anna M. Miller, his wife, and

WHEREAS, the Town desires to acquire the above mentioned property for the aforesaid public purpose under its power of eminent domain, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a public hearing be held on the 17th day of March, 1986 at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board shall make its determination and findings concerning the proposed public project; and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in two successive issues of the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein.

*SEE NEXT PAGE FOR LEGAL NOTICE OF HEARING.

NOTICE OF HEARING

FOR ACQUISITION OF CERTAIN PROPERTY

FOR ACCESS TO

CHEEKTOWAGA VOLUNTEER FIREMEN'S MEMORIAL PARK

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 3rd day of March, 1986, and in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 17th day of March, 1986 at 7:00 P.M., at the Cheektowaga Town Hall, corner or Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board shall make its determination and findings concerning the acquisition of certain privately-owned vacant property located at 1002 Losson Road, by the Town's power of eminent domain, for the purpose of ingress to and egress from a landlocked parcel of land known as the "Cheektowaga Volunteer Firemen's Memorial Park". Said property to be acquired being bounded on the south side by Losson Road, on the north side by the Cheektowaga Volunteer Firemen's Memorial Park, on the east side by 1010 Losson Road, and on the west side by a vacant parcel of land owned by Robert F. and Anna M. Miller.

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

Dated: March 1986.

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 NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

Linda Ga. Gans, 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 2 weeks: first publication March 6, 1986; last publication March 13, 1986; and that no more than six days intervened between publications.

Linda Ga. Gans

Sworn to before me this 14th
day of March, 19 86
Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

LEGAL NOTICE
NOTICE OF HEARING FOR ACQUISITION OF CERTAIN PROPERTY FOR ACCESS TO CHEEKTOWAGA VOLUNTEER FIREMEN'S MEMORIAL PARK

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 3rd day of March, 1986, and in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 17th day of March, 1986 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board shall make its determination and findings concerning the acquisition of certain privately-owned vacant property located at 1002 Losson Road, by the Town's power of eminent domain, for the purpose of ingress to and egress from a landlocked parcel of land known as the "Cheektowaga Volunteer Firemen's Memorial Park." Said property to be acquired being bounded on the south side by Losson Road, on the north side by the Cheektowaga Volunteer Firemen's Memorial Park, on the east side by 1010 Losson Road, and on the west side by a vacant parcel of land owned by Robert F. and Anna M. Miller.

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

RICHARD M. MOLESKI
Town Clerk
PUBLISH: March 6 & 13, 1986

Item No. 8a Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, as a result of advertisement, bids were received on February 18, 1986 for the furnishing 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 February 27, 1986, 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, 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 1	Hydraulic Backhoe	$ 560.00 per 8 hour day
Item 2	Tractor with Front End Loader	$ 400.00 per 8 hour day
Item 3	Dozer	$ 400.00 per 8 hour day
Item 4	Dozer	$ 480.00 per 8 hour day
Item 5	Dozer	$ 480.00 per 8 hour day
Item 6	Tandem Dump Truck	$ 240.00 per 8 hour day
Item 7	Landscape Type Tractor	$ 16.00 per 8 hour day
Item 8	Hydraulic Backhoe	$ 280.00 per 8 hour day
Item 9	Laborers	$ 64.00 per 8 hour day
Item 10	Hydraulic Backhoe	$ 560.00 per 8 hour day

AND BE IT FURTHER

RESOLVED that payment for said equipment and operators for public works projects is to be chargeagble to the Erosion Control and Drainage Budget Account 008540.4571.

*SEE NEXT PAGE FOR COPY OF LETTER FROM TOWN ENGINEER CONTAINING ANALYSIS, TABULATION AND REPORT.

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

February 27, 1986

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Award of Bid:
Furnishing of Equipment & Operators
for Public Works Projects

Gentlemen:

Bids were received and opened February 18, 1986 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.	$ 3,480.00
2.	Marin Excavating Inc.	$ 5,210.00
3.	Custom Topsoil, Inc.	$ 5,300.00

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:mjh

Item No. 8b Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, Bid Proposals were received for the Leasing and Servicing of Portable Chemical Toilets on February 19, 1986, AND

WHEREAS, said proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards said Bid for the Leasing and Servicing of Portable Chemical Toilets to:

Johnny-on-the-Spot, Inc.
986 Oliver Street
North Tonawanda, New York 14120

for

Category I -
Items 1,2,3 - @ $1.80 per day

Category II -
Items 1, 2 - @ #30.00 per day

Category III -
Item 1 - @ $5.00 per day

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

Item No. 8c Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the furnishing of one (1) 3/4 ton van for the Police Department, and

WHEREAS, such bids were reviewed by the General Foreman in the Central Garage, who has recommended that such bid be awarded to Bison Ford Truck Sales, Inc. for a bid price of $12,542.45, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of one (1) 3/4 ton van be awarded to Bison Ford Truck Sales, Inc., 2370 Walden Avenue, Cheektowaga, New York 14225 for its bid amount of $12,542.45, said bidder being the lowest responsible bidder meeting the requirements of the 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. 8d Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the furnishing of one (1) 1986 Model, 3/4 ton cab and chassis for use by the Dog Warden, and

WHEREAS, such bids were duly received and opened at a public bid opening held for that purpose on February 19, 1986, and

WHEREAS, such bids were reviewed by the General Foreman in the Central Garage, who has recommended that such bid be awarded to Maier-Schule GMC, Inc. for a bid price of $10,389.00, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of one (1) 1986 Model, 3/4 ton cab and chassis be awarded to Maier-Schule GMC, Inc., 1745 Walden Avenue, Cheektowaga, New York 14225 for its bid amount of $10,389.00, said bidder being the lowest responsible bidder meeting the requirements of the specifications.

Item No. 8d 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 Kowal Seconded by Councilman W. Rogowski

WHEREAS, this Town Board, in a resolution dated January 20, 1986, authorized Donald T. Maharan Associates, P.C. to prepare plans and specifications for the construction of a 20,000 square foot addition to the Town Highway Garage, AND

WHEREAS, said plans and specifications are now complete, AND

WHEREAS, this Town Board now desires to proceed with the project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the construction of said addition to the Town Highway Garage, notice to be published in the BUFFALO NEWS and THE CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed proposals will be received by the Town of Cheektowaga on March 24, 1986 at 11:00 A.M., Local Time, at the Town Hall, at which time they wil be publicly opened and read, AND, BE IT FURTHER

RESOLVED that funding for said Highway Garage Addition shall be chargeable to the Town Capital Fund.

*SEE NEXT PAGE FOR COPY OF LEGAL NOTICE TO BIDDERS

NOTICE TO BIDDERS

Notice is hereby given that pursuant to a resolution of the Town Board, Town of Cheektowaga, Erie County, New York, separate sealed proposals shall be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 24th day of March, 1986, at 11:00 A.M., at the Town Hall in the Town of Cheektowaga, New York, corner of Broadway and Union Roads for:

1) General Construction Work
2) Heating and Ventilating Work
3) Electrical Work

for the Construction of a 20,000 square foot Addition to the Town Highway Garage, located at 3145 Union Road. Work shall be in accordance with drawings and specifications prepared by Donald T. Maharan Associates, P.C. Said drawings and specifications may be examined at the Office of the Town Engineer in the Town Hall.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained upon deposit of $50.00 per set of documents at the Office of the Town Clerk at Town Hall, corner of Broadway and Union Road, Cheektowaga, New York. Deposit shall be made payable to the Town of Cheektowaga. Any bidder, upon returning such copy in good condition within thirty (30) days following the award of the contract or the rejection of the bid of such bidder, will be refunded $50.00. Deposits will be forfeited by non-bidders, but documents must be returned to the Town Clerk's Office.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, and marked as "Addition to the Town Highway Garage". The Town Board reserves the right to waive any informalities in, or to reject any or all bids, or to make an award to other than the low bidder if in its judgement it shall be deemed to be in the best interest of the Town of Cheektowaga and as permitted by law.

Each proposal shall be accompanied by a certified check or a bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, Cheektowaga, New York, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled time of the opening of bids.

The successful bidders will be required to furnish a performance bond acceptable to the owner in an amount equal to the contract award.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof.

Richard M. Moleski
Town Clerk
Town of Cheektowaga

DATED: March 3, 1986

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 NEXT TWO (2) PAGES FOR AFFIDAVITS OF PUBLICATION.

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

Linda M. Stone, 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 Mar. 6, 1986; last publication Mar. 6, 1986; and that no more than six days intervened between publications.

Linda M. Stone

Sworn to before me this 7th day of March, 1986.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

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1) General Construction Work
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3) Electrical Work

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Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained upon deposit of $50.00 per set of documents at the Office of the Town Clerk at Town Hall, corner of Broadway and Union Road, Cheektowaga, New York. Deposit shall be made payable to the Town of Cheektowaga. Any bidder, upon returning such copy in good condition within thirty (30) days following the award of the contract or the rejection of the bid of such bidder, will be refunded $50.00. Deposits will be forfeited by non-bidders, but documents must be returned to the Town Clerk's Office.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, and marked as "Addition to the Town Highway Garage." The Town Board reserves the right to waive any informalities in, or to reject any or all bids, or to make an award to other than the low bidder if in its judgment it shall be deemed to be in the best interest of the Town of Cheektowaga and as permitted by law.

Each proposal shall be accompanied by a certified check or a bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, Cheektowaga, New York, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

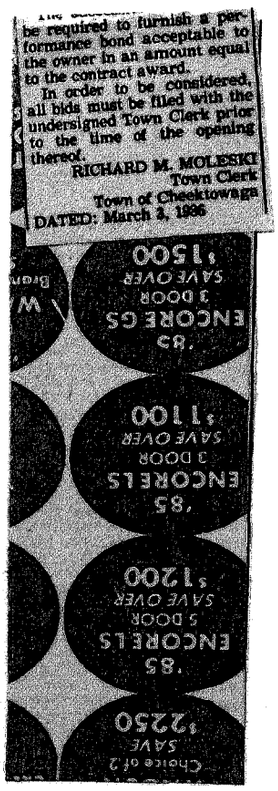
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The successful bidders will be required to furnish a performance bond acceptable to the owner in an amount equal to the contract award.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof.

Richard M. Moleski
Town Clerk
Town of Cheektowaga
DATED: March 3, 1986
PUBLISH: March 6, 1986

State of New York }
ERIE COUNTY } ss.
CITY OF BUFFALO



D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that She is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~a week for xxxxxxxxxx xxxxxxx~~ weeks, ~~the first insertion being on the~~ 6th day of March 1986 ~~and the last insertion being on the xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~

D. Eileen Perry

Sworn to before me this 6th day of March 1986

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

Notary Public, Erie County, N. Y.

State of New York }
ERIE COUNTY } ss.
CITY OF BUFFALO }

D. Eileen Perry

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D. Eileen Perry

Sworn to 6th day of March 1986

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

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Each proposal shall be accompanied by a certified check or a bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, Cheektowaga, New York, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled time of the opening of bids.

The successful bidders will be required to furnish a performance bond acceptable to the owner in an amount equal to the contract award.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
DATED: March 3, 1986

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

WHEREAS, the Town of Cheektowaga acquired title to the War of 1812 Cemetery, including an 1812 canon situated thereon, from the Buffalo and Erie County Historical Society on May 8, 1985, AND

WHEREAS, the War of 1812 Cemetery stands as a tribute to American and British soldiers who died during the War of 1812 and to all veterans in the Town, AND

WHEREAS, the Town, as condition of acceptance of the War of 1812 Cemetery, agreed to maintain such cemetery and to dedicate same as a resting place for the American and British soldiers who fought during the War of 1812, AND

WHEREAS, this Town Board now desires to appoint a Board of Trustees to oversee the preservation of the War of 1812 Cemetery and for the purpose of carrying out rededication ceremonies at such cemetery, NOW, THEREFORE, BE IT

RESOLVED that the following referenced individuals be and hereby are appointed to serve, without compensation, on the Board of Trustees for the War of 1812 Cemetery:

- Commanders of each Veterans of Foreign Wars, American Legion and Disabled American Veterans posts located within the Town.
- Chairman of the Cheektowaga Patriotic Commission
- Chairman of the Cheektowaga Historical Society
- Donald LeBarron
- Julia Boyer-Reinstein
- Charlene Gill

AND, BE IT FURTHER

RESOLVED that Donald LeBarron shall serve as Chairman of the Board of Trustees for the War of 1812 Cemetery, and BE IT FURTHER

RESOLVED that, in order to insure proper coordination between the Town government and the Board of Trustees, Councilman Thomas M. Johnson and James J. Matecki, General Foreman of the Facilities Department, be and hereby are appointed ex-officio members of such Board of Trustees, AND, BE IT FURTHER

RESOLVED that said Board of Trustees is also empowered to establish a committee for the purpose of carrying out the annual rededication ceremonies and assisting in the maintenance and enhancement of the War of 1812 Cemetery as an historical landmark.

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

Item No. 10b Motion by Supervisor Weber Seconded by Councilman Jaworowicz

BE IT RESOLVED that Michael J. Stachowski of Cheektowaga, New York, be and hereby is appointed Deputy Town Attorney, effective immediately, at a salary of $18,522.00 annually.

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

Item No. 10c Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, Police Officer Edward Glinski of the Cheektowaga Police Department was assigned to the position of Detective on August 29, 1985 to fill a vacancy created by retirement, and

WHEREAS, pursuant to Section 6.09 of the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Police Club, Officer Edward Glinski has served the six (6) month probationary period with distinction, NOW, THEREFORE, BE IT

RESOLVED that Officer Edward Glinski be and hereby is appointed permanently to the position of Detective 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. 11a Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

Parks Division - #01-007110-1-0-1491-001

	Effective
Raymond Bienik	3/16/86
Francis Keefe	3/16/86
Felix Lampke	3/16/86
Dale Matecki	3/17/86
William Orr	2/27/86
Francis Strong	3/16/86
Brian Kazmierczak	2/27/86

Street Lighting Division - #01-905182-1-0-1492-001

Conrad Scharmach	3/16/86

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 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:

	Effective
POLICE DEPARTMENT	
Cathleen D. Chojnacki	3/14/86
Elizabeth Chirico	3/14/86
Theresa Przybyl	3/14/86
Dawn Larwa	Immediately
Ellyn Poczciwinski	2/26/86
MAIN PUMP STATION	
Joseph Mazur	3/10/86
ASSESSOR'S OFFICE	
Judy Golas	3/03/86
SANITATION DEPARTMENT	
James Czajka	3/14/86
Tohn Tourjie	3/07/86

Item No. 11b
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 W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the rate of $3.35 per hour as follows:

	Effective
Parks Division - #01-007110-1-0-1491-001	
Mark Cartenuto	3/04/86
Bruce Blachowski	3/10/86
Kenneth Ostempowski	3/04/86
Street Lighting Division - #01-905182-1-0-1492-001	
Joseph Coffta	3/11/86
William Richards	3/10/86

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 Gabryszak Seconded by Councilman Johnson

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

	Effective
MAIN PUMP STATION - $3.75	
John Johnson	3/03/86
SANITATION DEPARTMENT - $3.10 per hour	
John Sczepanik	3/03/86
Daniel Ciechanski	3/03/86
POLICE DEPARTMENT - $3.35 per hour	
Bonnielyn Dietl	3/03/86

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 J. Rogowski Seconded by Councilman Johnson

WHEREAS, Code Enforcement Officers are required by the New York State Department of State to complete a series of courses relating to code enforcement practices which are offered by said Agency, and

WHEREAS, Lawrence Kensy, Town Housing Inspector has completed the first two of a series of five such courses, and

WHEREAS, the third course series, entitled Lowrise Residential Construction, will be offered during the months of April and May, and

WHEREAS, these courses are offered at no cost to the Town, NOW, THEREFORE, BE IT

RESOLVED that Lawrence Kensy, Housing Inspector, be and hereby is authorized to attend the Lowrise Residential Construction Course, as required by New York State, on the following days, said course to be held at the Erie County Fire Training Center on 3359 Broadway Avenue:

Item No. 13a Cont'd.

April 21 and 22: 1:00 - 5:00 P.M.
April 28 and 29: 1:00 - 5:00 P.M.
May 5 and May 6: 1:00 - 5:00 P.M.

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 J. Rogowski Seconded by Councilman Johnson

WHEREAS, the New York State Energy Office is offering a two-day seminar on building energy efficiency in Rochester, New York, from March 19-20, 1986, and

WHEREAS, Lawrence Kensy, Town Housing Inspector, has requested authorization to attend said seminar, and

WHEREAS, the Town Community Development Director has recommended that Mr. Kensy be allowed to attend said seminar, and

WHEREAS, the cost of said seminar is $50, NOW, THEREFORE, BE IT

RESOLVED that Lawrence Kensy, Town Housing Inspector, be and hereby is authorized to attend said energy efficiency workshop in Rochester, New York, on March 19-20, the $50 cost of said seminar to be paid from the Community Development Block Grant budget, and BE IT FURTHER

RESOLVED that Mr. Kensy be authorized to use a Town vehicle for transportation to and from said seminar.

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

Item No. 13c Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the National Institute of Justice is sponsoring a Juvenile Restitution Training Seminar in Atlanta, Georgia, Sunday, April 6th thru Wednesday, April 9th, and

WHEREAS, the Cheektowaga Youth Bureau is desirous of exploring the feasibility of establishing a permanent restitution component in conjunction with its First Offender Counseling Program,

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau be authorized to attend said seminar, and

BE IT FURTHER RESOLVED that Kenneth J. Kopacz be reimbursed for his necessary and reasonable travel expenses not to exceed approximately $675.00 of which 50% will be submitted for reimbursement to the New York State Division for Youth.

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 Supervisor Weber Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 3rd, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

Item No. 14 Cont'd.

FUND	AMOUNT
GENERAL FUND	$ 158,946.46
SPECIAL DISTRICT FUND	707,446.65
HIGHWAY FUND	176,239.90
COMMUNITY DEVELOPMENT FUND	1,851.21
TRUST AND AGENCY FUND	70,026.64
PART TOWN FUND	2,184.64
	$1,116,695.52

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

II. FROM THE TABLE

Item No. 15 Authorize Supervisor to execute Funding Approval and Grant Agreement Loan Guarantee Acceptance Provisions with Department of Housing and Urban Development for obtaining Loan Guarantee Funds for Westinghouse Property.

"THIS ITEM WAS ACTED UPON AFTER ITEM NO. 4A. PLEASE SEE PAGE 7. "

III. DEPARTMENTAL COMMUNICATIONS

Item No. 16 Building Permits.
Received and filed.

Item No. 17a Cheektowaga Traffic Safety Commission: Minutes of February meeting.
Received and filed.

Item No. 17b Cheektowaga Planning Board: Minutes of January meeting.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 18 Board of Fire Commissioners - U-Crest Fire District No. 4: Letter regarding Westinghouse Property.
Copies of this letter were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Council Secretary; and James Kirisits, Town Attorney.
Received and filed.

Item No. 19 Lord of Life Adult Day Health Care Center: Letter regarding Adult Day Health Center.
Received and filed.

Item No. 20 United Way of Buffalo: Letter of appreciation.
Received and filed.

Item No. 21a Notice of Claim: John Kaska vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Matecki, Facilities Department; Recreation Department; and Joseph J. Naples & Assoc., Town's Insurance Carrier.
Received and filed.

Item No. 21b Notice of Claim: Anthony Calabrese vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Matecki, Facilities Department; Recreation Department; and Joseph J. Naples & Assoc., Town's Insurance Carrier.
Received and filed.

Item No. 21c Notice of Claim: Fireman's Fund (Judith Brauer) vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent, and Joseph J. Naples and Associates, Town's Insurance Carrier.
Received and filed.

Item No. 21d Notice of Claim: Thomas Greulich, individually and on behalf of his minor daughter, Michelle Greulich vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Michael Miecznikowski, Recreation Director; James Matecki, Facilities Foreman, and Joseph J. Naples and Associates, Town's Insurance Carrier.
Received and filed.

Item No. 21e Notice of Claim: Geraldine Arber vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent; and Joseph J. Naples and Associates, Town's Insurance Carrier.
Received and filed.

Item No. 21f Notice of Claim: Conax Buffalo Corporation vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Ronald Zoeller, Sanitation Foreman; and Joseph J. Naples and Associates, Town's Insurance Carrier.
Received and filed.

* *

Motion by Councilman Johnson Seconded by Supervisor Weber to suspend the rules to include the following four (4) 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. 22 Authorize Supervisor to transfer to H.U.D. the unobligated balance of Community Development Block Grant funds on deposit with Manufacturers and Traders Bank.

Motion by Councilman J. Rogowski Seconded by Councilman Jaworowicz

WHEREAS, the Town operates a Housing Rehabilitation Loan Program with Community Development Block Grant funds in cooperation with M & T Bank, and

WHEREAS, the most recent Agreement, dated August 5, 1985, between the Town and M & T Bank for the operation of said program has expired, and

WHEREAS, the Town Director of Community Development has advised the Town Board that the unobligated balance of Community Development funds on deposit with M & T Bank for the operation of this program must be withdrawn and returned to the Town's Letter of Credit from the Department of Housing and Urban Development, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to withdraw and wire transfer to H.U.D. the unobligated balance of Community Development Block Grant funds on deposit with M & T Bank for the operation of said

Item No. 22 Cont'd.
housing rehabilitation loan program, the amount of said unobligated balance to be provided by the Director of Community Development.

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 Rejection of bids and Notice to Bidders for purchase of new trees for 1986 tree planting season.

Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, by resolution dated February 19, 1986, this Town Board directed the advertisement for bids for the purchase of new trees for the Town's 1986 tree planting season, and

WHEREAS, only one bid for the purchase of such trees was received and opened at the public bid held on March 3, 1986, and

WHEREAS, the Superintendent of Highways has reviewed such bid and has recommended that the Town Board reject such bid and readvertise for bids for the purchase of new trees, NOW, THEREFORE, BE IT

RESOLVED that the sole bid received for the purchase of new trees for the Town's 1986 tree planting season be and hereby is rejected, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's 1986 tree planting season, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is designated as the officer to open bids on the aforesaid items at a public bid opening to be held on March 17, 1986 at 11:00 A.M. in the Council Chambers of the Cheektowaga Town Hall.

* *

Notice to Bidders

Town of Cheektowaga, New York

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on March 17, 1986 at a public bid opening at 11:00 A.M. at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the purpose of furnishing new trees for the 1986 spring planting.

Specifications for new trees may be picked up at the Office of the Superintendent of Highways, Alfred F. Wnek, 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.

NON COLLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

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

Dated: March 3, 1986

* *

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

*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

Linda Gail Gross, 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 Mar 6, 1986; last publication Mar 6, 1986; and that no more than six days intervened between publications.

Linda Gail Gross

Sworn to before me this 7th day of March, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA,
NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on March 17, 1986 at a public bid opening at 11:00 AM at the Town Hall, Broadway & Union Rds., Town of Cheektowaga, New York, for the purpose of furnishing new trees for the 1986 spring planting.

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

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

Richard Moleski
Town Clerk
Town of Cheektowaga,
New York

PUBLISH: March 6, 1986

Item No. 24 Extension of terms of office for Directors of Cheektowaga Economic Development Corporation.

Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, the Cheektowaga Town Board has previously created the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development in the Town, and

WHEREAS, the Town Board, on recommendation of the Board of Directors of the Cheektowaga Economic Development Corporation, has appointed individuals to serve as Directors of said Corporation, and

WHEREAS, the Board of Directors of the Cheektowaga Economic Development Corporation will make their recommendations to the Town Board following their annual meeting on March 26, 1986 for the Directors positions whose terms expire in 1986, and

WHEREAS, it is in the best interests of the Corporation to allow for continuity of the term of office of said Directors whose terms expire in 1986, NOW, THEREFORE, BE IT

RESOLVED that the terms of office of the following previously appointed Directors of the Cheektowaga Economic Development Corporation be and hereby is extended to April 7, 1986: Merle Demerly, Charles Miller, Samuel Tadio, and Robert Pietrzak.

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 Retain firm to prepare appraisal regarding Assessment Review Proceeding brought by Dynamic Enterprises.

Motion by Councilman Johnson Seconded by Councilman J. Rogowski

WHEREAS, Dynamic Enterprises, Inc. has commenced proceedings against the Assessor and the Board of Assessment Review of the Town of Cheektowaga, pursuant to Article 7 of the Real Property Tax Law of the State of New York, and

WHEREAS, special counsel to the Town and the Assessor have been informed by court personnel that the aforesaid proceeding will be ready for trial within the next three (3) months, and

WHEREAS, in order to proceed to trial it is necessary for the Town to have a "court ready appraisal", and

WHEREAS, Grant Appraisal & Research will undertake to prepare the necessary "court ready appraisal", as is more fully set forth in their letter of March 3, 1986 to the Assessor,

NOW, THEREFORE, BE IT RESOLVED that Grant Appraisal & Research Corporation of One Towne Center, Audubon-Amherst, New York be and hereby is retained to prepare a court ready appraisal of that property which is the subject of the assessment review proceeding commenced by Dynamic Enterprises, Inc. against the Assessor and the Board of Assessment Review of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that such court ready appraisal be prepared in accordance with the March 3, 1986 proposal submitted to the Assessor, and BE IT FURTHER

RESOLVED that the necessary costs and disbursement be paid by the Town.

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 Motion by Supervisor Weber Seconded by Councilman J. Rogowski to adjourn the meeting in memory of Edward A. Pijanowski, Henry Tabaczynski and Stephen G. Kwiatkowski.

RICHARD M. MOLESKI
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of March, 1986 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; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor; Michael Stachowski, Deputy Town Attorney; Leonard J. Smolarek, Chief of Police; Ron Zoeller, Working Foreman in Sanitation; Chester Bryan, Town Engineer; Pat Wojcik, Recreation Director-Senior Citizens; Sal LaGreca, Employment and Training Director II; Ron Marten, Building and Plumbing Inspector.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to make its determination and findings concerning the acquisition of certain privately-owned vacant property located at 1002 Losson Road, by the Town's power of eminent domain, for the purpose of ingress to and egress from a landlocked parcel of land known as the "Cheektowaga Volunteer Firemen's Memorial Park". Said property to be acquired being bounded on the south side by Losson Road, on the north side by the Cheektowaga Volunteer Firemen's Memorial Park, on the east side by 1010 Losson Road, and on the west side by a vacant parcel of land owned by Robert F. and Anna M. Miller.

The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

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

II. RESOLUTIONS

Item No. 3 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, by resolution dated February 19, 1986, this Board called for a public hearing to consider the advisability of adopting Local Law No. 1 of the Year 1986 entitled "DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES" and gave due notice thereof as required by law, and

WHEREAS, a public hearing on said proposed local law was duly held at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 17th day of March, 1986 at 6:30 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. 3 cont'd

WHEREAS, it is in the public interest to enact the said Local Law, which is fully set forth below, NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 1 of the Year 1986, entitled "DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES" be and the same is hereby enacted as follows:

Local Law No. 1 of the Year 1986

DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES

Section 1. Purpose

The purpose of this local law is to provide for the legal defense and financial protection of various officers and employees of the Town of Cheektowaga from state or federal civil actions or proceedings commenced against them as a result of an act or ommission occurring while they were acting within the scope of their employment or duties.

Section 2. Adoption and Acceptance of Public Officers Law §18.

The Town Board of the Town of Cheektowaga does hereby determine and agree:

(i) to confer the benefits of Section 18 of the Public Officers Law upon its employees, and
(ii) the Town shall be liable for the costs incurred under these provisions.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State and State Comptroller 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

* *

Motion by Councilman Kowal, Seconded by Councilman Johnson to adjourn in Executive Session, pursuant to Public Officers Law, for purpose of collective negotiations.

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

* *

Item No. 4a Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Charles J. Moore, agent for Comal Associates, has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by Victor Reinstein and leased by Comal Associates; said property being known as the Appletree Mall and located on Union Road between Como Park Boulevard and Bennett Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

Item No. 4a cont'd

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of February, 1986 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. the specific stipulations mentioned in the February 12, 1986 letter from the Estate of Victor Reinstein to the Manager of the AppleTree Mall, be adhered to;
2. no outside display of vehicles be permitted with the exception of the area designated for such purpose to the rear of the development;
3. no outside structures be considered or allowed unless petitioner re-applies for an amendment to his development plan; and
4. no major automotive repair work, collision or painting be conducted on the premises; and

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 Charles J. Moore, agent for Comal Associates, 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 above-noted conditions as recommended by the Cheektowaga Planning Board and further subject to the condition that the exterior of any structure built pursuant to the Development Plan be composed of oven brick, and that the exterior of such structure or structures be in harmony with the exterior materials, color and architectural design of the mall structure, and BE IT FURTHER

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

THE ABOVE RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN JAWOROWICZ, and the voting was 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 ABOVE RESOLUTION WAS AMENDED AS FOLLOWS:

Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Charles J. Moore, agent for Comal Associates, has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by Victor Reinstein and leased by Comal Associates; said property being known as the Appletree Mall and located on Union Road between Como Park Boulevard and Bennett Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

Item No. 4a cont'd

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of February, 1986 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. the specific stipulations mentioned in the February 12, 1986 letter from the Estate of Victor Reinstein to the Manager of the AppleTree Mall, be adhered to;
2. no outside display of vehicles be permitted with the exception of the area designated for such purpose to the rear of the development;
3. no outside structures or uses, other than customer parking incidental to existing activities, be considered or allowed unless petitioner re-applies for an amendment to his development plan;
4. no major automotive repair work, collision or painting be conducted on the premises; and
5. acceptance by the Town and execution within one year of a landscape plan for the Bennett Road periphery of the Mall property

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 Charles J. Moore, agent for Comal Associates, 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 above-noted conditions as recommended by the Cheektowaga Planning Board and further subject to the condition that the exterior of any structure built pursuant to the Development Plan be composed of oven brick, and that the exterior of such structure or structures be in harmony with the exterior materials, color and architectural design of the mall structure, and BE IT FURTHER

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

* See next page for legal description.

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

AFFIDAVIT - NEXT PAGE

EXHIBIT A

DESCRIPTION OF SHOPPING CENTER

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Como Park Boulevard (formerly Buffalo and Lancaster Boulevard, as a public highway 100 feet wide), 1320 feet easterly of the intersection of the south line of Como Park Boulevard with the west line of Lot No. 10, as measured along the south line of Como Park Boulevard; thence westerly along the south line of Como Park Boulevard, 398.20 feet to the northeast corner of Subdivision Lot No. 3, Block "O", as shown upon a map filed in the Erie County Clerk's Office under Cover No. 527; thence southerly at right angles and along the east line of said Subdivision Lot No. 3, 120 feet to the southeast corner thereof; thence westerly, parallel to the south line of Como Park Boulevard and along the south lines of said Subdivision Lots No. 3, 2 and 1, 91.80 feet to the east line of Gertrude Avenue, as a street 50 feet wide; thence southerly at right angles to the last mentioned course and along the east line of Gertrude Avenue, 37 feet to the extension easterly of the south line of Subdivision Lot No. 4, Block "N", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence westerly along the easterly extension of said south line and along the south line of Subdivision Lot No. 4, 157.24 feet to the southwest corner of said Subdivision Lot No. 4; thence southerly along the southerly extension of the west line of said Subdivision Lot No. 4, 5 feet to the southeast corner of Subdivision Lot No. 22, Block "G", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence westerly along the south lines of Subdivision Lots No. 22 through 5 inclusive, Block "G", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527, 613.01 feet to a point which is 27.19 feet easterly from the east line of Union Road, as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence along the east line of Union Road as now laid out in accordance with maps filed by the People of the State of New York in the Erie County Clerk's Office in Liber 7320 of Deeds at page 429 and in Liber 7320 of Deeds at page 427 respectively, the following courses and distances:

(a) South 1° 10′ 10″ west, 484.78 feet to a point;

(b) Thence south 88° 49′ 50″ east, 10 feet to a point;

(c) Thence south 1° 10′ 10″ west, 100 feet to a point;

(d) Thence north 88° 49′ 50″ west, 10 feet to a point;

(e) Thence south 1° 10′ 10″ west, 800 feet to a point;

(f) Thence south 88° 49′ 50″ east, 10 feet to a point;

(g) Thence south 1° 10′ 10″ west, 60 feet to a point;

(h) Thence south 52° 22′ east, 36.34 feet to the north line of Bennett Road as laid out and described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at pages 504 and 505 respectively;

thence easterly along the north line of Bennett Road and upon a course of south 84° 15′ 00″ east, 977.04 feet to a point of curve; thence in an easterly direction along a line curving to the left having a radius of 1,085.92 feet, an arc distance of 262.60 feet to a point in a line drawn parallel to the west line of Lot No. 10 and distant 1320 feet easterly therefrom, measured along the original center line of Bennett Road, as a street 49.50 feet wide, thence northerly along such parallel line 1613.32 feet to the point or place of beginning, containing exactly 43.899 acres of land.

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

Linda M. Haas, 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 Mar. 27, 1986; last publication Mar. 27, 1986; and that no more than six days intervened between publications.

Linda M. Haas

Sworn to before me this 28th day of March, 19 86.

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 17th day of March 1986 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 J. Rogowski

Seconded by Councilman Jaworowicz

WHEREAS, Charles J. Moore, agent for Comal Associates, has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by Victor Reinstein and leased by Comal Associates; said property being known as the AppleTree Mall and located on Union Road between Como Park Boulevard and Bennett 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 19th day of February, 1986 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. the specific stipulations mentioned in the February 12, 1986 letter from the Estate of Victor Reinstein to the Manager of the AppleTree Mall, be adhered to;

2. no outside display of vehicles be permitted with the exception of the area designated for such purpose to the rear of the development;

3. no outside structures or uses, other than customer parking incidental to existing activities, be considered or allowed unless petitioner re-applies for an amendment to his development plan;

4. no major automotive repair work, collision or painting be conducted on the premises; and

5. acceptance by the Town and execution within one year of a landscape plan for the Bennett Road periphery of the Mall property

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 Charles J. Moore, agent for Comal Associates, 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 above-noted conditions as recommended by the Cheektowaga Planning Board and further subject to the condition that the exterior of any structure built pursuant to the Development Plan be composed of oven brick, and that the exterior of such structure or structures be in harmony with the exterior materials, color and architectural design of the mall structure, and BE IT FURTHER

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

EXHIBIT A
DESCRIPTION OF
SHOPPING CENTER

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Como Park Boulevard (formerly Buffalo and Lancaster Boulevard, as a public highway 100 feet wide), 1320 feet easterly of the intersection of the south line of Como Park Boulevard with the west line of Lot No. 10, as measured along the south line of Como Park Boulevard; thence westerly along the south line of Como Park Boulevard, 398.20 feet to the northeast corner of Subdivision Lot No. 3, Block "O", as shown upon a map filed in the Erie County Clerk's Office under Cover No. 527; thence southerly at right angles and along the east line of said Subdivision Lot No. 3, 120 feet to the southeast corner thereof; thence westerly, parallel to the south line of Como Park Boulevard and along the south lines of said Subdivision Lots No. 3, 2 and 1, 91.80 feet to the east line of Gertrude Avenue, as a street 50 feet wide; thence southerly at right angles to the last mentioned course and along the east line of Gertrude Avenue, 37 feet to the extension easterly of the south line of Subdivision Lot No. 4, Block "N", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence westerly along the easterly extension of said south line and along the south line of Subdivision Lot No. 4, 157.24 feet to the southwest corner of said Subdivision Lot No. 4; thence southerly along the southerly extension of the west line of said Subdivision Lot No. 4, 5 feet to the southeast corner of Subdivision Lot No. 22, Block "G", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence westerly along the south lines of Subdivision Lots No. 22 through 5 inclusive, Block "G", as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527, 613.01 feet to a point which is 27.19 feet easterly from the east line of Union Road, as shown upon said map filed in the Erie County Clerk's Office under Cover No. 527; thence along the east line of Union Road as now laid out in accordance with maps filed by the People of the State of New York in the Erie County Clerk's Office in Liber 7320 of Deeds at page 429 and in Liber 7320 of Deeds at page 427 respectively, the following courses and distances:

(a) South 1°10'10" west, 494.78 feet to a point;
(b) Thence south 88°49'50" east, 10 feet to a point;
(c) Thence south 1°10'10" west, 100 feet to a point;
(d) Thence north 88°49'50" west, 10 feet to a point;
(e) Thence south 1°10'10" west, 800 feet to a point;
(f) Thence south 88°49'50" east, 10 feet to a point;
(g) Thence south 1°10'10" west, 60 feet to a point;
(h) Thence south 52°22' east, 36.34 feet to the north line of Bennett Road as laid out and described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at pages 504 and 505 respectively;

thence easterly along the north line of Bennett Road and upon a course of south 84°15'00" east, 977.01 feet to a point of curve; thence in an easterly direction along a line curving to the left having a radius of 1,085.92 feet, an arc distance of 262.60 feet to a point in a line drawn parallel to the west line of Lot No. 10 and distant 1320 feet easterly therefrom, measured along the original center line of Bennett Road, as a street 49.50 feet wide, thence northerly along such parallel line 1613.32 feet to the point or place of beginning, containing exactly 43.899 acres of land.

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 March 17, 1986, 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 4a, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 17th day of March, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 27, 1986

Item No. 4b Motion by Councilman J. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, Charles J. Moore, agent for Comal Associates, has applied for a Special Permit for motor vehicle, sales, service and related uses on property known as the AppleTree Mall and located on Union Road between Como Park Boulevard and Bennett Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of February, 1986 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 following conditions:

1. the specific stipulations mentioned in the February 12, 1986 letter from the Estate of Victor Reinstein to the Manager of the AppleTree Mall, be adhered to;
2. no outside display of vehicles be permitted with the exception of the area designated for such purpose to the rear of the development;
3. no outside structures be considered or allowed unless petitioner re-applies for an amendment to his development plan; and
4. no major automotive repair work, collision or painting be conducted on the premises

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 on Union Road between Como Park Boulevard and Bennett 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 further subject to the condition that the exterior of any structure built pursuant to the Development Plan be composed of oven brick, and that the exterior of such structure or structures be in harmony with the exterior materials, color and architectural design of the mall structure.

THE ABOVE RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN JAWOROWICZ, and the voting was 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 ABOVE RESOLUTION WAS AMENDED AS FOLLOWS:

Motion by Councilman J. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, Charles J. Moore, agent for Comal Associates, has applied for a Special Permit for motor vehicle, sales, service and related uses on property known as the AppleTree Mall and located on Union Road between Como Park Boulevard and Bennett Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

Item No. 4b cont'd

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of February, 1986 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 following conditions:

1. the specific stipulations mentioned in the February 12, 1986 letter from the Estate of Victor Reinstein to the Manager of the AppleTree Mall, be adhered to;
2. no outside display of vehicles be permitted with the exception of the area designated for such purpose to the rear of the development;
3. no outside structures or uses, other than customer parking incidental to existing activities, be considered or allowed unless petitioner re-applies for an amendment to his development plan;
4. no major automotive repair work, collision or painting be conducted on the premises; and
5. acceptance by the Town and execution within one year of a landscape plan for the Bennett Road periphery of the Mall property

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 on Union Road between Como Park Boulevard and Bennett 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 further subject to the condition that the exterior of any structure built pursuant to the Development Plan be composed of oven brick, and that the exterior of such structure or structures be in harmony with the exterior materials, color and architectural design of the mall structure.

* See next page for legal description.

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

AFFIDAVIT - NEXT PAGE

LEGAL DESCRIPTION

APPLE TREE MALL - SPECIAL USE APPLICATION

From a point at the north line of Bennett Road as laid out and described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at pages 504 and 505 respectively;

Thence easterly along the north line of Bennett Road and upon a course of south 84°15'0" east 977.04 feet to a point of curve; thence in a northernly direction 283.0 feet to a point; thence 800.0 feet in a northerly direction to a point; thence in an easterly direction 240.0 feet to a point; thence in a sourtherly direction 800.0 feet to a point; thence in a westerly direction 280.0 feet to a point or place of beginning; being area for Special Use and containing exactly 4.4078 acres of land.

From a point at the east line starting at the northwest point of Union Road as now laid out in accordance with maps filed by the people of the State of New York in the Erie County Clerk's Office in Liber 7320 of Deeds at page 429 and in Liber 7320 of Deeds at page 427; thence easterly to a point 523.0 feet intersecting the north line of Bennett Road as described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at page 504 and 505 respectively; thence in a northerly direction 110.0 feet to a point at southwest corner of existing masonry structure;

Thence in a northerly direction 196.0 feet to a point, thence in an easterly direction 250.0 feet to a point; thence in a southerly direction 196.0 feet to a point; thence in a westerly direction 250.0 feet to a point or place of beginning, being area for Special Use and comprising a two story masonry structure.

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

Linda G. Gras, 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 March 27, 1986; last publication March 27, 1986; and that no more than six days intervened between publications.

Linda G. Gras

Sworn to before me this 28th day of March, 19 86

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

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 March 17, 1986, 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 4b, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 17th day of March, 1986.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 27, 1986

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 17th day of March 1986 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 J. Rogowski

Seconded by Councilman Jaworowicz

WHEREAS, Charles J. Moore, agent for Comal Associates, has applied for a Special Permit for motor vehicle, sales, service and related uses on property known as the AppleTree Mall and located on Union Road between Como Park Boulevard and Bennett Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of February, 1986 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 following conditions:

1. the specific stipulations mentioned in the February 12, 1986 letter from the Estate of Victor Reinstein to the Manager of the AppleTree Mall, be adhered to;

2. no outside display of vehicles be permitted with the exception of the area designated for such purpose to the rear of the development;

3. no outside structures or uses, other than customer parking incidental to existing activities, be considered or allowed unless petitioner re-applies for an amendment to his development plan;

4. no major automotive repair work, collision or painting be conducted on the premises; and

5. acceptance by the Town and execution within one year of a landscape plan for the Bennett Road periphery of the Mall property

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 on Union Road between Como Park Boulevard and Bennett 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 further subject to the condition that the exterior of any structure built pursuant to the Development Plan be composed of oven brick, and that the exterior of such structure or structures be in harmony with the exterior materials, color and architectural design of the mall structure.

LEGAL DESCRIPTION
APPLETREE MALL — SPECIAL USE APPLICATION

From a point at the north line of Bennett Road as laid out and described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at pages 504 and 505 respectively;

Thence easterly along the north line of Bennett Road and upon a course of south 84°15'0" east 977.04 feet to a point of curve; thence in a northernly direction 283.0 feet to a point; thence 800.0 feet in a northerly direction to a point; thence in an easterly direction 240.0 feet to a point; thence in a southerly direction 800.0 feet to a point; thence in a westerly direction 280.0 feet to a point or place of beginning; being area for Special Use and containing exactly 4.4078 acres of land.

From a point at the east line starting at the northwest point of Union Road as now laid out in accordance with maps filed by the people of the State of New York in the Erie County Clerk's Office in Liber 7320 of Deeds at page 429 and in Liber 7320 of Deeds at page 427; thence easterly to a point 523.0 feet intersecting the north line of Bennett Road as described by documents recorded in the Erie County Clerk's Office in Liber 7390 of Deeds at page 501 and in Liber 7390 of Deeds at page 504 and 505 respectively; thence in a northerly direction 110.0 feet to a point at southwest corner of existing masonry structure;

Thence in a northerly direction 196.0 feet to a point, thence in an easterly direction 250.0 feet to a point; thence in a southerly direction 196.0 feet to a point; thence in a westerly direction 250.0 feet to a point or place of beginning, being area for Special Use and comprising a two story masonry structure.

Item No. 5 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, it is in order that bids be advertised for the purchase of round tapered aluminum street light standards with truss arms for the 1986 fiscal year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of round tapered aluminum street light standards with truss arms, said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 31st day of March, 1986 at 11:00 A.M., Eastern Standard 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 and considered by the Town Board of the Town of Cheektowaga on March 31, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of round tapered aluminum street light standards and truss tapered elliptical arms for the Town Facilities Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: March 17, 1986

* *

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

AFFIDAVIT - NEXT PAGE

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

Linda G. Haas, 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 Mar. 20, 1986; last publication Mar. 20, 1986; and that no more than six days intervened between publications.

Linda G. Haas.

Sworn to before me this 21st day of March, 19 86

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 31, 1986 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of round tapered aluminum street light standards and truss tapered elliptical arms for the Town Facilities Department.

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

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

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

Richard M. Moleski
Town Clerk

DATED: March 17, 1986
PUBLISH: March 20, 1986

Item No. 6a Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, bids were received on February 18, 1986 for the application of chemical fertilizers and herbicides, and

WHEREAS, said reports 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 12, 1986, NOW, THEREFORE, BE IT

RESOLVED that the contract for the application of chemical fertilizers and herbicides for the year 1986 be awarded to;

Erbaugh Corp., dba Lawnmark-Coer
100 Stradtman Street, Cheektowaga, New York 14206

at the following total and unit bid prices:

Item 1	$3,827.45	
Item 2	$ 95.15	
Item 3	$2,885.20	
Item 4	$ .00257	per square foot
Item 5	$ .0016	per square foot
Item 6	$ .00264	per square foot
Item 7	$ 421.50	
Item 8	$ 50.00	per 1,000 foot
Item 9	$ 212.00	
Item 10	$1,559.00	

Total bid for Items 1, 2, 3, 7, 8, 9 and 10 - $9,050.95

and BE IT FURTHER

RESOLVED that payment for the application of chemical fertilizers and herbicides be funded from Erosion Control and Drainage Account.

* See next page for letter

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

March 12, 1986

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Award of Bid:
Application of Chemical Fertilizers
and Herbicides - 1986

Gentlemen:

Bids were received and opened February 18, 1986 for the application of chemical fertilizers and herbicides for the year 1986. Two (2) bids were submitted and their totals are as follows:

BIDDER	BID TOTAL
Erbaugh Corp., dba Lawnmark-Coer	$ 9,050.95
Wright Lawn & Tree Care, Inc.	$ 14,171.21

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:

Erbaugh Corp., dba Lawnmark-Coer
100 Stradtman Street, Cheektowaga, New York 14206

for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk

Edward Lepczyk
Senior Engineer Assistant

EL:mjh

Item No. 6b Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, sealed bids for one (1) 1986 one (1) ton, 4 x 4 pick-up truck with snow plow, duraliner and hydraulic tailgate for the Facilities Department were received and opened at a public bid opening on March 3, 1986, and

WHEREAS, bids were reviewed by the Town Engineer and his recommendations are contained in the attached letter dated March 12, 1986, NOW, THEREFORE, BE IT

RESOLVED that the bid for one (1) 1986 one (1) ton, 4 x 4 pick-up truck with snow plow, duraliner and hydraulic tailgate for the Facilities Department be awarded to:

Maier Schule GMC
1745 Walden Avenue
Cheektowaga, New York 14225

for submitting the lowest bid in the amount of $14,790.00, said bid meeting the requirements of the specifications.

* See next page for letter

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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448
716—686-3447

March 12, 1986

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid:
One one-ton, 4 x 4 pick-up truck with plow, duraliner & hydraulic tailgate for the Facilities Department

Gentlemen:

At a public bid opening on March 3, 1986 bids were received and opened for one (1) 1986 one (1) ton, 4 x 4 pick-up truck with snow plow, duraliner and hydraulic tailgate for the Facilities Department. Three (3) bids were received and are as follows:

Maier Schule GMC	$ 14,790.00
Keller Chevrolet	$ 15,729.00
Mernan Chevrolet	$ 15,973.00

These bids were reviewed with Jim Matecki, Director of the Facilities Department, and the Town Engineer. It is, therefore, recommended that the bid be awarded to Maier Schule GMC, 1745 Walden Avenue, Cheektowaga, New York 14225 for submitting a total bid price of $14,790.00, said bid being the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Senior Engineer Assistant

ABB:mjh

Item No. 7 Motion by Councilman Kowal, Seconded by Councilman Johnson

BE IT RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Agreement between the Town of Cheektowaga and the Town of Cheektowaga Captains and Lieutenants Association; said Agreement representing the 1985-86 contract between both parties.

* See next twenty-five (25) pages for contract

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

AGREEMENT

BETWEEN THE

TOWN OF CHEEKTOWAGA

AND THE

CAPTAINS AND LIEUTENANTS

ASSOCIATION

1985 -1986

This Agreement, entered into the 17th day of March by and between THE TOWN OF CHEEKTOWAGA, NEW YORK, hereinafter referred to as the "Town" and the TOWN OF CHEEKTOWAGA CAPTAINS AND LIEUTENANTS ASSOCIATION, hereinafter referred to as the "Association".

ARTICLE I

SECTION 1.01 - PURPOSE OF AGREEMENT

The parties hereto desire to provide, through this Agreement: methods for orderly collective bargaining between the Town and the Association; to secure prompt and equitable disposition of grievances that may arise; to establish fair wages, fringe benefits and working conditions for police personnel in the negotiating unit; and to promote, to the highest degree, efficiency in providing service to the public.

In consideration of the mutual covenants and agreements, herein contained, the Town and the Association, through their authorized representatives, agree as follows:

SECTION 1.02 - APPLICABLE LAW

This Agreement has been negotiated pursuant to the provisions of the Public Employees Fair Employment Act and is governed by the provisions of the New York State Law and also non-conflicting local laws of the Town.

SECTION 1.03 - LEGISLATIVE REQUIREMENTS

IT IS AGREED BY AND BETWEEN THE PARTIES THAT ANY PROVISION OF THIS AGREEMENT REQUIRING LEGISLATIVE ACTION TO PERMIT ITS IMPLEMENTATION BY AMENDMENT OF LAW OR BY PROVIDING THE ADDITIONAL FUNDS THEREFORE; SHALL NOT BECOME EFFECTIVE UNTIL THE APPROPRIATE LEGISLATIVE BODY HAS GIVEN APPROVAL.

ARTICLE 11

SECTION 2.01 - RECOGNITION

The Town recognizes the Association as the sole and exclusive representative and collective bargaining agent for all police Captains and Lieutenants in the negotiating unit who are hereinafter referred to, individually as "Captain or Lieutenant" and collectively as "Captains and Lieutenants".

The negotiating unit is defined as: all police Captains and Lieutenants, employed in the Town of Cheektowaga, New York, pursuant to the New York State Civil Service Law, excepting Captains or Lieutenants holding the rank of Chief of Police or Assistant Chief of Police.

This recognition shall extend for the maximum period of time allowed by law and until the expiration of this Agreement, according to its terms. The Town shall not negotiate, during this Agreement, with any organization on behalf of the police officers, defined herein, other than the Association and, unless notified by the Town, the Association will undertake to negotiate and represent the same unit for a successive agreement.

ARTICLE III

SECTION 3.01 - DUES CHECKOFF

Upon written authorization from a Captain or Lieutenant, on a form provided by the Association, the Town will deduct from the salary of such Captain or Lieutenant, from the first pay-period of each month, membership dues as the Captain or Lieutenant may specify, and the Town will transmit said sums, promptly to the Association, within five (5) days after the deduction has been made.

The Town agrees to deduct from the wage or salary of Captain or Lieutenant representd by the Association, who are not members of the Association, an amount equivalent to the dues levied by the Association on its members, and such sums shall be transmitted by the Town to the President or Treasurer of the Association.

The Association, pursuant to such deductions, agrees to establish and maintain a procedure providing for the refund of any non-member captain or lieutenant demanding the return of any part of such agency fee deduction which represents his pro-rata share of the expenditures by the Association in aid of activities or causes of political or idealogical nature, only incidentally related to terms and conditions of employment.

SECTION 3.02 - NEW JOB CLASSIFICATIONS

The Town agrees that in the event it establishes any new civil service classifications within the bargaining unit, the Town will furnish the Association with the new job description and will confer and negotiate with the Association the basic annual salaries for each position.

ARTICLE V

SECTION 4.01 - UNIFORM ALLOWANCE

Each Captain or Lieutenant shall be paid the sum of $400.00 for the year 1985, for the purchase and maintenance of police clothing, uniforms and equipment and for the maintenance and cleaning of the same.

Each Captain or Lieutenant shall be paid the sum of $425.00 for the year 1986, for the purchase and maintenance of police clothing, uniforms and equipment and for the maintenance and cleaning of the same.

Uniform allowance will be paid by January 30th of each year.

Each Captain or Lieutenant shall be responsible for maintenance of his uniforms and equipment and failure to reasonably maintain the same may be the subject of disciplinary action.

The Town will negotiate with the Association, regarding the impact of changes in articles of clothing or equipment.

ARTICLE V

SECTION 5.01 - SENIORITY WITHIN RANK & SHIFT PREFERENCE

Seniority within rank shall be determined according to the date of promotion in rank; and in the event promotion in rank is on the same date, then seniority shall be determined by badge number with the lower badge constituting the senior officer for the purposes of seniority within this Agreement. Captains and Lieutenants shall have the right to select their shift according to seniority.

SECTION 5.02 - TRANSFERS & FILLING OF VACANCIES

The transferring and assignments of Captains and Lieutenants will be the responsibility of th Chief of Police, in accordance with Section 5.01 and 5.02 (a) of this Agreemen .

SECTION 5.02 (a)

When a vacancy exists in a non-competitive job assignment, the Chief of Police shall notify, in writing, officers of qualified rank, offering them an opportunity to indicate their desire to be considered for the filling of such vacancy.

When such a vacancy exists, the Captains and Lieutenants shall be selected from those who have indicated their desire and interest to fill the vacancy, based on seniority, qualifications and experience, provided that the decision is not arbitrary or capricious.

If the Town declares a vacancy, the same must be filed within thirty (30) days after the vacancy exists.

ARTICLE VI

SECTION 6.01 - ESTABLISHMENT OF SALARIES

There will be a five (5) percent pay raise for each individual in the Association bargaining unit over their 1984 salary for the year 1985. For the year 1986, there will be a five (5) percent pay raise for each member in the bargaining unit over and above the 1985 salary.

Relative shift preferential, beginning January 1, 1986, the Captains and Lieutenants who work the third (3) platoon will be paid the additional sum of $50.00 per year and Captains and Lieutenants who work the first (1) platoon will be paid the additional sum of $100.00 per year, pro-rated, which shift differential will be paid the last day of the last pay period of the year.

SECTION 6.01 (a) - SALARIES

Each Captain and Lieutenant shall be paid pursuant to the following salary schedule:

January 1, 1985	Captains	$35,146.10
	Lieutenants	$31,949.90
January 1, 1986	Captains	$36,893.405
	Lieutenants	$33,537.395

SECTION 6.02 - OUT OF RANK PAY

If the Chief of Police requires a Captain on a particular shift, and a Captain is not present or will not be present for two (2) or more hours, the senior available Lieutenant on that shift will serve as "Acting Captain" and shall be compensated on an out of rank basis as "Acting Captain" for each hour worked. Out of rank pay shall apply only to line as opposed to staff officers, unless a Lieutenant classified as a staff officer is required by the Chief of Police to perform the duties of an absent staff Captain.

DEFINITIONS

(A) Line Officer - Any Patrol Supervisor
(B) Staff Officer - A Captain or Lieutenant who has non-patrol responsibility.

SECTION 6.03 - RATE OF PAY

The hourly rate of pay shall be obtained by dividing the annual salary by 2080.

SECTION 6.04 - OVERTIME PAY

Overtime shall be all work beyond a normally scheduled eight (8) hour tour of duty and any work beyond a normally scheduled forty (40) hour work week.

All overtime work shall be paid at the rate of time and one-half.

SECTION 6.05 - CALL IN PAY

If Captain or Lieutenant is requested to report to the police station for duty or ordered to report for duty, during other than regularly scheduled hours (except for reasons of his own neglect) and more than two (2) hours prior to his regularly scheduled work shift he shall be paid a minimum of three (3) hours pay at the rate of time and one-half. Court appearances an training schedules will not be considered call-in, and this section will not apply in those instances.

In the event Captains or Lieutenants are called to duty because of personnel shortage, call-in will be accomplished on a seniority basis for each shift, and in the event of a general call to duty, on a seniority basis, based upon the seniority within the department.

Call-in, on each shift, shall be accomplished in the following manner, when supervision manpower shortages exist:

Call-in will be by seniority within the shift, by rank and seniority, and the supervisory position, if required, will be within the division and the position will be filled by the shift in the division; (2) by seniority in the division; (3) by seniority outside the division.

Shifts may be split among members of the Association.

SECTION 6.06 - LONGEVITY PAY

Each Captain or Lieutenant shall be paid the following, cumulative longevity increments, each year:

After 5 years of service	$300.00
After 12 years of service	250.00
After 16 years of sevice	350.00

Beginning January 1, 1986, each Captain and Lieutenant shall be paid the following cumulative, longevity increments, each year:

After 5 years of service	$325.00
After 10 years of service	275.00
After 15 years of service	375.00

Longevity pay will be paid within thirty (30) days after a Captain's or Lieutenant's anniversary date and will be included in salary for all purposes including retirement purposes.

Upon termination of service, prior to the anniversary date, accrued longevity pay shall be paid to the Captain or Lieutenant, or his estate, on a pro-rated basis.

In addition to longevity, Captains and Lieutenants who have twenty-five (25) years of service shall be paid an additional $300.00 lump sum annually.

SECTION 6.07 - REDEMPTION OF ACCUMULATED TIME

The Town will have.the right to buy back compensatory time on the books for all Captains and Lieutenants or a portion of such compensatory time over 120 hours, If a Captain or Lieutenant has over 120 hours accumulatd, the Chief may at his option, order the Captain or Lieutenant to take time off or pay the Captain or Lieutenant for all or a portion of the hours over 120. The Chief will exercise this option right from November 15th to December 15th of each year.

SECTION 6.08 - EDUCATION INCENTIVE PAY

Each Captain and Lieutenant who attends or has attended a New York State Department of Education approved Police Science or Criminal Justice Program shall receive educational incentive payments annually as follows:

1. $100.00 a year to a Captain or Lieutenant who matriculates or has matriculated in a New York State Education Department approved Police Science or Criminal Justice Program, two (2) year associates of Applied Science Degree or

2. $300.00 to a Captain or Lieutenant who matriculates or has matriculated in a New York State Department of Education approved Police Science or Criminal Justice Program Bachelor of Science or Bachelor of Arts four (4) year degree.

SECTION 6.09 - ADDITIONAL SALARIES

All members of the Association shall be paid pursuant to and consistent with the salary schedules set forth in Section 6.01. For the responsibility of filing reports and the necessary administrative procedures required, previous and subsequent to the regulary scheduled tour of work, each member shall receive Two Hundred ($200.00) Dollars to be added to and pro-rated with his regular salary.

SECTION 6.10 - OFF-DUTY AUTHORITY

All Captains and Lieutenants are presumed to be subject to duty twenty-four (24) hours per day. Any action taken by a member of the police force on his time off which would have been properly taken by the officer while on active duty if present and available shall be considered police action, and the employee shall have all the rights and benefits concerning such action as if he were then on active duty, provided that the action taken by the Captain or Lieutenant shall have all the rights provided it is within the scope of the the Captain or Lieutenant's Town employment and authority.

SECTION 7.01 - WORK DAY AND WORK WEEK

The standard work day shall be eight (8) hours and the standard work week shall be forty (40) hours. The work day and work week shall be pursuant to existing New York LSTate Law. Whenever practicable two (2) consectuive days off shall be provided within a seven (7) day calendar period. Each officer shall be entitled to a thirty (30) minute lunch period in each eight (8) hour tour of duty. When practicable, each police officer shall work a three (3) platoon system.

Each Captain or Lieutenant shall sign-in at the start of his tour of duty and sign-out at the end of his tour of duty inorder to be compensated. A daily record shall be kept by the department head or his agent, which record shall be collected, daily, and be made part of the officer's personnel record. Each officer shall observe the scheduled work hours that are posted in all reports of duty, according to the posted time and date.

Effective the 24th day of February, 1986, all Captains and Lieutenants shall be assigned and work four (4) days followed by two (2) consecutive days off; followed by four (4) days work and two (2) consecutive days off; followed by five (5) days work and two (2) consecutive days off and the cycle shall then be repeated, continually, to provide rotating days off to Captains and Lieutenants. This schedule shall be referred to as the 4-2/5-2 work schedule.

Captains and Lieutenants shall not be arbitrarily removed from their selec ed and assigned work schedules.

SECTION 7.02 - INTERRUPTED LUNCH

In the event a Captain or Lieutenant is precluded from eating his meal by headquarters or as a result of an offense being committed in the Captain's or Lieutenant's presence, which requires the Captain's or Lieutenant's continuous comm ment throughout the shift, said Captain or Lie enant shall be compensated at the rate of time and one-half for the unused part of the Captain's or Lieutenant's thirty (30) minute lunch period.

SECTION 8.01 - COURT PAY

If a member is required to make a court appearance within his own jurisdiction at any time other than his regularly scheduled working hours, he shall be allowed a minimum of three (3) hours paid time at his standard hourly rate. If a member is required to make a court appearance outside of the Town's jurisdiction, then he shall be allowed a minimum of four (4) hours paid time at his standard hourly wage rate. If any Court appearance exceeds the minimum standards set, the member shall be entitled to payment for all actual hours spent at his standard hourly rate.

Verification of time in court shall be made by presenting the appropriate form to the Chief of Police. Said form is to be signed by the presiding judge, administrative officer or court clerk. Every reasonable effort will be made to provide this payment in the pay period immediately subsequent to the submission of the verification form.

SECTION 9.01 - HOLIDAYS

Each Captain or Lieutenant shall be given compensatory time-off or be paid the value of the following holidays, whether he works the holiday or not:

New Years Day	Columbus Day
Lincoln's Birthday	Verteran's Day
Washington's Birthday	Election Day
Good Friday	Thanksgiving Day
Memorial Day	December 24th
Independence Day	Christmas Day
Labor Day	January 2nd

Each Captain or Lieutenant shall notify the Chief of Police, or his disignee, by December 1, as to the holidays he elects to be paid for and the holidays he elects for compensatory time-off, during the following year.

In addition to the above holidays, each Captain or Lieutenant shall be given compensatory time-off for any holiday granted to other employees of the Town of Cheektowaga, by resolution of the Town Board or declaration of the Town Supervisor. A Captain or Lieutenant who elects to be paid for a holiday may be granted the day off which shall be charged against the Captain's or Lieutenant's accumulated compensatory time-off, without loss of the holiday pay.

SECTION 10.01 - VACATIONS

Each Captain or Lieutenant shall be entitled to an annual vacation, with pay, during each calendar year as follows:

After 1 year	12 working days
After 5 years	18 working days
After 10 years	21 working days
After 15 years	25 working days
After 20 years	28 working days

Request for vacation by Lieutenants shall be submitted in writing and approved by their immediate Supervisor. Captains shall submit their requests to the Chief of Police.

The lower badge number and rank shall determine seniority and vacation approval shall be based upon the seniority of the Captain and Lieutenant of each shift.

Vacation periods will be divided into the following:

Winter	December to February
Spring	March to May
Summer	June to September
Fall	October to November

Captains and Lieutenants shall not be entitled to more than ten (10) or thirteen (13) consecutive days of vacation, as described below, during any of the above vacation periods, unless in the opinion of the commanding officer, additional vacation days, during any such period, will not interfere with the smooth operation of the department. The commanding officer shall have the sole right to designate the number of Captains and Lieutenants who will be on vacation at any time.

SECTION 10.02 - UNUSED VACATION

Notwithstanding any provision of the law to the contrary, each member of the Association shall be entitled to be paid, at the time of his retirement from the Department, the monetary value of any unused vacaton time and overtime standing to his credit on the date of his retirement. In the case of death in service of any Captain or Lieutenant, the value of such time standing to his credit shall be paid to his estate or as is otherwise provided by law.

Captains and Lieutenants intending to retire may notify the Town two (2) years in advance and will be permitted to accumulate time-off and vacations for one and one-half (1 1/2) years, the value of which will be paid as salary during the final year of employment and included as wages for pension purposes.

Upon termination of employment, for any reason, an officer will be paid the value of all accumulated vacation or other time-off, including sick leave, pursuant to Appendix B However, in the event termination is by disch rge or dismissal, there would be no payment of accumulated sick leave.

A Captain or Lieutenant who has at least seventeen (17) years of sevice may elect to be paid the value of not more than ten (10) days of accumulated vacation, each year in lieu of leave.

SECTION 1 03 - VACATION PAY ADVANCE

Upon written request, at least two (2) weeks prior to vacation time, a Captain or Lieutenant be paid the estimated amount due him for his vacation period, not later than the Friday before he begins his vacation.

SECTION 11.01 - BEREAVEMENT LEAVE

Upon request of a Captain or Lieutenant, a leave of absence, not to exceed five (5) days shall be granted, because of death in his immediate family. Such leave shall be taken, without loss of pay or other benefits, and shall begin on the date of death. Immediate family, for the purposes of this section, shall mean: mother, father, spouse, child, grandchild, grandparent, brother, sister, father-in-law, mother-in-law, daughter-in-law and son-in-law.

In the event of the death of the Captain's or Lieutenant's brother-in-law or sister-in-law, and upon request, he shall be granted only one (1) day, the day of the funeral, without loss of pay or benefits.

In the event of the death of a relative, not included above, the Captain or Lieutenant upon request, shall be granted time off without loss of pay or other benefits, for the day of the funeral, which time shall be charged against the accumulated time off or sick leave at the Captain's or Lieutenant's choice.

SECTION 12.01 - PERSONAL LEAVE

Each officer shall be entitled to five (5) personal leave days. Personal leave shall be used at the Captain's or Lieutenant's discretion. In order to enable the department to maintain necessary manpower requirements, personal leave must be requested at least twenty-four (24) hours in advance of th requested time-off. This will not preclude the granting of personal leave on less than twenty-four (24) hours notice, upon the approval of the commanding officer. Personal leave will not be granted if the granting of such leave will seriously hamper or impede the operation of th police department.

Personal leave will not be use in less than one-half (1/2) day increments.

Personal leave will be granted upon the priority of the emergency and if no emergency exists, upon the chronological order requested.

Except in case of emergency, request for personal leave on a Saturday, Sunday or holiday will be denied if such leave will reduce manpower below the minimum manpower standards as set by the Chief of Police.

Ea[illegible] Captain or Lieutenant, shall annually elect t[illegible] credit unused personal leave days to vacation time or accumulated sick leave at the Captain's or Lieutenant's option.

SECTION 12.02 - AUTHORIZED LEAVE

Authorized leave means: personal leave, accumulated compensatory time off, all vacatior time and all other authorized time off.

Request for authorized leave shall not be unreasonably denied.

SECTION 13.01 - SICK LEAVE

Each Captain or Lieutenant except as otherwise provided, shall be entitled to accumulate one and one-half sick days per month to a maximum accumulation of three hundred (300) days.

A female Captain or Lieutenant who is incapable of performing her duties because of maternity disability may utilize accumulated sick leave credits and continue all other benefits under this agreement during such absence.

Maternity leave shall be considered to commence on the date that the officer is no longer capable of performing her duties and shall end on the date that the officer can resume the performance of her regular duties. The officer will be requested or required to bring in a doctor's note to verify the date when she is not capable of perfomring her duties or when she is capable of returning to work. In addition , she may be required to submit to a physical examination by a doctor of the Town's choice to verify the starting and ending date of such maternity leave.

Each member of the Association shall have the option of selling any accumulated sick leave days in excess of three hundred (300) days back to the Town at the rate of 35 percent per day.

SECTION 13.03 - PROCEDURES FOR TAKING SICK LEAVE

Members shall report on sick leave only when suffering from illness or injury that would prevent them from properly performing their duty, or illness in employee's immediate family requiring the care an attention of said employee. The immediate family shall include parents, spouse, children, and step-children.

Members reporting on sick or injured leave shall notify headquarters at least one (1) hour before their scheduled starting time stating the reasons for such sick leave or injured leave and the desk officer will record the information on the sick leave notification book.

Members, when on sick or injured leave, shall not leave their place of residence except to receive medical attention. If it is necessary to leave their place of residence for reasons other than to receive medical attention, headquarters must be notified and authorization must be given by a Ranking Officer. This requirement may be waived by the Chief of Police or his designee upon application based upon the nature of the illness or injury and the waiver will not be unreasonably withheld.

Members will not engage in any outside employment while on sick leave unless permission to do so is granted by the Chief or his designee.

Members on duty who become sick, must report same to his immediate superior officer before reporting off duty and a notation recorded on the attendance roster.

In cases where a total of three (3) working days of sick leave will not be sufficient to overcome an illness, the member will:

1.) Submit a notice from his doctor describing the illness or injury; or

2.) Submit a written report (from the officer) detailing the nature of the illness and medical care received, these reports and/or doctor's notice wil be submitted to the office of the Chief of Police.

3.) Members may also be directed by the Chief of Police to submit to a medical examination by a doctor to be designated by the Town.

SECTION 13.04 - SICK BANK

In order to aid Captains or Lieutenants who have suffered a prolonged illness and whose regular sick leave has been exhausted, a sick bank will be established effective upon the signing of this Agreement.

1.) Each Captain and Lieutenant must participate in the sick bank by contributing two (2) accumulated sick leave days from his current accumulated sick leave.

2.) Each year, Captains and Lieutenants will contribute two (2) additional sick days to the bank, between January 1 and January 30.

3.) If at any time, the accumulated number of sick days in the bank falls below seventy-five (75) the Town will contribute a sufficient number of days to bring the total number of sick days, in the sick bank, to seventy-five (75) days.

4.) A Captain and Lieutenants who is a participant in the sick bank and who has exhausted all of his accumulated sick time, may apply for additional sick leave from the sick bank, created herein, to a committee consisting of the President of the Association and the Supervisor of the Town of Cheektowaga, or their designees.

5.) An applicant may be allowed sick leave of absence, debited from he sick bank, provided the committee consents to the application.

6.) In the event both members of the committee cannot agree tc accept or reject the granting of such sick leave, then the committee shall select a third person, in accordance with the procedure for the selection of an arbitrator, as provided in the Grievance Procedure in this Agreement. The decision of the sick leave bank committee shall be final and binding upon the Town and the applicant.

7.) The Town will provide the Association with an accounting of the number of accumulated sick days in the sick leave bank by March 1 of each year.

8.) If the sick leave bank is discontinued, unused sick days shall be equally distributed to those members of the sick leave bank, who are members at the time, equally.

8.)

(a) Each Captain and Lieutenant shall be provided with a record of his accumulated sick leave within sixty (60) days from the beginning of each calendar year.

SECTION 13.05 - WORKMEN'S COMPENSATION BENEFITS

A Captain and Lieutenant who is entitled to receive Workmen's Compensation Benefits shall be paid full pay and the benefits under Workmen's Compensation to which he is entitled, shall be assigned to the Town. Absence from duty in this event will not be chargeable against sick leave and no other benefits, provided by this agreement, will be lost during this period of time. Absence from duty for work related disability will not be chargeable against sick leave and no other benefits, provided by this agreement, will be lost during such absence.

SECTION 13.06 - ILLNESS OF FAMILY MEMBERS

Sick leave shall apply to absence due to illness of a Captain or Lieutenant's immediate family, residing in his household. Immediate family shall mean parents, spouse, children and step-children.

SECTION 13.07 - SICK LEAVE UPON TERMINATION

1. Upon termination of employment, except by discharge, a Captain or Lieutenant or his estate, shall be paid the present value of accumulated sick days, pursuant to this section.

2. In the event of retirement a Captain or Lieutenant may convert accumulated sick days into value by written application, signifying his intention, on a form provided by the Town.

3. Upon receipt of such notification, the Town will convert such accumulated sick leave into value by taking the actual cash value of the accumulated sick days and multiplying by the rate of 30%. Beginning January 1,,1986, said value shall be obtained by multiplying by the rate of 35%. The resulting sum shall be paid to the Captain or I eutenant or his estate, at his option exercised in writing in the following manner:

(a). The sum shall be paid to the Captain or Lieutenant as part of his final year's average salary by dividing the sum by the number of pay periods so as to allow for equal distribution over his last year of employment, or

(b). The sum shall be paid to the Captain or Lieutenant on the date of his retirement or termination, or to his estate, within a reasonable time after his death.

4. If a Captain or Lieutenant shall notify the Town of his intention to retire and such notice is given less than one year prior to the date of retirement, the Town will have the option of making a one-time, lump sum payment or of dividing the sum by the number of pay periods, remaining, so as to allow for equal distribution during the remaining time of employment.

4.

(a). If the notice exceeds six (6) months, the conversion shall be in accordance with Paragraph 3(a), above.

(b). If the notice shall be for a period of six (6) months or less, the Captain or Lieutenant's accumulated sick leave shall be converted into value in accordance with Paragraph 3(b), above.

SECTION 14.01 - EXPENSES

A Captain or Lieutenant who is required to leave the Town, by reason of his Town employment or as part of his official duty, shall be reimbursed for all actual, reasonable, and necessary expenses incurred including meals, if he is absent from the Town during normal mealtime.

A Captain or Lieutenant on official police business will be provided with transportation by the Town and if he is required to use his own vehicle on police business, the officer shall be paid at the current rate per mile driven. In no event will a Captain or a Lieutenant be required to use his own motor vehicle during the normal course of his employment.

SECTION 15.01 - LIFE INSURANCE

The Town will provide each officer with a $25,000 life insurance policy insuring the officer , without cost, pursuant to the life insurance plan offered through the Police Conference of New York, and it will allow Captain and Lieutenants to exercise the options provided in this program and will comply with the requirements of the same.

SECTION 15.02 - HEALTH INSURANCE

The Town will provide, at its own expense, the following health insurance benefits:

Blue Cross & Blue Shield Insurance, at least equivalent to the 1982-1983 plan;

$250,000 major medical with $50.00 deductible
$1.00 co-pay prescription rider
Blue Cross & Blue Shield dental coverage of the high level riders A,B,C,D and No. 8
Optical coverage afforded under the Blue Cross & Blue Shield plan commonly referred to as Vision Care Benefits
Blue Cross & Blue Shield, Basic Rider 8 (insuring dependants to age 23)
Major Medical Rider 8 ($50.00 deductible)
Prescription Drug Rider 8 (covering dependents to age 23 years)
Option Two, Vision Care

Blue Shield, Basic Rider 4 (covering emergency, accidents, etc.)
Blue Shield, Basic Rider 3 (in-patient visits to 365)
Blue Shield, Basic Rider 12

Effective December 31, 1986 the following coverage will also be provided:

Dental Plan No. 3 with Rider No. 8

If an officer dies while insured by the Town, the Town will provide health insurance for the balance of the calendar year in which the death occurred. The deceased officer's surviving spouse or dependant children may remain in the health insurance program, at their own expense upon their election.

The Town will continue to provide health insurance for officers who retired after December 31, 1982 and before June 29, 1985 up to age 65. Captains and Lieutenants who retired prior to that date have the option of participating in the health insurance coverage plan, at their own expense.

The Town will continue to provide health insurance for officers who retire after June 29, 1985, including all present health insurance benefits up to age 55 years.

At age 55 years, officers who retired after June 29, 1985 will be provided without expense, Blue Cross & Blue Shield insurance at least equivalent to the 82-83 plan, together with XBR, the $250,000 Major Medical with $50.00 deductible and $1.00 co-pay prescription rider and Blue Cross & Blue Shield Rider No. 16 (psychiatric care), plus any additional coverage or riders provided to other Town employees ~~as per a certain memorandum dated July 3, 1985.~~ DRG

At age 65 years, such retirees shall be provided with Blue Cross & Blue Shield Supplemental Coverage without riders, unless riders are provided to other Town employees.

SECTION 15.03 - INDEMNIFICATION

The Town will indemnify each Captain and Lieutenant for claims made against him based upon false arrest, false imprisonment, civil rights violations, and other torts within indemnification coverage pursuant to the provisions of Section 50-j of the General Municipal Law and Section 1983 et seq of the United States Code.

SECTION 16.01 - RETIREMENT BENEFITS

The Town will provide and maintain a non-contributory retirement plan of benefits for Captains and Lieutenants, pursuant to the following provisions of the New York State Retirement and Social Security Law.

The benefits provided in Section 384 f, g, and h to provide what is commonly known as the 1/60th, 25 year retirement plan;

The benefits pursuant to Section 375 (i), more commonly known as the Improved Retirement Benefits;

The benefits pursuant to to Section 302, 9-d, more commonly referred to as the final Average Salary, and Section 360-b, Death Benefit; and

The benefits pursuant to Section 384-d, more commonly known as the 20 year Retirement Plan.

SECTION 17.01 - ASSOCIATION REPRESENTATIVES

Captains and Lieutenants, who are designated by the Association as representatives, for the purposes of adjusting grievances or assisting in the negotiation or administration of this or future agreements, shall be permitted a reasonable amount of time from their regular duty to fulfill these obligations, when and if so required. Reasonable advance notice shall be given to the head of the department, or his representative, stating, in brief, the reason for such absence. The President of the Association shall be allowed four (4) hours per week for these purposes.

The Association agrees that no more than one (1) member of the Association, plus the President, will request time off, with pay, to conduct the affairs of the Cheektowaga Captains and Lieutenants Association including attendence at Association Meetings. Beginning January 1, 1986, the Vice President will be added to this number.

Whenever possible, a request for time off shall be submitted at least three (3) days prior to the required date, but the parties agree that circumstances may arise which will not permit such notice and in that event time off will be granted upon reasonable request.

Captains and Lieutenants who are designated by the said Association to attend the state-wide conventions and meetings of the Police Conference of New York, Inc. and the Western New York Police Association, Inc., in the pursuance of their profession as Captains and Lieutenants shall be authorized to do so without loss of time or pay. This privilege shall be extended additionally to Captains and Lieutenants of Western New York Police Association. Additional officers may be granted the privilege by the Town if functioning of the Police Department is not placed in jeopardy by such attendance as approved by the Department. Captains and Lieutenants who are designated by the Association may attend the state-wide conventions and meetings of the Police Conference of New York, Inc. and the Western New York Police Association, Inc. in pursuance of their profession as police officers: Attendance at such affairs shall be without loss of time or pay. This privilege shall be extended additionally to Captains and Lieutenants of the Western New York Police Association and Captains and Lieutenants of the Erie County Police Captains and Lieutenants Association in order that they can attend their meetings on the same basis. The foregoing is limited in that not more than three (3) Captains and Lieutenants may attend the conventions or meetings under these provisions at any one time.

SECTION 17.02 - ASSOCIATION OFFICES

The Town will allow the Association to install its own telepnone; said fees for installation and monthly charges to be borne by the Association, which telephone shall not be connected, in any manner, with the police telephone communication system.

SECTION 18.01 - DISCIPLINARY ACTIONS

A Captain and Lieutenant will be given a copy of any warning, reprimand, suspension or disciplinary action entered into his personnel record within two (2) weeks of the action taken.

SECTION 18.02 - RECORD OF COMPLAINTS

No record or reference to a complaint, either departmental or external lodged against a Captain or Lieutenant will be entered into his record if after investigation the complaint is decided, by the Town, to be unfounded.

SECTION 18.03 - SUBSTANCE OF COMPLAINTS

A Captain or lieutenant who has a complaint lodged against him by a citizen shall have the substance of the complaint presented to him in writing.

SECTION 19.01 - IN SERVICE TRAINING

Any Captain or Lieutenant required to attend in-service training on his off-duty time, shall be compensated for such time at his regular rate of pay with a minimum pay of two (2) hours.

The Town will notify all Captains and Lieutenants, by posting, of law enforcement educational and training opportunities being offered by other departments or other police or educational agencies, so that Captains and Lieutenants who are eligibl' and who desire to attend may notify their supe iors of their interest or desire. The Town will provide the same notice and oppo_tunity as to training opportunities being offered by the Town Police Department.

SECTION 19.02 - TUITION

The Town will pay the full costs of all tuition, books, and other fees for all Ca'tains and Lieutenants, authorized by the Town, ^ho attend school or seminars relating to Police Science courses.

SECTION 19.03 - CIVIL SERVICE EXAMINATIONS

A. The Town must request from the Civil Service Commission a new

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examination to be held before the expiration date of each promotional list. All existing promotional vacancies are to be filled within a reasonable time after the vacancy occurs and a promotional list is available after the Town declares that a vacancy exists.

B. A vacancy shall exist in the rank of Captain and Lieutenant when the Town Board declares the vacancy. The Town Board shall eliminate the position or declare a vacancy within forty-five (45) days of the retirement or separation of a Captain or Lieutenant.

C. The Town agrees to notify the Association forty-five (45) days in advance of its intent to either cancel the Promotional Civil Service Exam or to request extensions of the Civil Service List.

SECTION 19.04 - TABLE OF ORGANIZATION

The Chief for the purposes of day to day administration will establish a Table of Organization. The design and implementation of said Table of Organization is to be the sole and exclusive perogative of the Chief of Police. Any said Table of Organization will be established and/or modified when and as the Chief sees fit and will not serve as the foundation for job assignments.* Copies of current Table of Organization will be provided within thirty (30) days of the signing of this Agreement.

* or classifications

ARTICLE XX

SECTION 20.01 - BULLETIN BOARD

The Town will provide one bulletin board at the police station which will be used exclusively for Association notices.

SECTION 20.02 - MEETING ROOM

The Town will continue to provide a meeting room in the police station for use by the Association, without cost, where the Association may transact business and engage in other activities and also store its records and equipment. The meeting room will be furnished by the Association, and the location of the same will be mutually agreed upon by the Town and Association.

SECTION 20.03 - FUND RAISING

The Association may engage in fund raising activities, provided that said activities do not interfere with the efficient operation of the department and do not violte any law, rule or regulation.

No. 7
No. 8

ARTICLE XXI

SECTION 21.01 - GRIEVANCE PROCEDURE

A grievance shall mean any difference or dispute, between the parties hereto, as to the interpretation or application of any portion of this Agreement or any administrative act affecting general working conditions.

Step 1 - Any Captain or Lieutenant may present a grievance, orally or in writing, to his immediate supervisor within thirty (30) days of the occurrence and attempt to adjust the matter. If the matter is not satisfactorily adjusted, the Captain or Lieutenant may request a representative of the Association meet with him and his immediate supervisor for the purpose of adjusting the grievance.

Step 2 - If the grievance is not satisfactory settled under Step 1, the Association's ~~Greivance Committee~~ * who will DRG. After review of the grievance, the Association will forward a copy of the grievance to the Chief of Police within five (5) calendar days of presentation to him, discuss the matter with the Association's Grievance Committee in an attempt to settle the grievance.

Step 3 - In the event the grievance is not settled under Step 2 above, a report of the grievance will be made by the Association's Grievance Committee and by the Chief of Police and each will furnish their report within five (5) days, to the Town Supervisor or his representative. The Town Supervisor or his representative will discuss the grievance with the Grievance Committee within fifteen (15) calendar days after receipt of the written report.

Step 4 - In the event the matter is not satisfactorily settled, either party may take the matter to arbitration, upon service of written notice to the other party of intention to do so. The notice must be served within thirty (30) calendar days after the close of discussion, and in the event a notice of intention to arbitrate is not filed within thirty (30) days, the matter will be considered closed and not subject to further prosecution.

The arbitration proceeding shall be conducted by an arbitrator to be selected by the Town and the Association within thirty (30) days after notice has been given and from a panel of arbitrators supplied by the New York State Public Employment Safety Relations Board.

The decision of the arbitrator shall be final and binding on the parties, and the arbitrator shall issue his decision within thirty (30) calendar days after the conclusion of testimony and argument unless such time is mutually extended. The arbitrator shall not have the power to amend, modify, or delete any provision of this Agreement.

Expenses for arbitration shall be born equally by the Town and the Association. However, each party shall be responsible for compensating its own representatives who appear. Captains and Lieutenants who appear during their work hours will not suffer any loss of salary or other benefits. If either party desires a

* REPRESENTATIVE MAY FORWARD THE GRIEVANCE TO THE ASSOCIATION'S GRIEVANCE COMMITTEE.

recording of the proceedings, it must pay for the cost of the same and make a copy of the same available, without charge, to the other party and to the arbitrator.

SECTION 21.02 - GRIEVANCE COMMITTEE

The Grievance Committee shall consist of five (5) members selected by the Association not more than three (3) of whom shall be permitted to leave work after reasonable notice to their respective supervisors for the purpose of adjusting grievances and to attend required meetings or arbitration in connection with same.

ARTICLE XXII - BILL OF RIGHTS

The provisions of this Article shall not apply to criminal investigations or investigations of possible criminal activity or violations.

SECTION 22.01 - TIME OF INTERROGATION

The interrogation of Captains and Lieutenants shall be conducted at reasonable hours, preferably, when the officer is on duty, and if not on duty during daylight hours, unless the exigencies of the investigation dictate otherwise.

SECTION 22.02 - IDENTIFICATION OF INVESTIGATING OFFICERS

A Captain or Lieutenant who is under invesitgation for a matter which would not constitute a crime, must be informed of the name of the officer in charge of the investigation and the names of the officers who will be conducting any portion of interrogation or investigation.

SECTION 22.03 - INFORMATION REGARDING INVESTIGATION

A Captain or Lieutenant must be informed of the nature of an investigation before a y interrogation begins. The information must b sufficient to reasonably inform him of the investigation which is being conducted.

SECTION 22.04 - LENGTH OF INTERROGATION

Interrogation shall be completed with reasonable dispatch. Reasonable rest periods will be allowed and time will be provided for personal necessities, meals, telepho calls, and rest periods as reasonably require

SECTION 22.05 - COERCION

A Captain or Lieutenant shall not be subjected to offensive language and

shall not be threatened with transfer, dismissal, or other disciplinary punishment. No promise or reward shall be made as an inducement to answering questions. Nothing herein is to be construed as to prohibit the investigating officer from informing a Captain or Lieutenant that his conduct may be subject to other disciplinary action with resultant disciplinary punishment.

SECTION 22.06 - RIGHT TO COUNSEL

A Captain or Lieutenant who is under investigation has the right to have a representative of the Association present and also has the right to the presence of an attorney, with him, during any questioning, hearing, or interrogation.

SECTION 22.07 - RECORDING OF INTERROGATION

Interrogation of a Captain or Lieutenant for any disciplinary investigation will be recorded, either mechanically or by a stenographer, and there will be no off-the-record statements.

SECTION 22.08 - ADVISE OF CONSTITUTIONAL RIGHTS

If any Captain or Lieutenant is the subject or target of a disciplinary investigation, he shall be advised of his constitutional rights.

SECTION 22.09 - FURNISHING OF COPIES

A Captain or Lieutenant under investigation will be furnished with a copy of any statement he has signed or made, or of any proceedings that have been recorded, in any manner.

SECTION 22.10 - POLYGRAPH

Captains and Lieutenants will not be given polygraphic examinations.

SECTION 22.11 - NON-WAIVER OF CONSTITUTIONAL RIGHTS

No Captain or Lieutenant will be required to or requested to waive constitutional rights granted under the United States or the New York State Constitution.

SECTION 22.12 - HEARING OFFICER

In the event the Town elects to select a hearing officer, pursuant to Section 75 of the Civil Service Law, who is not either a Town employee or Town

official, then, in that event, the hearing officer will be mutually selected by the Town and by the Captain or Lieutenant who is charged. If the parties are unable to agree upon a hearing officer, or if the hearing officer agreed upon is, or becomes unable to or unwilling to act, then the parties shall mutually apply to Special Term of the New York State Supreme Court for the appointment of a hearing officer.

ARTICLE XXIII

SECTION 23.01 - LEAVE OF ABSENCE

Captains and Lieutenants may be granted leave of absence, with or without pay, as provided for in the Civil Service Law of the State of New York.

SECTION 23.02 - NON-DISCRIMINATION

There will be no discrimination with respect to race, color, creed, sex, political persuasion, or because of a Captain or Lieutenant engaged in Association activities. All Captains and Lieutenants shall recieve the full protection of all of the provisions herein.

SECTION 23.03 - PAYROLL DEDUCTION

The Town will provide a payroll savings and U.S. Savings Bond deduction plan and make it available for all Captains and Lieutenants who desire the same.

ARTICLE XXIV

SECTION 24.01 - MANAGEMENT RIGHTS

All of the authority, rights, and responsibilities possessed by the Board and not covered by this Agreement are retained by it, including but not limited to, the right to determine the mission, purposes, objectives, and policies of the Board; to determine the facilities, methods, means, and number of personnel required for conduct of Board programs; to administer the examination, selection, recruitment, hiring, appraisal, training, retention, promotions, assignments or transfer of employees, pursuant to law; to direct, deploy, and utilize the work force; to establish specifications for each class of positions, and to classify or re-classify and to allocate or re-allocate new or existing positions, in accordance with law, and to discipline or discharge employees, in accordance with law, and within the provisions of this Agreement.

SECTION 24.02 -CONFORMITY TO LAW

If any section, sub-section, sentence, clause, phrase, or any portion of this Agreement is, for any reason, held to be invalid or unconstitutional by any Court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Agreement.

SECTION 24.03 - TERMS OF AGREEMENT

This Agreement, except as may hereafter modified in writing, by both parties, shall become effective January 1, 1985 (retroactively) and remain in force until December 31, 1986, or until such time as a subsequent agreement becomes effective.

ARTICLE XXV

SECTION 25.01 - RENEWAL OF AGREEMENT

The parties agree that renewal of this Agreement shall commence on or about the completion of negotiations by the Town of Cheektowaga Police Club, Inc.

SECTION 25.02 - PAST PRACTICE

This Agreement shall supercede conflicting rules, regulations, or practices heretofore existing. Established practices not specifically covered herein, shall continue in full force and effect.

SECTION 25.03 - ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties.

IN WITNESS WHEREOF, the parties here o have set their hands and seals this 17thday of March, 1986.

TOWN OF CHEEKTOWAGA:

BY:

TOWN SUPERVISOR

TOWN COUNCILMAN

TOWN COUNCILMAN

TOWN COUNCILMAN

TOWN COUNCILMAN

TOWN COUNCILMAN

TOWN COUNCILMAN

TOWN OF CHEEKTOWAGA CAPTAINS AND LIEUTENANTS ASSOCIATION:

President, Town of Cheektowaga Captains and Lieutenants Assoc.

Item No. 8a Motion by Councilman Kowal, Seconded by Councilman W. Rogowski

BE IT RESOLVED that effective immediately, Seasonal Employees in the Facilities Department, Parks Division and Street Lighting Division are hereby paid the rate of $3.35 per hour as follows:

Parks Division - #01-00711001-0-1491-001

Harry Rogalski
Joseph Dolecki
Gordon Hagmier
Joseph Lenartowicz
Joseph Trzaska
Lawrence Williams
Wayne Kowal
John Barberio
David Lease
John Kochel
Randy Palmisano
John Slisz
Douglas Dixon
John Bratek
Richard Coffta
Earl Scherer
Kenneth Ostempowski
Stanley Siejak
Joseph Burgio
Cam Viverto

Street Lighting Division - #01-905182-1-0-1492-001

Joseph Stallone
Stephen Dunkowski
Anthony Belcer
Paul Glab
Timothy Szarpa

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

Item No. 8b Change rate of pay for Supervisor's Receptionist
This item was withdrawn.

Item No. 9a Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, Mary Ellen Przybyl, a Clerk-Typist in the Town of Cheektowaga Justice Department, has given written notice to the Town Board of her intentions to resign said position, NOW, THEREFORE, BE IT

RESOLVED that the Town Board accepts Mary Ellen Przybyl's resignation, and BE IT FURTHER

RESOLVED that Mary Ellen Przybyl be and hereby is terminated effective March 10, 1986.

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

Item No. 9b Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

Parks Division - #01-007110-1-0-1491-001

	Effective
David Lease	3/20/86
Earl Scherer	3/22/86
Joseph Lenartowicz	4/6/86
Lawrence Williams	4/13/86
Willard Kratzke	2/22/86

Street Lighting Division - #01-905182-1-0-1492-001

Stephen Dunkowski	4/13/86

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

Item No. 9c 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 below:

	EFFECTIVE
SANITATION DEPARTMENT	
Chirico, Thomas	4/11/86
Gallmeyer, David	4/11/86
Mueller, Fred	4/4/86
Nagel, Danny	4/11/86
Somogye, Richard	4/4/86
Szafranski, Greg	4/18/86
Krajewski, Larry	Immediately
CENTRAL GARAGE	
Powell, Kevin	4/18/86
SEWER MAINTENANCE DEPARTMENT	
Mrugalski, Jeff	4/7/86
Fissler, Robert	4/7/86
Zgoda, Floyd	4/7/86
Pollina, John	4/7/86
Burst, Kelly	4/7/86

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

Item No. 10a Motion by Councilman Kowal, Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following individual be and hereby is hired as a Seasonal employee in the Building and Plumbing Inspector's Office, effective February 17, 1986, at the rate of $3.75 per hour:

Cheryl Zak

Cheektowaga, New York 14225

Item No. 10a 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. 10b Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the rate of $3.35 per hour as follows:

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the rate of $3.35 per hour as follows:

Parks Division - #01-007110-1-0-1491-001

	Effective
Francis Strong	3/17/86
Dale Matecki	3/18/86
Felix Lampke	3/17/86
Francis Keefe	3/17/86
Raymond Bienik	3/17/86

Street Lighting Division - #01-905182-1-0-1492-001

Conrad Scharmach	3/17/86

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

Item No. 10c Motion by Councilman Kowal, Seconded by Councilman Gabryszak

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

	EFFECTIVE
POLICE DEPARTMENT - $3.35 per hour	
Theresa Przybyl	3/17/86
Cathleen Chojnacki	3/17/86
Elizabeth Chirico	3/16/86
ASSESSOR'S OFFICE - $3.75 per hour	
Judy Golas	retroactive 3/3/86
MAIN PUMP STATION - $3.35 per hour	
Joseph Mazur	3/17/86
COUNCIL OFFICE - $5.00 per hour	
Juli Sisti	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. 11a Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, the need exists in the Assessor's Department for the position of "Real Property Appraisal Technician", and

WHEREAS, the Erie County Department of Personnel has approved the creation of this position, and

WHEREAS, the Town has conferred with the Town of Cheektowaga Employees Association relative to the basic salary for such position and they have agreed that the salary of the "Real Property Appraisal Technician" be set at the same rate as "Assistant Field Assessor" as such salary is listed in the current agreement between such parties, NOW, THEREFORE, BE IT

RESOLVED that the position of "Real Property Appraisal Technician" in the Assessor's 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 (10) days.

THE ABOVE RESOLTUION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN KOWAL and the voting was 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 AMENDMENT IS AS FOLLOWS:

Motion by Councilman Kowal, seconded by Councilman Gabryszak

WHEREAS, the need exists in the Assessor's Department for the position of "Real Property Appraisal Technician", and

WHEREAS, the Erie County Department of Personnel has approved the creation of this position, and

WHEREAS, the Town has conferred with the Town of Cheektowaga Employees Association relative to the basic salary for such position and they have agreed that the salary of the "Real Property Appraisal Technician" be set at the same rate as "Assistant Field Assessor", as such salary is listed in the current agreement between such parties, NOW, THEREFORE, BE IT

RESOLVED that the position of "Real Property Appraisal Technician" in the Assessor's 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 job title be posted as a temporary position for 10 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. 11b Motion by Supervisor Weber, Seconded by Councilman J. Rogowski

BE IT RESOLVED that the position of "Cleaner" in the Parks Department be and hereby is created, effective immediately, and BE IT FURTHER

Item No. 11b cont'd

RESOLVED that in accordance with the provisions of the current collective bargining agreement between the Town of Cheektowga and the Town of Cheektowaga Employees' Association, such job opening be posted for a period of ten (10) work days.

Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak to table the above resolution.

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

THE ABOVE RESOLUTION WAS TABLED.

Item No. 12a Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, a vacancy currently exists in the position of Lieutenant in the Cheektowaga Police Department, and

WHEREAS, Gary Wolinski of , Cheektowaga, New York, who currently serves as a Police Officer in the Cheektowaga Police Department, appears first on the Police Lieutenant Permanent Promotional Civil Service list, which was prepared by the Erie County Department of Personnel, and

WHEREAS, Gary Wolinski has the experience, knowledge and training which will enable him to perform the duties of Lieutenant in a manner most advantageous to the Town, NOW, THEREFORE, BE IT

RESOLVED that Gary Wolinski be and hereby is promoted to the position of Lieutenant in the Cheektowaga Police Department, effective immediately, at a salary in accordance 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, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 12b Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, there currently exist vacancies for the position of Police Officer in the Cheektowaga Police Department, and

WHEREAS, this Town Board desires to fill two of these vacancies, and

WHEREAS, candidates appearing on the Erie County Civil Service list of eligibles for this position have been canvassed and intervewed and recommendations for appointment have been made, NOW, THEREFORE, BE IT

RESOLVED that the following named individuals be and hereby are appointed to the position of Police Officer, effective March 19, 1986, at a salary in accordance with the current bargaining agreement in effect between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc.:

Mark Jedd

Donald Strozyk

Item No. 12b 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. 12c Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated September 16, 1985, Kristine R. Young was promoted to the position of Senior Clerk in the Assessor's Office and was granted a six month leave of absence from her position as Clerk-Typist in the Assessor's Office, and

WHEREAS, by resolution dated October 7, 1985, Nancy M. Scarafia was appointed to the temporary position of Clerk-Typist in the Assessor's Office, and

WHEREAS, the six month leave of absence for Kristine R. Young and the temporary appointment of Nancy M. Scarafia expired as of March 16, 1986, and

WHEREAS, this Town Board desires to fill the vacant position of Clerk-Typist in the Assessor's Office, and

WHEREAS, Nancy M. Scarafia has the experience and training for such position and is the only employee within the Assessor's Office eligible to apply for such position, and

WHEREAS, Nancy M. Scarafia has indicated her desire to be appointed to the permanent position of Clerk-Typist in the Assessor's Office, NOW, THEREFORE, BE IT

RESOLVED that Nancy M. Scarafia be and hereby is appointed to the position of Clerk-Typist in the Assessor's Office, effective March 17, 1986, at a salary in accordance with the current bargaining agreement between the Town of Cheektowaga and the Town of 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. 12d Appointment of General Mechanic (3rd shift) in Parks Department
This item was withdrawn.

Item No. 13a Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be granted a leave of absence from June 25, 1986 through July 11, 1986 to attend active duty training with the United States Army Reserve at Fort Leonard Wood, 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. 13b Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

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

Item No. 13b

WHEREAS, Mr. Sosnowski has received orders to report for Active Duty Training effective April 19, 1986 through May 3, 1986, 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, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board approves said Military Leave for Mr. Robert Sosnowski, Cheektowaga, New York, 14211 for the period of April 19, 1986 through May 3, 1986.

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 Johnson, Seconded by Councilman W. Rogowski

WHEREAS, a public hearing was held in accordance with the provisions of the Eminent Domain Procedure Law on the acquisition by the Town of a generally rectangular parcel of land currently owned by M.J. Ogiony, Inc. on the north side of Losson Road, for the purpose of providing ingress and egress from landlocked town parkland known as "Cheektowaga Volunteer Firemen's Memorial Park", and

WHEREAS, at such public hearing the purpose of the public project, along with its proposed location and all other pertinent information, was available for consideration; and all interested persons were given a reasonable opportunity to be heard,

NOW, THERFORE, BE IT RESOLVED that this Town Board hereby determines that it is in the public interest for the Town of Cheektowaga to acquire that parcel of land owned by M.J. Ogiony, Inc., situated on the north side of Losson Road; which land is more fully described in the attached legal description, and BE IT FURTHER

RESOLVED that the Town Clerk publish the attached "Synopsis of Determination and Findings of Condemnor" in two successive issues of the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein.

* See next page for Synopsis

MOTION BY COUNCILMAN JOHNSON, SECONED BY COUNCILMAN W. ROGOWSKI TO TABLE THE ABOVE RESOLUTION, and the voting was 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 ABOVE RESOLUTION WAS TABLED

Item No. 15 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, in 1982, the County of Erie reconstructed Losson Road, thereby relocating Losson Road, and

WHEREAS, that portion of the former Losson Road right-of-way, from the terminus of Old Losson Road southeasterly to the existing Losson Road right-of-way, is no longer used by the County of Erie and is no longer needed by it, and

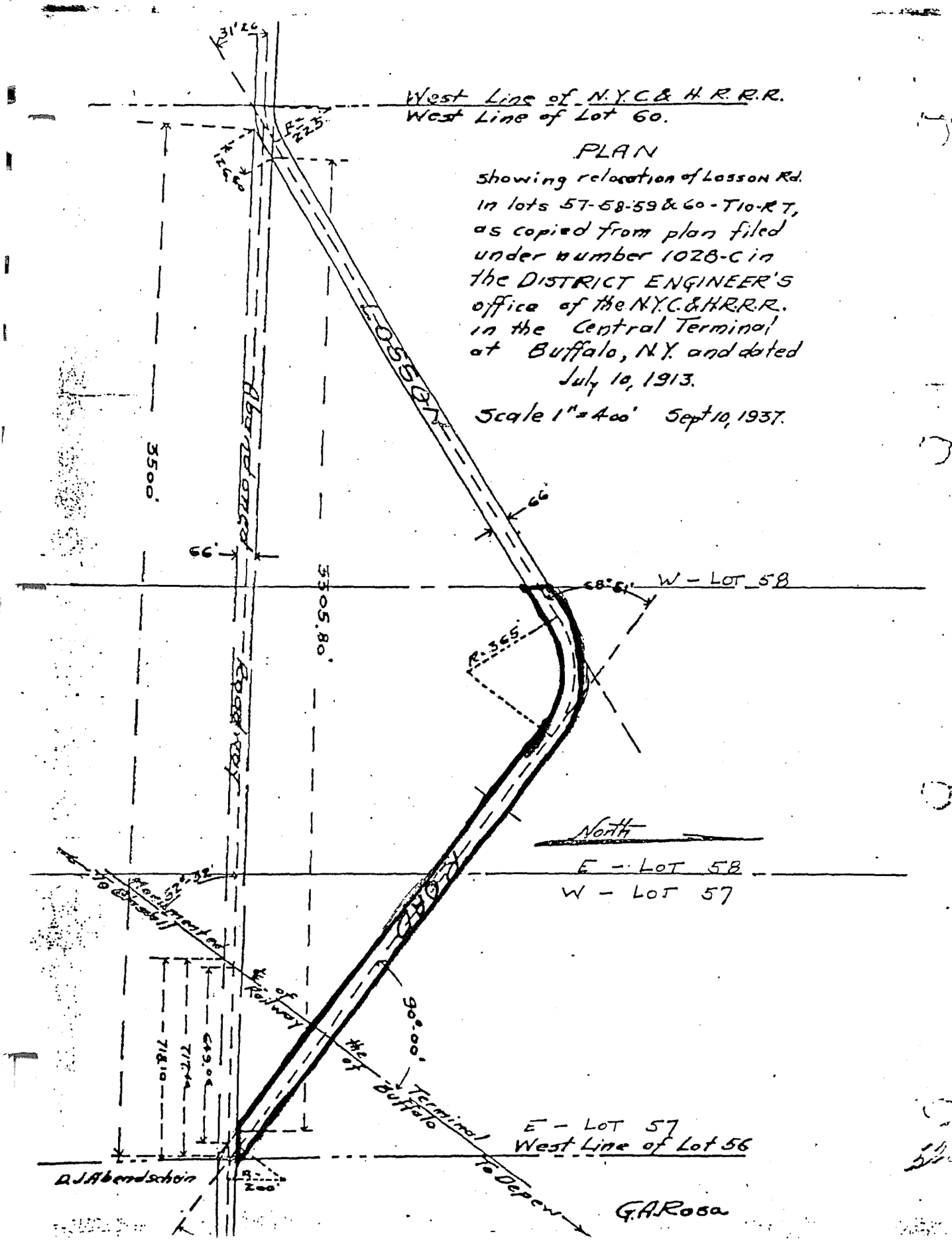
WHEREAS, this Town Board is desirous of obtaining possession of such portion of the former Losson Road right-of-way, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the Erie County Legislature and the Erie County Department of Public Works, Division of Highways, to take all steps necessary to convey the above mentioned portion of the former Losson Road right-of-way, as said right-of-way is more particularly shown on the attached map, to the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to County Legislator Richard A. Slisz, the Clerk of the County Legislature and to the Erie County Department of Public Works, Division of Highways.

* See next page for map

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


West Line of N.Y.C & H.R.R.R.
West Line of Lot 60.
PLAN
showing relocation of Losson Rd.
in lots 57-58-59 & 60 - T10-R7,
as copied from plan filed
under number 1028-C in
the DISTRICT ENGINEER'S
office of the N.Y.C. & H.R.R.R.
in the Central Terminal
at Buffalo, N.Y. and dated
July 10, 1913.
Scale 1" = 400' Sept 10, 1937.
1055.9'
66'
3500'
3305.80'
W - LOT 58
R. 365'
North
E - LOT 58
W - LOT 57
90°.00'
E - LOT 57
West Line of Lot 56
To Depew
G.A.Roca
D.J.Abendschein

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

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, the application for which funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans to eligible homeowners, and

WHEREAS, the Town of Cheektowaga has established such a Housing Rehabilitation Loan 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:

35 Gabrielle Drive	$4,412.00
51 Boll St.	$2,141.00
19 Lucy Lane	$4,298.00
479 Reiman	$1,705.00
299 Wagner	$8,011.00

AND BE IT

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to sign a Loan Agreement with the owner(s) of the above listed property 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 completed to the satisfaction of the Town Housing Inspector 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. 17 Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, the American Red Cross has requested permission from this Town Board to hold a blood drive in the Town Hall Council Chambers on May 6, 1986, and

WHEREAS, this Town Board desires to assist the American Red Cross in its blood drive, NOW, THEREFORE, BE IT

RESOLVED that the American Red Cross be and hereby is authorized to use the Town Hall Council Chambers on May 6, 1986 for its blood drive, and BE IT FURTHER

RESOLVED that the Town Clerk be directed to forward certified copies of this resolution to the American Red Cross, the Town Facilities Department and the Secretary 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. 18 Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, Boy Scout Troop #637, Boy Scouts of America, has requested permission to conduct an overnight Campout on July 12, 1986 and July 13, 1986 at John C. Stiglmeier Park, 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 permit a wavier of Article 48-12 of the Code of the Town of Cheektowaga, said waiver extended to Boy Scout Troop #637, Boy Scouts of America for the use of John C. Stiglmeier Park on July 12, 1986 and July 13, 1986, and BE IT FURTHER

RESOLVED that a copy of said resolution be forwarded to the Chief of Police, Facilities Department Director and Recreation 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. 19 Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris and tires on property located at 3044 Genesee Street, Cheektowaga, New York (SBL# 91.18-4-1) and according to the Assessor's Office is owned by Walter Mroz, 3044 Genesee Street, Cheektowaga, New York, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the accumulated debris and tires be removed by the Town and all costs incurred be assessed against the property 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. 20 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 17th, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	$123,159.77
SPECIAL DISTRICTS FUND	68,076.19
HIGHWAY FUND	22,375.32
TRUST AND AGENCY FUND	441.09
PART TOWN FUND	680.14
CAPITAL FUND	453.06
HUD-CDBG FUND	5,054.26
	$220,239.83

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Cheektowaga Library Board - minutes of meeting of February, 1986
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 22 Erie County Legislature - resolution regarding Westinghouse Property
Copies were sent to: Daniel E. Weber, Supervisor; Council Secretary; Bill Wielinski, Supervising Account; James Kirisits, Town Attorney.
Received and Filed.

Item No. 23 Board of Fire Commissioners, Hy-View Fire District No. 8 - letter regarding Pfohl Road closing
Received and Filed.

Item No. 24 SUMMONS & COMPLAINT - James T. Phelan vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; (has copy) Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Schmitt & Kraft, Insurance Carrier; Leonard J. Smolarek, Chief of Police; Judge's Office.
Received and Filed.

Item No. 25a NOTICE OF CLAIM - Travelers Insurance Co., as subrogee for Greenwalts, Inc., d/b/a McDonalds vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Ron Zoeller, Sanitation Department
Received and Filed.

Item No. 25b NOTICE OF CLAIM - Donald and Alice Greiner vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway Department.
Received and Filed.

Item No. 25c NOTICE OF CLAIM - Gerald Griffin vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway Department
Received and Filed.

Item No. 25d NOTICE OF CLAIM - Michael Interdonato vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway Superintendent;
Received and Filed.

Item No. 26 Mr. Edward J. Harla - Town resident requesting to address Town Board Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Johnson, Seconded by Councilman W. Rogowski to suspend the rules to include the following two (2) 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. 27 Motion by Councilman Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, Richard Zaleski, owner of 4900 Transit Road, has applied for a Special Use Permit for 4900 Transit Road to use such property for automobile rentals, sales and light detail work, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 7, 1986 at 6:30 o'clock P.M., Eastern Standard Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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

AFFIDAVIT - NEXT PAGE

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

Linda M. Gross, 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 Mar. 20, 1986; last publication Mar. 20, 1986; and that no more than six days intervened between publications.

Linda M. Gross

Sworn to before me this 21st day of March, 1986

Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

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 April 1986, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Richard Zaleski for a Special Permit to conduct auto sales, rental and light detail work on property located at 4900 Transit 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

PUBLISH: March 20, 1986

Item No. 28 Motion by Councilman Johnson, Seconded by Councilman W. Rogowski

WHEREAS, there is an urgent need to resolve the street flooding problems of Mafalda, Fontaine and Nina thru the construction of a drainage system that will discharge into Harlem Road, a State highway, and

WHEREAS, the New York State Department of Transportation has approved the discharge of such waters into the Harlem Road drainage system, and

WHEREAS, construction funding is needed in order to relieve flooding on the above named Town streets, NOW, THEREFORE, BE IT

RESOLVED that funding is requested of the State of New York for the construction of the first phase of drainage relief for the project identified as "Mafalda Drive Storm Project", and which first phase is to consist of the construction of some 1,200 feet of storm sewers running southerly from Mafalda Drive and to be constructed along the Harlem Road right-of-way, a State highway, and BE IT FURTHER

RESOLVED that a copy of this resolution be forwarded to Assemblyman Dennis T. Gorski in order to assist the Town in obtaining the necessary funding for the first phase of the Mafalda Drive Storm Project at the estimated cost of $98,000.

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 J. Rogowski to adjourn the meeting in memory of Leonard Pesta.

RICHARD M. MOLESKI
Town Clerk