

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of July, 1986 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Sam LaGreca, Employment and Training Director II; Robert Lis, Assistant Chief of Police; Ronald Marten, Building Inspector; Ray Pugh, Member of Cheektowaga Planning Board; Julia Reinstein, Town Historian; Richard Slisz, Chairman of Erie County Legislature; Michael Stachowski, Deputy Town Attorney; Donald Wegner, Chairman of Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; and Ronald Zoeller, Foreman, Sanitation Department.

#### I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Parks Ordinance of the said Town of Cheektowaga, New Section 48-11A: Consumption of Alcoholic Beverages Restricted, 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:

§48-11.A. Consumption of alcoholic beverages restricted.

1. No person under the age of twenty-one (21) years shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach.
2. No person shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach; except that this prohibition shall not apply to persons over the age of twenty-one (21) years picnicking in Town Park or John C. Stiglmeier Park during regular park hours.

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 determine public interest in the Town's constructing lateral sewers in or along a portion of Walden Avenue in Sewer District No. 7, Depew Ext. 2, in 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,

Item No. 3 Cont'd.

and upon the order of the Supervisor such proof was duly filed. Said description being as follows:

CONSTRUCTION OF LATERAL SEWERS ALONG WALDEN AVENUE IN SEWER DISTRICT NO. 7, DEPEW EXTENSION NO. 2

Commencing along the southerly side from the existing manhole at a distance of 1200 plus or minus feet east of Dick Road to an easterly point at a distance of 1050 plus or minus feet.

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

II. RESOLUTIONS

Item No. 4A Motion by Councilman Johnson Seconded by Councilman Kowal

WHEREAS, Michael Wycoki has petitioned for the rezoning from R-Residential District to RC-Restricted Business District of property owned by him and located at 870 Borden 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 16th day of June, 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 and the Environmental Advisory Committee of the Town of Cheektowaga have reviewed such application, and

WHEREAS, this Board feels that such rezoning would represent an intrusion of a business use into a residential neighborhood, NOW, THEREFORE, BE IT

RESOLVED that the application of Michael Wycoki for the rezoning from R-Residential District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby denied, based on the aforementioned reason.

\*\*\*\*\*

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. 48, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Beginning at a point in the centerline of Borden Road (80.0' wide) said point of beginning being 533.78 feet south of the north line of Lot No. 48, T-10, R-7, as measured along the centerline of Borden Road from the north line of Lot No. 48.

Thence westerly, and parallel with the north line of Lot No. 48 a distance of 180.00 feet to a point.

Thence southerly, parallel with Borden Road a distance of 90.00 feet to a point;

Thence easterly and parallel with the north line of Lot No. 48, a distance of 180.00 feet to a point in the centerline of Borden Road.

Thence north along the centerline of Borden Road a distance of 90.00 feet to the point and place of beginning.

Excepting the portion of said premises within the Right of Way of Borden Road.

Containing 11,698.66 Sq. ft.

\*\*\*\*\*



Item No. 4A 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. 4B Motion by Councilman Kowal Seconded by Councilman Jaworowicz

WHEREAS, Josephine Federowicz has petitioned for the rezoning from R-Residential District to CM-General Commercial District of property owned by her and located at 555 Cayuga Creek 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 16th day of June, 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 denial thereof because the requested use is not in compliance with the area and the surrounding uses; is a safety hazard; and is a detriment to a fine residential area, and

WHEREAS, the Environmental Advisory Committed 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,

NOW, THEREFORE, BE IT RESOLVED that the application of Josephine Federowicz for the rezoning from R-Residential District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby denied based on the aforementioned reasons as stated by the Cheektowaga Planning Board.

\*\*\*\*\*

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Numbers sixty-six (66), sixty-seven (67), eighty-four (84) and eighty-five (85), Township Ten (10), Range Seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

Beginning at a point on the northerly line of Fronckowiak Avenue 198.34 feet westerly of the point of intersection of the northerly line of Fronckowiak Avenue and the easterly line of Cayuga Creek Road; thence easterly along the northerly line of Fronckowiak Avenue and continuing on a straight line to a point 151.20 feet easterly, thence south 27° 49'40" West 239.38 feet to a point; thence South 16°41'20" East 1055.25 feet, more or less, to the center of Cayuga Creek; thence northeasterly on the center line of Cayuga Creek to the point of intersection of the center line of Cayuga Creek and the east line of Lot 85; thence northerly on the east line of Lot 85, 50 feet more or less, to a stone monument; thence north 46° West 1162.10 feet to a point; thence south 36°49'40" West 153.13 feet to the point of place of beginning.

The same containing 8.80 acres more or less.

\*\*\*\*\*

Upon Roll Call....

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

Item No. 4C Motion by Councilman Kowal Seconded by Councilman Jaworowicz

WHEREAS, Josephine Federowicz applied for a Special Permit for a concrete and driveway business on property owned by her and located at 555 Cayuga Creek Road, Cheektowaga, New York pursuant to Sectin 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 16th day of June, 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 denial of the Special Permit because the requested use is not in compliance with the area and surrounding uses; is a safety hazard; and is a detriment to a fine residential area, and

WHEREAS, the Environmental Advisory Committe of the Town of Cheektowaga, pursuant to the "Environmental Advisory Committee of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 555 Cayuga Creek Road,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is denied based on the aforementioned reasons as stated by the Cheektowaga Planning Board.

\*\*\*\*\*

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Numbers sixty-six (66), sixty-seven (67), eighty-four (84) and eighty-five (85), Township Ten (10), Range Seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

Beginning at a point on the northerly line of Fronckowiak Avenue 198.34 feet westerly of the point of intersection of the northerly line of Fronckowiak Avenue and the easterly line of Cayuga Creek Road; thence easterly along the northerly line of Fronckowiak Avenue and continuing on a straight line to a point 151.20 feet easterly, thence south 27° 49'40" West 239.38 feet to a point; thence South 16°41'20" East 1055.25 feet, more or less, to the center of Cayuga Creek; thence northeasterly on the center line of Cayuga Creek to the point of intersection of the center line of Cayuga Creek and the east line of Lot 85; thence northerly on the east line of Lot 85, 50 feet more or less, to a stone monument; thence north 46° West 1162.10 feet to a point; thence south 36°49'40" West 153.13 feet to the point of place of beginning.

The same containing 8.80 acres more or less.

\*\*\*\*\*

Upon Roll Call.....

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

Item No. 4D Motion by Councilman Kowal Seconded by Councilman Johnson

WHEREAS, Frank L. Marks, Sr., President of Marks Auto Parts, has petitioned for the rezoning from R-Residential District to CM-General Commercial District of property owned by Marks Auto Parts and located as 2009 William Street, 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 June, 1986 at 6:30 o'clock P.M., after publication and ser-

Item No. 4D Cont'd.

vice 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 and the Environmental Advisory Committee of the Town of Cheektowaga have reviewed such application, and

WHEREAS, this Board feels that such rezoning is incompatible with the surrounding residential development; constitutes spot zoning; and would create an overdevelopment of the property involved, NOW, THEREFORE, BE IT

RESOLVED that the application of Frank L. Marks, Sr. for the rezoning from R-Residential District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby denied, based on the aforementioned reasons.

\*\*\*\*\*

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number one hundred forty-seven (147), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as Subdivision lot Number five (5), in Block "B", as shown on a subdivision map of "Strasmer Addition", made by Ellsworth Bros., Surveyors and filed in Erie County Clerk's Office under Cover Number 838, except part appropriate by notice of appropriation recorded in Erie County Clerk's Office in Liber 2324 of Deeds at page 249. Being 30 feet in frontage, and 124.80 feet in depth.

\*\*\*\*\*

Upon Roll Call....

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

Item No. 4E Motion by Councilman Kowal Seconded by Councilman Johnson

WHEREAS, Frank L. Marks, Sr., President of Marks Auto Parts, has applied for a Special Permit for the sale of used cars on property located at 2009 William Street, 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 on such petition was held before this Town Board on the 16th day of June, 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 and the Environmental Advisory Committee of the Town of Cheektowaga have reviewed such application, and

WHEREAS, this Board feels that such Special Permit is incompatible with the surrounding residential development; constitutes spot zoning; and would create an overdevelopment of the property involved, NOW, THEREFORE, BE IT

RESOLVED that said Special Permit be and hereby is denied.

\*\*\*\*\*

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number one hundred forty-seven (147), Township ten (10), Range seven (7) of the Buffalo Creek Reservation

Item No. 4E Cont'd.

and further distinguished as Subdivision lot Number five (5), in Block "B", as shown on a subdivision map of "Strasmer Addition", made by Ellsworth Bros., Surveyors and filed in Erie County Clerk's Office under Cover Number 838, except part appropriate by notice of appropriation recorded in Erie County Clerk's Office in Liber 2324 of Deeds at page 249. Being 30 feet in frontage, and 124.80 feet in depth.

\*\*\*\*\*

Upon Roll Call....

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

Item No. 4F Motion by Councilman Kowal Seconded by Councilman Jaworowicz

WHEREAS, Angel Vangelov has petitioned for the rezoning from R-Residential District to Restricted Business District of property owned by him and located at 4760 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 16th day of June, 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 denial thereof because such rezoning would represent a business intrusion into a residential area and would not be in the best interests of the surrounding development, 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,

NOW, THEREFORE, BE IT RESOLVED that the application of Angel Vangelov for the rezoning from R-Residential District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby denied based on the aforementioned reasons as stated by the Cheektowaga Planning Board.

\*\*\*\*\*

LEGAL DESCRIPTION

ALL THAT CERTAIN PARCEL OF LAND with the buildings and improvements thereon erected in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 19, Township 11, Range 7 of the Holland Land Company's Survey and according to a map filed in the Erie County Clerk's Office under Cover Number 1693 is known and distinguished as Subdivision Lot Number thirty-eight (38) being situate on the west side of Union Road.

\*\*\*\*\*

Upon Roll Call....

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

Item No. 4G Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on June 16, 1986 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter

No. 15  
10. 70

Item No. 4G Cont'd.

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 VIII

Stop and Yield Intersections

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
MARYWOOD DRIVE	East-west	OLD STONE ROAD	Northbound	S.E. Corner
MARYWOOD DRIVE	North-south	GARFIELD COURT	Eastbound	S.W. Corner

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

\*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION

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

*Linda G. Jones*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks:  
first publication..... JUL 10 1986..... ;  
last publication..... JUL 10 1986..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Jones*

Sworn to before me this .....11<sup>th</sup>.....

day of .....July....., 19..86

*Cecilia 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 7th day of July, 1986 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

**PRESENT:**

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

**ABSENT: 0**

Motion by Councilman Johnson

Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on June 16, 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 VIII**

**Stop and Yield Intersections**

Street: MARYWOOD DRIVE;  
Direction: East-west; Entrance  
Street: OLD STONE ROAD; Traffic  
Stops: Northbound; Sign Location:  
S.E. Corner.

Street: MARYWOOD DRIVE;  
Direction: North-south; Entrance  
Street: GARFIELD COURT; Traffic  
Stops: Eastbound; Sign Location:  
S.W. Corner.

**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

NAVES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on July 7, 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 4G, 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 8th day of July, 1986.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: July 10, 1986



Item No. 4H Motion by Councilman Jaworowicz Seconded by Councilman W. Rogowski

WHEREAS, the Cheektowaga Police Department has recommended that this Town Board amend Chapter 48 of the Code of the Town of Cheektowaga (Parks Ordinance) to regulate the consumption of alcoholic beverages in Town parks, and

WHEREAS, this Town Board held a public hearing on such proposed amendment at the Cheektowaga Town Hall on July 7, 1986 at 7:00 P.M., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt the following amendment to the Parks Ordinance, NOW, THEREFORE, BE IT

RESOLVED that a new Section 48-11.1., be added to the Code of the Town of Cheektowaga, said section to read as follows:

§48-11.1. Consumption of alcoholic beverages restricted.

1. No person under the age of twenty-one (21) years shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach.

2. No person shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach; except that this prohibition shall not apply to persons over the age of twenty-one (21) years picnicking in Town Park or John C. Stiglmeier Park during regular park hours.

and, BE IT FURTHER

RESOLVED that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 7th day of July, 1986; 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 BE IT FURTHER

RESOLVED that the aforementioned amendment to the Parks Ordinance shall take effect ten (10) days after such publication, but such amendment shall take effect on the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Upon Roll Call....

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 G. Pears*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks:  
first publication.....**JUL 10 1986**.....;  
last publication.....**JUL 10 1986**.....;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pears*

Sworn to before me this .....*11th*.....  
day of .....*July*....., 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 7th day of July, 1986 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

**PRESENT:**

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

**ABSENT: 0**

Motion by Councilman Jaworowicz

Seconded by Councilman W.P. Rogowski

WHEREAS, the Cheektowaga Police Department has recommended that this Town Board amend Chapter 48 of the Code of the Town of Cheektowaga (Parks Ordinance) to regulate the consumption of alcoholic beverages in Town parks, and

WHEREAS, this Town Board held a public hearing on such proposed amendment at the Cheektowaga Town Hall on July 7, 1986 at 7:00 o'clock P.M., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt the following amendment to the Parks Ordinance, NOW, THEREFORE, BE IT

RESOLVED, that a new Section 48-11.A., be added to the code of the Town of Cheektowaga, said section to read as follows:

§48-11.A. Consumption of Alcoholic beverages restricted.

1. No person under the age of twenty-one (21) years shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach.

2. No person shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach; except that this prohibition shall not apply to persons over the age of twenty-one (21) years picnicking in Town Park or John C. Stiglmeier Park during regular park hours.

and, BE IT FURTHER

RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 7th day of July, 1986; 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 BE IT FURTHER

RESOLVED, that the aforementioned amendment to the Parks Ordinance shall take effect ten (10) days after such publication, but such amendment shall take effect on the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Upon roll call ....

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on July 7, 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 4H, 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 8th day of July, 1986.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: July 10, 1986

MEETING NO. 13  
July 7, 1986

Item No. 5A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Andrew H. Schwenk has made application and requested a Rezoning from R-Residential to C-Retail Business District for property located at 1159 French Road, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 21, 1986 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, 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 E. Sears*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks;  
first publication..... JUL 10 1986 ..... ;  
last publication..... JUL 10 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda E. Sears*

Sworn to before me this ..... 11<sup>th</sup> .....

day of ..... July ....., 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 IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 21st day of July, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Andrew H. Schwenk to Rezone from R-Residential District to C-Retail Business District on property located at 1159 French Rd. and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

**ALL THAT TRACT OR PARCEL OF LAND**, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 51, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

**BEGINNING** at a point in the southerly line of French Road (as a highway 66 feet wide) distant 252 feet westerly, as measured thereon, from its intersection with the west line of Borden Road; running thence southerly parallel with the west line of Borden Road, 147 feet; thence westerly parallel with the said southerly line of French Road, 55 feet; thence northerly parallel with the west line of Borden Road, 147 feet to the said southerly line of French Road; thence easterly along said southerly line of French Road, 55 feet to the point of beginning.

**EXCEPTING** from the above described lands the northerly 7 feet thereof conveyed to the County of Erie by Deed recorded in the Erie County Clerk's Office in Liber 7598 of Deeds at Page 317.

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: July 10, 1986**

July 7, 1986

Item No. 5B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, South Union Chrysler Plymouth has made application and requested a Special Use Permit for auto storage for property located at 2567 Union Road, corner of Losson Road, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 21st, 1986 at 6:30 o'clock PM Eastern Daylight Saving 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

\*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.



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

*Linda G. Sears*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks:  
first publication..... JUL 10 1986 ..... ;  
last publication..... JUL 10 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Sears*

Sworn to before me this .....11<sup>th</sup>.....

day of .....July....., 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 IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 21st day of July, 1986 at 8:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Sal Bonadonna/South Union Chrysler Plymouth for a Special Permit to use property for new automobile storage on property located at 2567 Union Rd. pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

**ALL THAT TRACTOR PARCEL OF LAND**, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 63, Township 10, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

**BEGINNING** at a point in the center line of Union Road at its intersection with the center line of Losson Road; running thence easterly along the center line of Losson Road 680.29 feet to a point therein distant 305.05 feet west from the east line of Lot No. 63; running thence northerly and parallel with the east line of Lot No. 63, 453.04 feet to an iron; running thence northwesterly at an interior angle of 164° 32' 51", 114.95 feet to a point; running thence southwesterly on a line at right angles to the center line of Union Road a distance of 734.81 feet to a point in the center line of Union Road; running thence southeasterly along the center line of Union Road 402.65 feet to the point or place of beginning.

**EXCEPTING** therefrom that part of premises appropriated by the People of the State of New York by a Notice of Appropriation recorded in Erie County Clerk's Office in Liber 7180 of Deeds at page 472 and also in Liber 7220 of Deeds at page 56, being Map 71, Parcels 80 and 81 filed February 8, 1966.

Subject to the rights of the public and others in and to any part of the above premises lying within the boundaries of Union Road and Losson Road; also being subject to utility easements of record in the Erie County Clerk's Office which may affect premises.

This conveyance is made by the grantor in the normal course of its business, pursuant to Section 909 of the Business Corporation Law of the State of New York and said transfer does not constitute all of the assets or a substantial part of the assets of the grantor, nor is the grantor insolvent at the time of this transfer, and nor does this conveyance make the grantor insolvent at this time.

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: July 10, 1986**

No. 14

No. 15

No. 16

MEETING NO. 13  
July 7, 1986

Item No. 5C Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Mobil Oil/ has made application and requested a Special Use Permit to operate service station and automobile laundry on property located at S.W. Corner of Union Road and William Street, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 21st, 1986 at 6:30 o'clock PM Eastern Daylight Saving 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

\*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

*Linda G. Jones*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks;  
first publication..... JUL 1 0 1986..... ;  
last publication..... JUL 1 0 1986..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Jones*

Sworn to before me this .....17<sup>th</sup>.....

day of .....July....., 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 IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 21st day of July, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Mobil Oil/Krehbiel Associates Inc. for a Special Permit to use property as a car wash on property located at 3105 William Street pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

**WILLIAM STREET AND  
UNION ROAD**

**TOWN OF CHEEKTOWAGA**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 64, Township 10, Range 7 of the Holland Land Company's Survey and more particularly bounded and described as follows:

**BEGINNING** at a point located on the westerly highway boundary of Union Road (66.0 ft. wide) said point being 161.32 feet southerly from the southerly highway boundary of William Street (66.0 ft. wide) as measured along the westerly highway boundary of Union Road; thence northerly along the westerly highway boundary of Union Road as widened by the New York State Department of Public Works and as shown on Map 75 Parcel 85 a distance of 88.28 feet; thence northwesterly at an interior angle of 143° 36' 20" a distance of 47.75 feet; thence westerly at an interior angle of 104° 27' 34" a distance of 40.93 feet; thence northwesterly at an exterior angle of 89° 56' 57" a distance of 12.03 feet; thence westerly at an interior angle of 89° 58' 42" and along the southerly highway boundary of William Street (66.0 ft. wide) a distance of 149.95 feet; thence southerly at right angles a distance of 245.0 feet; thence northeasterly at an interior angle of 85° 56' 32" a distance of 115.09 feet; thence northerly along the westerly highway boundary of Union Road (66.0 ft. wide) a distance of 112± feet to the place or point of beginning.

Subject to any easements, right-of-ways, agreements, etc. of record.

April 22, 1986

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: July 10, 1986**

Item No. 6A 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 Two New Three (3) Cubic Yard Four-Wheel Drive Rubber Tire Loaders and One New Brush Chipper for use by the Cheektowaga Highway Department.

Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, NY 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the Office to open bids on the aforesaid item at 11:00 A.M. on July 21st, 1986 in the Council Chambers of the Cheektowaga Town Hall.

\*\*\*\*\*

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN THAT sealed proposals will be received, opened and read by the Town Clerk of the Town of Cheektowaga at a bid opening to be held at the Town Hall Council Chambers on July 21, 1986 at 11:00 A.M. for the following:

- (2) Two New Three (3) Cubic Yard Four-Wheel Drive Rubber Tire Loaders
- (1) New Brush Chipper

In order to be considered, all bids must be filed with the under-signed Town Clerk prior to the time of opening thereof. Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Highway Superintendent, located at 3145 Union Road, Cheektowaga NY 14227. Proposals must be enclosed and sealed in opaque envelopes, plainly marked with the name of the bidder, also marked "SEALED BID FOR TWO NEW THREE (3) CUBIC YARD FOUR WHEEL DRIVE RUBBER TIRE LOADERS FOR USE BY THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT" or "SEALED BID FOR ONE NEW BRUSH CHIPPER FOR USE BY THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH BIDS.

\_\_\_\_\_  
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 PAGE FOR AFFIDAVIT OF PUBLICATION

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

*Linda G. Sorensen*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *Clerk* ..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....!..... weeks;  
first publication..... *JUL 1 0 1986* ..... ;  
last publication..... *JUL 1 0 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Sorensen*  
.....  
*17th*

Sworn to before me this .....

day of ..... *July* ....., 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 sealed proposals will be received opened and read by the Town Clerk of the Town of Cheektowaga at a bid opening to be held at the Town Hall Council Chambers on July 21, 1986 at 11:00 A.M. for the following:

(2) Two New Three (3) Cubic Yard Four-Wheel Drive Rubber Tire Loaders

(1) New Brush Chipper

In order to be considered, all bids must be filled with the undersigned Town Clerk prior to the time of opening thereof. Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Highway Superintendent, located at 3145 Union Road, Cheektowaga, NY 14227.

Proposals must be enclosed and sealed in opaque envelopes, plainly marked with the name of the bidder, also marked "SEALED BID FOR TWO NEW THREE (3) CUBIC YARD FOUR WHEEL DRIVE RUBBER TIRE LOADERS FOR USE BY THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT" or "SEALED BID FOR ONE NEW BRUSH CHIPPER FOR USE BY THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH BIDS.

**RICHARD M. MOLESKI**

Town Clerk

PUBLISH: July 10, 1986

Item No. 6B Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, at the regular Town Board Meeting of March 3, 1986 this Town Board approved the preparation of plans and specifications for sewer remedial projects in the Town Sanitary Sewer Districts #5 and #7, AND

WHEREAS, the Town Engineer informs this Town Board that plans and specifications have been completed, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Various Sanitary Sewer Connections in Sanitary Sewer Districts #5 and #7, notice to be published in the BUFFALO NEWS and THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 21st day of July 1986 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

\* \* \* \* \*

VARIOUS SANITARY SEWER CONNECTIONS  
TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 21st day of July 1986, at 11:00 A.M. Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of various sanitary sewer connections in Sanitary Sewer Districts #5 and #7, complete in place, tested and ready for use, in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc. prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

Plans are on file in the Office of the Town Engineer of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Copies of the proposed contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above Office and at the Office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202, from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Construction of Various Sanitary Sewer Connections Project."

Any bid not delivered in person shall be mailed to the Office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one half of the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder 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 30-day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the

Item No. 6B Cont'd.

Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be 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 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 bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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.

The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

BY ORDER OF: Richard M. Moleski  
Town Clerk,  
Town of Cheektowaga

Dated: July 7, 1986

Published: July 10, 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 G. Jones*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *Cluck* ..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... 1 ..... weeks;  
first publication..... JUL 10 1986 ..... ;  
last publication..... JUL 10 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Jones*

Sworn to before me this ..... 11<sup>th</sup> .....

day of ..... July ..... , 19<sup>86</sup> .....

..... *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<sup>87</sup>

**LEGAL NOTICE  
VARIOUS SANITARY SEWER  
CONNECTIONS  
TOWN OF CHEEKTOWAGA,  
ERIE COUNTY, NEW YORK  
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 21st day of July 1986, at 11:00 A.M. Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of various sanitary sewer connections in Sanitary Sewer Districts #5 and #7, complete in place, tested and ready for use, in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

Plans are on file in the office of the Town Engineer of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202, from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Construction of Various Sanitary Sewer Connections Project."

Any bid not delivered in person shall be mailed to the office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder 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 after this 30-day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be 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 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 bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such a 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.

The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

**RICHARD M. MOLESKI**  
Town Clerk

Town of Cheektowaga

DATED: July 7, 1986

PUBLISH: July 10, 1986

No. 14

10

#3

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes

and says that she is Principal Clerk

of the BUFFALO EVENING NEWS, INC., Publisher of

THE BUFFALO NEWS, a newspaper published in said

city, that the notice of which the annexed printed slip taken

from said newspaper is a copy, was inserted and published

therein ONCE ~~XXXXXXXXXXXXXXXXXXXX~~

first insertion being on the 10th day of July

19 86 ~~XXXXXXXXXXXXXXXXXXXX~~ day

D. Eileen Perry

V contract  
 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 per-  
 formance bond acceptable to  
 the Owner, in an amount  
 equal to the contract award.  
 Attention of the bidders is  
 further called to Section 2604  
 of the Public Authorities Law  
 which requires a bidder's  
 Certificate of Non-Conflic-  
 tation. Such certificate is part of the  
 bid or proposal form and, un-  
 less complied with, such bid  
 will not be accepted.  
 The Town of Cheektowaga  
 is an exempt organization  
 under the Tax Law and is ex-  
 empt 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 in-  
 cluded in the bid.  
 The work shall be com-  
 pleted within 180 consecutive  
 calendar days, to begin five  
 (5) days after the "Order to  
 Commence Work" has been  
 issued.  
 By Order of RICHARD M.  
 MOLESKI, Town Clerk,  
 Town of Cheektowaga  
 Dated: July 7, 1986

Sworn to before me this 10th day

of July 19 86

*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  
CITY OF BUFFALO

VARIOUS SANITARY  
SEWER CONNECTIONS  
TOWN OF CHEEKTOWAGA,  
ERIE COUNTY, N.Y.  
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 21st day of July 1968, at 11:00 A.M. Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of various sanitary sewer connections in Sanitary Sewer Districts No. 20 and 21, complete in place, tested and ready for use, in accordance with the Contract Documents (designer, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

Plans are on file in the office of the Town Engineer of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineer at 310 Delaware Avenue, Buffalo, New York 14202, from which latter office copies may be secured upon payment of \$20.00 per set of documents. Deposits should be made in the form of two \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Construction of Various Sanitary Sewer Connections project."

Any bid not delivered in person shall be mailed to the office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder 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 30-day period.

The right to reject any and all bids, to waive any formalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal for five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal of five percent (5%) of the amount of the bid, conditioned that, if his proposal be 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 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 bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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.

The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

By Order of RICHARD M. MOLESKI, Town Clerk,  
Town of Cheektowaga  
Dated: July 7, 1968

#3

D. Eileen Perry

City of Buffalo, New York, being duly sworn, deposes

says that she is Principal Clerk

of the BUFFALO EVENING NEWS, INC., Publisher of

BUFFALO NEWS, a newspaper published in said

town, that the notice of which the annexed printed slip taken

from said newspaper is a copy, was inserted and published

in once ~~XXXXXXXXXXXXXXXXXXXX~~

insertion being on the 10th day of July

1968 ~~XXXXXXXXXXXXXXXXXXXX~~ day

*D. Eileen Perry*

Sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19\_\_\_\_

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.



Item No. 6C Motion by Councilman Gabryszak Seconded by Councilman Kowal

WHEREAS, Ron Zoeller, Sanitation Department Foreman, has requested that bids be received for the purchase of trucks with refuse packers for the Sanitation Department, AND

WHEREAS, funds have been allocated for said trucks with refuse packers, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Trucks with Refuse Packers, said notice to be published in THE CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 21st day of July, 1986 at 11:00 A.M., Local 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 July 21, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads for trucks with twenty-five (25) cubic yard refuse packer bodies.

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: July 7, 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.

Richard G. Sears, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
Clerk of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... JUL 10 1986..... ;  
last publication..... JUL 10 1986..... ;  
and that no more than six days intervened be-  
tween publications.

Richard G. Sears

Sworn to before me this ..... 11<sup>th</sup> .....

day of ..... July ....., 19<sup>86</sup>...

..... Cecilia 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<sup>87</sup>

No. 14

No. 15

No. 16

**LEGAL NOTICE  
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on July 21, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads for trucks with twenty-five (25) cubic yard refuse packer bodies.

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: July 7, 1986  
PUBLISH: July 10, 1986

MEETING NO. 13  
July 7, 1986

Item No. 6D Motion by Councilman J. Rogowski to table this item but the motion failed for lack of a second.

Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, this Town Board, by resolution dated February 19, 1986, authorized the preparation of plans and specifications for the construction of a pond at the John C. Stiglmeier Park, and

WHEREAS, Merriman Conservation Consultants Inc. have completed the plans and specifications and have recommended that bids be taken, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the construction of a pond in Stiglmeier Park, said notice to be published in the BUFFALO NEWS and THE CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 21st day of July 1986 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

\*\*\*\*\*

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on July 21, 1986 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing of all tools, equipment and labor for the construction of a 4.6 acre pond and parking facilities in Stiglmeier Park.

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

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF POND, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

No bidder may withdraw his bid within sixty (60) days later the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the 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: July 7, 1986

A pre-bid meeting will be conducted at the Facilities Department Office, 500 Losson Road, on the 16th of July at 9:00 A.M.

\*\*\*\*\*

MEETING NO. 13  
July 7, 1986

Item No. 6D Cont'd.

Upon Roll Call....

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

\*SEE NEXT TWO (2) PAGES FOR AFFIDAVITS OF PUBLICATION.

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

*Linda G. Jones*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... *JUL 10 1986* ..... ;  
last publication..... *JUL 10 1986* ..... ;  
and that no more than six days intervned be-  
tween publications.

*Linda G. Jones*

Sworn to before me this ..... *11<sup>th</sup>* .....

day of ..... *July* ....., 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 by the Town of Cheektowaga on July 21, 1986 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing of all tools, equipment and labor for the construction of a 4.6 acre pond and parking facilities in Stiglmeier Park.

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

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF POND, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

The Town Board reserves the right to consider 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

A pre-bid meeting will be conducted at the Facilities Department Office, 500 Losson Road, on the 16th of July at 9:00 A.M.

DATED: July 7, 1986

PUBLISH: July 10, 1986

#1

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

**NOTICE TO BIDDERS**  
 Sealed proposals will be received by the Town of Cheektowaga on July 21, 1986 at 11:00 A.M. Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing of all tools, equipment and labor for the construction of a 4.6 acre pond and parking facilities in Stiglmeier Park. Information for bidders and contract specifications may be obtained from the Town Clerk at his office. Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney. Proposals shall be in sealed envelopes, plainly marked on

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that s he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO 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~~

~~XX~~ first insertion being on the 10th day of July

19 86 ~~and the last insertion being on the~~

~~XXXXXXXXXXXX~~  
D. Eileen Perry

Sworn to before me this 10th day

of July 19 86

*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.



#1

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

### NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on July 21, 1986 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing of all tools, equipment and labor for the construction of a 4.6 acre pond and parking facilities in Stigmeier Park.

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

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF POND, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the 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: July 7, 1986

A pre-bid meeting will be conducted at the Facilities Department Office, 500 Louisa Road, on the 18th of July at 9:00 A.M.

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 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~~

first insertion being on the 10th day of July

19 86 ~~and the last insertion being on the~~

~~XXXXXXXXXXXX~~

*D. Eileen Perry*

sworn to before

10th day

19 86

*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.

Item No. 7 Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is a member of the Northeast Communities Solid Waste Management Board ("Northeast Board"), and

WHEREAS, the Northeast Board is seeking to develop an economical, environmentally sound, non-polluting solution to the long term solid waste needs of the Western New York area, and

WHEREAS, the Northeast Board will hold a meeting on July 30, 1986 at the Alden Central High School Auditorium to inform the public of the findings and to receive comments from the public, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Public Notice in the CHEEKTOWAGA TIMES and the METRO COMMUNITY NEWS.

\*\*\*\*\*

PUBLIC NOTICE

NORTHEAST COMMUNITIES  
SOLID WASTE MANAGEMENT BOARD  
PUBLIC INFORMATION MEETING

The Northeast Board consists of the Communities of: Village of Akron, Town of Alden, Village of Alden, Town of Cheektowaga, Town of Clarence, Town of Elma, Town of Lancaster, Village of Lancaster and the Town of Newstead. Presently the Northeast Board is starting a study to develop an economical, environmentally sound, non-polluting solution to the long term solid waste (residential garbage) needs of the Northeast area. A number of alternatives will be investigated including converting solid waste to steam or electrical energy by burning it in specially designed facilities. For converting garbage to steam energy, a nearby steam user is necessary and the large steam users within the Northeast Board area are presently being inventoried which includes the Wende (State) and Erie County Correctional Facilities and Erie County Home and Infirmary Complex as one potential user. Conveying the waste to the existing Occidental Energy from Waste Facility in Niagara Falls will be investigated as well as transferring the waste to other available solid waste facilities such as Chaffee Landfill and other sites in our general area.

The purpose of this meeting will be to describe the contents of the study, to review any information that will have been gathered by the time of the meeting, explain the alternatives to be studied and the long term solid waste situation of the Northeast Board, and to hear from the public.

All interested residents of the area are invited to attend the meeting and ask any questions they may have at this point in time.

WHERE: ALDEN CENTRAL SCHOOL  
HIGH SCHOOL AUDITORIUM  
PARK STREET  
VILLAGE OF ALDEN, NEW YORK

WHEN: WEDNESDAY, JULY 30, 1986

TIME: 7:30 P.M.

\*\*\*\*\*

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 E. Sears*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks:  
first publication.....**JUL 10 1986**.....;  
last publication.....**JUL 10 1986**.....;  
and that no more than six days intervened be-  
tween publications.

*Linda E. Sears*

Sworn to before me this .....*11th*.....  
day of .....*July*....., 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  
PUBLIC NOTICE  
NORTHEAST COMMUNITIES  
SOLID WASTE  
MANAGEMENT BOARD  
PUBLIC INFORMATION  
MEETING**

The Northeast Board consists of the communities of: Village of Akron, Town of Alden, Town of Cheektowaga, Town of Clarence, Town of Elma, Town of Lancaster, Village of Lancaster and the Town of Newstead. Presently the Northeast Board is starting a study to develop an economical, environmentally sound, non-polluting solution to the long term solid waste (residential garbage) needs of the Northeast area. A number of alternatives will be investigated including converting solid waste to steam or electrical energy by burning it in specially designated facilities. For converting garbage to steam energy, a nearby steam user is necessary and the large steam users within the Northeast Board area are presently being inventoried which includes the Wende (State) and Erie County Correctional Facilities and Erie County Home and Infirmary Complex as one potential user. Conveying the waste to the existing Occidental Energy from Waste Facility in Niagara Falls will be investigated as well as transferring the waste to other available solid waste facilities such as Chaffee Landfill and other sites in our general area.

The purpose of this meeting will be to describe the content of the study, to review any information that will have been gathered by the time of the meeting, explain the alternatives to be studied and the long term solid waste situation of the Northeast Board, and to hear from the public.

All interested residents of the area are invited to attend the meeting and ask any questions they may have at this point in time.

**WHERE: ALDEN CENTRAL  
SCHOOL**

**HIGH SCHOOL AUDITORIUM  
PARK STREET  
VILLAGE OF ALDEN, NEW  
YORK**

**WHEN: WEDNESDAY, JULY 30,  
1986**

**TIME: 7:30 P.M.**

**PUBLISH: July 10, 1986**

**AFFIDAVIT OF PUBLICATION**

State of New York,  
County of **Erie** ss.:

**Richard A. Maussner**

being duly sworn, deposes and says that he/she is the  
**President and Publisher**

of **Metro Community News**

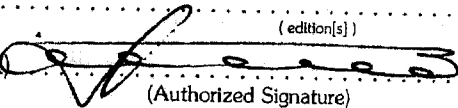
a weekly newspaper published in 24 contiguous editions  
covering 321,000 households in  
**Erie & Niagara** County,

State of New York and that a notice of which the annexed  
is a true copy was published in said newspaper on the  
following dates:

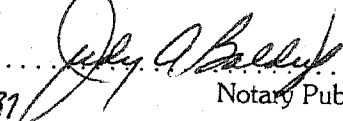
7/15/86 NSD  
(date) (edition[s])

.....  
(date) (edition[s])

.....  
(date) (edition[s])

Sign (X)   
(Authorized Signature)

Sworn to before me, this 19th day of  
July, 1986

**JUDY A. BALDUF**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1987  Notary Public

# **PUBLIC NOTICE**

## **NORTHEAST COMMUNITIES SOLID WASTE MANAGEMENT BOARD PUBLIC INFORMATION MEETING**

The Northeast Board consists of the communities of: Village of Akron, Town of Alden, Village of Alden, Town of Cheektowaga, Town of Clarence, Town of Elma, Town of Lancaster, Village of Lancaster and the Town of Newstead. Presently the Northeast Board is starting a study to develop an economical, environmentally sound, non-polluting solution to the long term solid waste (residential garbage) needs of the Northeast area. A number of alternatives will be investigated including converting solid waste to steam or electrical energy by burning it in specially designed facilities. For converting garbage to steam energy, a nearby steam user is necessary and the large steam users within the Northeast Board area are presently being inventoried which includes the Wende (State) and Erie County Correctional Facilities and Erie County Home and Infirmary Complex as one potential user. Conveying the waste to the existing Occidental Energy from Waste Facility in Niagara Falls will be investigated as well as transferring the waste to other available solid waste facilities such as Chaffee Landfill and other sites in our general area.

The purpose of this meeting will be to describe the contents of the study, to review any information that will have been gathered by the time of the meeting, explain the alternatives to be studied and the long term solid waste situation of the Northeast Board, and to hear from the public.

All interested residents of the area are invited to attend the meeting and ask any questions they may have at this point in time.

**WHERE: ALDEN CENTRAL SCHOOL  
HIGH SCHOOL AUDITORIUM  
PARK STREET  
VILLAGE OF ALDEN, NEW YORK**

**WHEN: WEDNESDAY, JULY 30, 1986**

**TIME: 7:30 P.M.**

MEETING NO. 13  
July 7, 1986

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

WHEREAS, bids were duly received by this Town Board at a Bid Opening held on June 15th, 1986 for the furnishing of fuel, oil, lubricants, etc. for the Cheektowaga Highway Department as a result of advertisement therefore, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof.

\*SEE NEXT SIX (6) PAGES FOR LETTER FROM TOWN SUPERINTENDENT OF HIGHWAYS CONTAINING ANALYSIS, TABULATION AND REPORT.

ALFRED F. WNEK  
SUPERINTENDENT

OFFICE: 686-3450



TOWN OF CHEEKTOWAGA  
ERIE COUNTY, NEW YORK

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

June 26, 1986

RECEIVED  
1986 JUL -1 PM 3:26  
CHEEKTOWAGA  
TOWN CLERK

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

Re: Award of bids for Fuel, Oil, Lubricants etc.

Dear Town Board Members:


Bids for the above mentioned materials were received by the Town Clerk, Richard Moleski, and opened on June 16th, 1986 and after reviewing same, I recommend that the following bids be awarded to:

AMERICAN Lubricants Inc., 619 Bailey Avenue, Buffalo NY 14206  
KURK FUEL OIL CO., 1276 Harlem Road, Cheektowaga NY 14206  
NOCO ENERGY CORP., 700 Grand Island Blvd., Tonawanda NY 14150  
SUPERIOR LUBRICANTS CO., INC., 32 Ward Rd., N. Tonawanda NY 14120

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

Very truly yours,

TOWN OF CHEEKTOWAGA

  
ALFRED F. WNEK  
HIGHWAY SUPERINTENDENT

AFW:erp

cc: Town Board Members  
Town Clerk  
Town Attorney  
Engineering Dept.  
Central Garage

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





AWARD OF BIDS - diesel fuel, oil, lubricants etc.  
Effective 7/7/86 thru 7/7/87

American Lubricants Inc.  
619 Bailey Avenue  
14206

827-8300

Superior Lubricants  
32 Ward Rd.  
N. Tonawanda 14120  
693-6050

(Mike Anczok)

KEROSENE OIL	No Bid	\$.99 Gal.
HYDRAULIC OIL #44 Anti-Wear, Rust & Oxidation Resistance	1.68 Gal. 92.40 Drum	1.63 Gal. 89.65 Drum
MOTOR OILS: XXHDSAE 30-CC & CD meets Detroit Diesel Classification	2.11 Gal. 116.05 Drum	2.12 Gal. 116.60 Drum
UMO SAE 30-SF, CC, & CD used for gas trucks, diesel, (turbocharged engines), Mack Spec EO-J.	2.11 Gal. 116.05 Drum	2.12 Gal. 116.05 Drum
10w30 SF-CC used for gas engine, cars & pickups	1.97 Gal. 108.35 Drum	2.49 Gal. 136.95 Drum
DSL Reg SAE 20 & 30. This is a non-detergent motor oil for use where additive oils are not required or desired.	2.01 Gal. 110.55 Drum	2.29 Gal. 125.95 Drum
SUPER HPO 8D SAE 30 - detergent API services SS, SE & CC.	2.11 Gal. 116.05 Drum	2.12 Gal. 116.60 Drum
KENDALL 15w-40 Super D - API services SF, CC & CD. Mack Specs EOK - EOK2.	2.28 Gal. 125.40 Drum	2.19 Gal. 120.45 Drum
TRANSMISSION FLUID: ATF Dextron II	2.16 Gal. 118.80 Drum	2.49 Gal. 136.95 Drum
GEAR OIL: DSL APGO 80/90-classifications GL-S through GL-5. This also covers Mack Truck Specs.	.35 lb. 42.00 Drum 120#	.40 lb. 160.00 drum 400#
DSL APGO 140 - same as above.	.35 lb. 42.00 Drum 120#	.42 lb. 168.00 Drum 400#
MULTI-PURPOSE LUBE: DSL A.P. GREASE LITHIUM #2 or as equal	.53 lb. 63.60 Drum 120#	.63 lb. 252.00 Drum 400#
LUBRIPLATE - Wheel Bearing Grease or as equal	.55 lb. 66.00 Drum 120#	.68 lb. 272.00 Drum 400#
PERMANENT ANTI-FREEZE	2.44 Gal 134.20 Drum	2.39 Gal. 131.45 Drum
#2 DIESEL FUEL OIL Bid price per gallon delivered. No limit on number of gallons per delivery.	NO BID	.439 Gal.
NOT LESS THAN PREMIUM-SUPER UNLEADED GASOLINE Bid Price per gallon delivered. No limit on number of gallons per delivery.	NO BID	NO BID
		\$17.00 Drum Dep

AWARD OF BIDS - diesel fuel, oil, lubricants etc.  
 Effective 7/7/86 thru 7/7/87

ALLIED OIL CO.  
 Div. of Ashland Oil Inc.  
 4545 River Road  
 Tonawanda NY 14150  
 879-8602

Kurk Fuel Oil Co.  
 1276 Harlem Road  
 Cheektowaga NY 14206  
 892-0359

KEROSENE OIL	NO BID	.93 Gal.
HYDRAULIC OIL #44 Anti-Wear, Rust & Oxidation Resistance		
MOTOR OILS: XXHDSAE 30-CC & CD meets Detroit Diesel Classification		
UMO SAE 30-SF, CC, & CD used for gas trucks, diesel, (turbocharged engines), Mack Spec EO-J.		
10w30 SF-CC used for gas engine, cars & pickups		
DSL Reg SAE 20 & 30. This is a non-detergent motor oil for use where additive oils are not required or desired.		
SUPER HPO 8D SAE 30 - detergent API services SS, SE & CC.		
KENDALL 15w-40 Super D - API services SF, CC & CD. Mack Specs EOK - EOK2.		
TRANSMISSION FLUID: ATF Dextron II		
GEAR OIL: DSL APGO 80/90-classifications GL-S through GL-5. This also covers Mack Truck Specs.		
DSL APGO 140 - same as above.		
MULTI-PURPOSE LUBE: DSL A.P. GREASE LITHIUM #2 or as equal		
LUBRIPLATE - Wheel Bearing Grease or as equal		
PERMANENT ANTI-FREEZE		
#2 DIESEL FUEL OIL Bid price per gallon delivered. No limit on number of gallons per delivery.	.45 Gal. (Truck Transport Lots)	.4595 Gal.*
NOT LESS THAN PREMIUM-SUPER UNLEADED GASOLINE Bid Price per gallon delivered. No limit on number of gallons per delivery.	NO BID	.5895 Gal.*

\*Exclusive of tax applicable. Subject to date of shipment prices.

AWARD OF BIDS - diesel, fuel, oil. lubricants etc.  
Effective 7/7/86 thru 7/7/87

NOCO ENERGY CORP.  
700 Grand Island Blvd.  
Tonawanda (14150)  
874-6200

Niagara Lubricants  
105 Manitoba St.  
14206

KEROSENE OIL	1.40 Gal. 77.00 Drum	
HYDRAULIC OIL #44 Anti-Wear, Rust & Oxidation Resistance	1.99 Gal. 109.45 Drum	
MOTOR OILS: XXHDSAE 30-CC & CD meets Detroit Diesel Classification	2.50 Gal. 137.50 Drum	
UMO SAE 30-SF, CC, & CD used for gas trucks, diesel, (turbocharged engines), Mack Spec EO-J.	2.50 Gal. 137.50 Drum	
10w30 SF-CC used for gas engine, cars & pickups	2.58 Gal. 141.90 Drum	
DSL Reg SAE 20 & 30. This is a non-detergent motor oil for use where additive oils are not required or desired.	2.68 Gal. 147.40 Drum	
SUPER HPO 8D SAE 30 - detergent API services SS, SE & CC.	2.50 Gal. 137.50 Drum	
KENDALL 15w-40 Super D - API services SF, CC & CD. Mack Specs EOK - EOK2.	2.77 Gal. 152.35 Drum	BIDS REFUSED - INCOMPLETE
TRANSMISSION FLUID: ATF Dextron II	2.69 Gal. 147.95 Drum	
GEAR OIL: DSL APGO 80/90-classifications GL-S through GL-5. This also covers Mack Truck Specs.	.485 lb. 194.00 400#	
DSL APGO 140 - same as above.	.485 Lb. 194.00 Drum 400#	
MULTI-PURPOSE LUBE: DSL A.P. GREASE LITHIUM #2 or as equal	.69 lb. 82.80 Drum 120#	
LUBRIPLATE - Wheel Bearing Grease or as equal	NO BID	
PERMANENT ANTI-FREEZE	2.40 Gal. 132.00 Drum	
#2 DIESEL FUEL OIL Bid price per gallon delivered. No limit on number of gallons per delivery.	* .4450 Gal.	
NOT LESS THAN PREMIUM-SUPER UNLEADED GASOLINE Bid Price per gallon delivered. No limit on number of gallons per delivery.	* .5675 Gal.	
	*Prices exclude all taxes applicable.  Prices will fluctu- ate with shipment price.	

AWARD OF BIDS - diesel fuel, oil, lubricants ets.  
Effective 7/7/86 thru 7/7/87

	PETROLEUM SALES & SERVICE 300 Ohio St. 14204 856 - 8675 (Bob Valentine)	Lakeland Supply Inc. 353 Niagara Falls Blvd. 14226 834-2776
KEROSENE OIL	NO BID	NO BID
HYDRAULIC OIL #44 Anti-Wear, Rust & Oxidation Resistance	2.54 Gal. 139.70 Drum	2.25 Gal. 123.75 Drum
MOTOR OILS: KXHD SAE 30-CC & CD meets Detroit Diesel Classification	2.94 Gal. 161.70 Drum	2.75 Gal. 151.25 Drum
IMO SAE 30-SF, CC, & CD used for gas trucks, diesel, (turbocharged engines), Mack Spec EO-J.	2.94 Gal. 161.70 Drum	2.97 Gal. 163.35 Drum
Ow30 SF-CC used for gas engine, cars & pickups	3.97 Gal. 218.35 Drum	3.03 Gal. 166.65 Drum
SL Reg SAE 20 & 30. This is a non-detergent motor oil for use where additive oils are not required or desired.	3.65 Gal. 200.75 Drum	2.75 Gal. 151.25 Drum
UPER HPO 8D SAE 30 - detergent API services SS, SE & CC.	3.23 Gal. 177.65 Drum	2.75 Gal. 151.25 Drum
ENDALL 15w-40 Super D - API services SF, CC & CD. Mack Specs EOK - EOK2.	4.05 Gal. 222.75 Drum	3.13 Gal. 172.15 Drum
TRANSMISSION FLUID: ATF Dextron II	3.25 Gal. 178.75 Drum	3.02 Gal. 166.10 Drum
GREASE OIL: SL APGO 80/90-classifications GL-S through GL-5. This also covers Mack Truck Specs.	.80 Lb. 96.00 120#	.66 lb. 79.20 Drum 120#
SL APGO 140 - same as above.	.78 lb. 93.72 Drum	.59 lb. 70.80 Drum 120#
MULTI-PURPOSE LUBE: SL A.P. GREASE LITHIUM #2 or as equal	.6538/lb. 78.46 Drum 120#	.73 lb. 87.60 Drum 120#
WHEEL BEARING GREASE - Wheel Bearing Grease or as equal	NO BID	.91 lb. 109.20 Drum 120#
PERMANENT ANTI-FREEZE	NO BID	NO BID
DIESEL FUEL OIL Bid price per gallon delivered. No limit on number of gallons per delivery.	.4569 Gal.	NO BID
BETTER THAN PREMIUM-SUPER UNLEADED GASOLINE Bid Price per gallon delivered. No limit on number of gallons per delivery.	.5851 Gal.	NO BID
	All prices are exclusive of applicable sales tax.	

AWARD OF BIDS - diesel fuel, oil, lubricants ets.  
 Effective 7/7/86 thru 7/7/87

GOETZ OIL CORP.  
 P.O. Box A  
 Kenmore NY 14217  
 876-4324

DAVIS HOWLAND OIL CO.  
 200 Anderson Avenue  
 Rochester NY 14607

KEROSENE OIL		
HYDRAULIC OIL #44 Anti-Wear, Rust & Oxidation Resistance		
MOTOR OILS: XXHDSAE 30-CC & CD meets Detroit Diesel Classification		
UMO SAE 30-SF, CC, & CD used for gas trucks, diesel, (turbocharged engines), Mack Spec EO-J.		
10w30 SF-CC used for gas engine, cars & pickups		
DSL Reg SAE 20 & 30. This is a non-detergent motor oil for use where additive oils are not required or desired.		
SUPER HPO 8D SAE 30 - detergent API services SS, SE & CC.		
KENDALL 15w-40 Super D - API services SF, CC & CD. Mack Specs EOK - EOK2.		
TRANSMISSION FLUID: ATF Dextron II		
GEAR OIL: DSL APGO 80/90-classifications GL-S through GL-5. This also covers Mack Truck Specs.		NO BID THIS YEAR - please keep on list
DSL APGO 140 - same as above.		
MULTI-PURPOSE LUBE: DSL A.P. GREASE LITHIUM #2 or as equal		
LUBRIPLATE - Wheel Bearing Grease or as equal		
PERMANENT ANTI-FREEZE		
#2 DIESEL FUEL OIL Bid price per gallon delivered. No limit on number of gallons per delivery.	.4775 Gal.	
NOT LESS THAN PREMIUM-SUPER UNLEADED GASOLINE Bid Price per gallon delivered. No limit on number of gallons per delivery.	.6200 Gal.	
	Bid Price to Fluctuate w/date of shipment prices. Prices exclusive of Gross Receipt Tax.	

MEETING NO. 13  
July 7, 1986

Item No. 8 Cont'd.

Upon Roll Call....

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

Item No. 9 Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, the need exists in the Cheektowaga Police Department for two new police cars, and

WHEREAS, funds are available in the 1986 Police Department budget for the purchase of such police cars, and

WHEREAS, Mid-City Dodge 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 from Mid-City Dodge:

Two (2) new 1985 Dodge Diplomats (four door) specially constructed for law enforcement purposes and equipped with air conditioning; State Contract No. P-17314; at a combined cost of \$19,500.00

and, BE IT FURTHER

RESOLVED that the money for such purchase shall be paid out of the 1986 Police Department budget, line item 01-003120-2-0-2303-001.

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 W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as a Seasonal Employee in the Facilities Department as listed:

Street Lighting Division - #01-905182-1-0-1492-001

	<u>Effective</u>
William Richards	6/13/86
Donlin McCarthy	6/27/86

Parks Division - #01-007110-1-0-1491-001

Cam Viverto	7/27/86
-------------	---------

Upon Roll Call....

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

Item No. 10B Motion by Councilman Johnson Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees at the Main Pump Station, effective July 18, 1986:

Leroy Linkner

Item No. 10B Cont'd.

Darlene Hoffman

Upon Roll Call....

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

Item No. 11 Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, Lisa Pieprowski was previously hired as a Recreation Attendant (Counselor) for the Developmentally Disabled Summer Day Camp, and

WHEREAS, Lisa Pieprowski has accepted employment with another department, and

WHEREAS, Denise Krause has voluntarily resigned as a Recreation Attendant (Counselor) for the Developmentally Disabled Summer Day Camp,

BE IT RESOLVED that Lisa Pieprowski be terminated as a Recreation Attendant (Counselor) for the Developmentally Disabled Summer Day Camp, and BE IT FURTHER

RESOLVED that Denise Krause be terminated as a Recreation Attendant (Counselor) at \$3.50 per hour (7310.1802), and BE IT FURTHER

RESOLVED that Kerry Rustowicz of \_\_\_\_\_ and Paula Koneczal of \_\_\_\_\_ be hired to fill the vacant positions of Recreation Attendant (Counselor) at \$3.50 per hour (7310.1802), effective June 30th, and BE IT FURTHER

RESOLVED that Lisa Abbott of \_\_\_\_\_ be hired as an alternate Recreation Attendant (Counselor Aide) at \$3.00 per hour.

Upon Roll Call....

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

\*\*\*\*\*

Motion by Councilman J. Rogowski Seconded by Councilman Kowal to dispense with the reading of the names in item numbers 12A through 12E, 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. 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:

STREET LIGHTING DIVISION - #02-905182-1-0-1492-001

John Empl  
Michael Kennuth

EFFECTIVE

retroactive to 6/30/86  
immediately

PARKS DIVISION - #01-007110-1-0-1491-001

Daryl Stachura

immediately

Item No. 12A Cont'd.

John Mueller  
Steven Dranger

immediately  
immediately

PARKS DIVISION CLERICAL - #01-007110-1-0-1391-001

Wage Adjustment: \$4.50 per hour

Carol Brinkworth

immediately

AND BE IT

FURTHER RESOLVED that the following individual be transferred from the Recreation Department to the Facilities Department, Parks Division, as a Seasonal Employee at the rate of \$3.35 per hour, effective immediately:

Frederick Roll

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 W. Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the following be hired retroactive to June 30, 1986 to aid the Cheektowaga Recreation Department in conducting its 1986 summer program:

BASKET CHECKERS - \$2.50 per hour - A7180.1901

Raymond Klein  
Peter Noreika  
Melanie Schreier  
David Wroblewski

RECREATION ATTENDANTS - \$3.35 per hour - A7140.1614

John Bradford  
Luciano Gallo  
Tim Klembczyk  
Karin Pelletier

FURTHER, BE IT RESOLVED that the above personnel be terminated effective September 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. 12C Motion by Councilman Gabryszak Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal and/or part-time employees in various Departments and at the rates listed:

SANITATION DEPARTMENT - \$3.10 per hour

Leonard Jasinski  
Jeffrey kamm  
Joe Krezminski  
Paul Strelczyk  
Scott Prell  
Terry Hughes  
James Harmon  
Jeffrey Jozwiak

EFFECTIVE  
7/21/86  
immediately  
7/21/86  
7/21/86  
immediately  
7/21/86  
immediately  
immediately



Item No. 12C Cont'd.

Thaddeus Brudz	immediately
Kevin Trietley	immediately
Ronald Sobocinski	immediately
Christopher Nietopski	immediately
Richard Wdowik	immediately
Jerry Daminski	7/21/86

SEWER MAINTENANCE - \$3.35 per hour

Robert Kowalewski	immediately
-------------------	-------------

COMMUNITY DEVELOPMENT OFFICE - \$3.35 per hour

Gina Browning	immediately
---------------	-------------

TAX OFFICE - Part-time \$26.80 per day

Natalie Ferguson	6/23/86 (retroactive)
------------------	--------------------------

and BE IT FURTHER

RESOLVED that the following individuals be and hereby are transferred as Seasonal Employees from the Facilities Department, Parks Division, Acct. #01-007110-1-0-1491-001, to the Sanitation Department, effective immediately and at a rate of \$3.10 per hour:

John Barberio  
Joseph Burgio

and BE IT FURTHER

RESOLVED that Jeffrey Bobeck of \_\_\_\_\_ be and hereby is transferred as a Seasonal Employee in Sewer Maintenance Department to Sanitation Department at a rate of \$3.10 per hour, 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. 12D Motion by Councilman W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals listed below be hired for the Youth Bureau's Cheektowaga Conservation Corps Program at the designated title and salary:

ALTERNATES - \$3.10 per hour - (7310.1812)

Michael Herlan	14225
Paul Norman, Jr.	14227
Jason Baetzhold	14225
Jamie Zaraneck	14206
James Czarnecki	14227
Steven Matela	14227
Michael Wojtkowiak	
Peter Dembinski	14212
Debra Helminiak	14227
Kathleen Kramer	14043
John Chojnacki	14227
Paul Ciechanski	14225
Chad Bauer	14227
Dennis Galenski	14227
Ken Olszewski	14206
Peter Noreika	14206
Michael Sklener	14227
Michael Blatto	14043
Bill Jarzyna	14227
Paul Rizzo	14227

Item No. 12D Cont'd.

Greg Czech		14227	
Kathleen Kwandrans		14227	
Stephen Rzepka		14211	
Kimberly Casey		14043	
Ken Helinski		14206	
William Pastor			14206
Brian Coppola		14227	
Kimberly Obringer			14227
Douglas Mol	14206		
Richard Bishop			14206
Donald Cialone, Jr.			14227
Erie Sobkowiak			14043
Kevin Kucala		14227	
Gary Sutton		14043	
Jeffrey Hall			14225
Richard Kozlowski			14227
Paul Czaja			14227
Gerald Sienkiewicz			14227
Joseph Wieczorek		14227	
Dave Shields	14212		
Kevin Kindzierski	14227		
Timothy Drobits			14225
Eric Guy			14227
Kenneth Creola			14043
Lisa Amadore	14043		
Robert Greenwalt	14227		

BE IT FURTHER RESOLVED that Robin Bicherl of be  
hired as a clerk in the Administrative Intern Program (7310.1803) effective immediately at \$3.35 per hour.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 12E Motion by Councilman J. Rogowski Seconded by Councilman Kowal

WHEREAS, funds are presently available under the Buffalo - Cheektowaga - Tonawanda Consotrium, Summer Youth Program, and

WHEREAS, the Summer Youth Program starts on July 7th, 1986, with participants working a maximum of 32 hours per week, at \$3.35 per hour, and

WHEREAS, all Summer Youth Participants will terminate on or before, but no later than September 30th, 1986, NOW, THEREFORE, BE IT

RESOLVED that the following persons will be hired based on fund availability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

Bona, Marcella	14227
Bona, Marco	14227
Creighton, Jeffrey	14227
Greenwalt, Robert	14227
Herkey, Susan	Depew 14043
Kazmierczak, Tina	Depew 14043
Kotlowski, Denene	Depew 14043
Luther, Molly	14225
Makolinski, Kathleen	14225
McCarthy, Michelle	14225
Nastaga, Edward	14211
Olejniczak, Robert	14211
Pierce Sandra	Depew 14043
Schultz, John	14225

No. 14  
No. 15  
No. 16

MEETING NO. 13  
July 7, 1986

Item No. 12E Cont'd.

Skowron, Donna	Sloan 14212
Slomba, Brian	Depew 14043
Trzaska, Laura	14206
Trzaska, Stanley	14206
Curry, Kim	14227
Dungan, Robert	14225

Advisor at a salary rate of \$5.80 per hour retroactive back to her starting date, salary was erroneously reported.

LaBruno, Synthia

Advisor at a salary rate of \$4.75 per hour

Joseph Balthaser  
Timothy Terranova

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 Jaworowicz Seconded by Councilman Johnson

WHEREAS, the term of Joan Meyers as member of the Cheektowaga Planning Board expired on March 1, 1986, and

WHEREAS, this Board desires to reappoint Joan Meyers to another term on the Cheektowaga Planning Board, NOW, THEREFORE, BE IT

RESOLVED that Joan Meyers be and hereby is reappointed to a new term on the Cheektowaga Planning Board, said term to commence retroactively as of March 1, 1986 and to expire on March 1, 1993.

Upon Roll Call....

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

Item No. 14 Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga annually sponsors a Polish-American Arts Festival with assistance from the New York State Council on the Arts, and

WHEREAS, this year's Festival is scheduled to take place from August 15 - 17 in Cheektowaga Town Park, and

WHEREAS, the Town had previously established a Festival Committee to advise and assist the Town in making plans and preparations for said Festival, and

WHEREAS, it is appropriate at the time to re-appoint the members of said Polish-American Festival Committee, NOW, THEREFORE, BE IT

RESOLVED that the following members are hereby appointed to serve on the Cheektowaga Polish-American Festival Committee:

Bronislaus Trzyzewski	Patricia L. Wojcik
Anne Trzyzewski	Michael Miecznikowski
Sr. Marcella Garus	Kenneth Kopacz
Henry Marszalkowski	James Matecki
Sharlene Marszalkowski	Jerome J. Gabryszak
Ruth Peters	Casimir Kozminski
Charles Miecznikowski	Judith Krauza
Edward J. Frajdofer	

Item No. 14 Cont'd.

AND BE IT

FURTHER RESOLVED that Councilman William P. Rogowski serve as Town Board liason to and Chairman of said Polish-American Festival Committee.

Upon Roll Call....

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

Item No. 15 Motion by Councilman W. Rogowski Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga Recreation Department, as part of its 1986 summer program, desires to use the Maryvale High School to offer gymnastics, weight training and other recreational activities to residents of the Town, and

WHEREAS, prior to authorizing the Town to use the Maryvale High School this year, the Cheektowaga-Maryvale School District has requested that the Town of Cheektowaga indemnify and hold harmless the School District for any damages, lawsuits etc. which arise as a result of the Town's use of such school property, and

WHEREAS, this Town Board feels that the request of the Cheektowaga-Maryvale School District is reasonable and desires to acede to such request, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby agrees to defend, indemnify and hold harmless the Cheektowaga-Maryvale School District, its officers, agents and employees from all claims, demands, suits and judgments for bodily injury or property damage arising out of the Town's use of the Maryvale High School facilities for its 1986 summer recreational program.

Upon Roll Call....

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

Item No. 16A Motion by Councilman Johnson Seconded by Councilman W. Rogowski

WHEREAS, on July 4, 1986, Independence Day activities were held in Cheektowaga Town Park, and

WHEREAS, it was recommended that the Town purchase Special Events Liability Insurance for such activities, and

WHEREAS, Special Events Liability Insurance for the Independence Day activities with a limit of \$1 million and a \$250 per occurrence deductible was made available to the Town by Tudor Insurance Company at a cost of \$3,000.00, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes retroactively the purchase of the aforementioned Special Events Liability Insurance from Tudor Insurance Company for a cost of \$3,000.00.

Upon Roll Call....

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

Item No. 16B Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, Jean N. and Carol M. Schultz are the record owners of a

Item No. 16B Cont'd.

vacant parcel of land on the south side of Broad Street, said property being identified as Section-Block-Lot No. 92.17-1-20, and

WHEREAS, an open drainage ditch traverses this property, and

WHEREAS, the Town Engineering Department has expressed an interest in such property for drainage-related purposes, and

WHEREAS, such property is worth \$1,400.00, NOW, THEREFORE, BE IT

RESOLVED that Jean N. and Carol M. Schultz be paid the sum of \$1,400.00 for the purchase of the aforementioned property upon the submission of a properly executed deed and other documents required by the Town Attorney's Office, and BE IT FURTHER

RESOLVED that the moneys for such property be paid from the appropriate account subject to passage of a fund transfer.

Upon Roll Call....

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

Item No. 16C Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, the Official Drainage Systems Map for the Town of Cheektowaga, New York, which was duly adopted as part of the "Drainage Systems Ordinance and Official Drainage Systems Map" on April 17, 1978, shows an open drainage ditch carrying surface water from lands in the southeast portion of the Town, across property owned by Charles and Jean Burgio on Strasmer Road, east of Borden Road, Cheektowaga, New York, and

WHEREAS, Mr. and Mrs. Burgio have offered to sell the Town this land for \$4,000.00, and

WHEREAS, this Board feels that \$4,000.00 represents the fair market value of such land, NOW, THEREFORE, BE IT

RESOLVED that Charles Burgio and Jean Burgio be paid the sum of \$4,000.00 for the purchase of their property designated as Section-Block-Lot number 114.04-5-4, and BE IT FURTHER

RESOLVED that the amount for such purchase be paid from the appropriate account subject to passage of a fund transfer.

\*\*\*\*\*

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

\*THE ABOVE RESOLUTION WAS TABLED!!!

Item No. 17A 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 application for which funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans to eligible homeowners, and

Item No. 17A Cont'd.

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:

21 Winkler	-	increase previous loan authorization by
		\$25.00
84 E. Windwood Ct.	-	\$4,841.00
75 Clearvale Drive	-	\$3,055.00

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. 17B Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has previously received a grant of Rental Rehabilitation funds from the New York State Division of Housing and community Renewal for the 1984 & 1985 program years totaling \$375,000; AND

WHEREAS, \$180,000 of said funds have been committed for rental rehabilitation purposes, AND

WHEREAS, said funds must be used for the rehabilitation of rental units in the Cedargrove Heights target area; AND

WHEREAS, Properties Unlimited has filed applications for Rental Rehabilitation Loan Program funds to rehabilitate 23 of its rental housing units in Cedargrove Heights; AND

WHEREAS, said applications have been reviewed by the Director of Community Development who has recommended that Rental Rehabilitation Program funds be loaned to Properties Unlimited for the below listed properties, NOW, THEREFORE, BE IT

RESOLVED that Rental Rehabilitation loan funds, in the amount of up to \$5,000 per unit, are hereby authorized for the following properties, owned by Properties Unlimited:

28 A - E	Glenwood Court	(5 Units)
24 A - D	Glenwood Court	(4 Units)
91 A - E	Windwood Court	(5 Units)
2 - 10	Elkins Drive	(5 Units)
37 - 43	Sandstone	(4 Units)

Item No. 17B Cont'd.  
AND BE IT

FURTHER RESOLVED that the Supervisor is hereby directed to sign loan agreements and all related legal documents, on behalf of the Town, with Properties Unlimited for said Rental Rehabilitation loan 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. 17C Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, the resident of \_\_\_\_\_ requested an investigation of a sink hole at the front of their property which was dye tested and found that storm waters were finding their way into the house lateral and eroding soil into said house sewer, AND

WHEREAS, the owner, upon receiving advice from the Town Sewer Department that this was a house lateral problem, had hired a plumbing contractor to excavate said house lateral to make repairs to the pipes, AND

WHEREAS, upon excavation it was found that the Town storm sewer system, which was exposed when the plumber made the sewer excavation, was at fault necessitating the Highway Department to make the necessary storm sewer repairs, AND

WHEREAS, it was also found that the house lateral would not have had to be excavated had the Town storm sewer been functioning correctly, NOW, THEREFORE, BE IT

RESOLVED that Ms. Nancy Rogalski, \_\_\_\_\_, Cheektowaga, New York 14225 be and hereby is reimbursed the \$770.00 expenditure for her payment to Joseph Carino Plumbing & Heating, Inc. for excavation of her house sanitary sewer lateral, AND, BE IT FURTHER

RESOLVED that the cost of this sanitary sewer excavation be and hereby is to be charged 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. 17D Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, the eastern portion of Maryvale Elementary School located at #777 Maryvale Drive has sewer service provided by a lateral which was not known to exist during the construction of sewer improvements performed under the Sewer District #5 Rehabilitation Project, which connection was not made under the construction contract at that time, AND

WHEREAS, it was necessary to make the connection of the lateral sewer to the Town sewer main to provide sewer service to said school facility, AND

WHEREAS, M. C. Morgan Contractors, Inc. was delegated to perform the required work which is outlined in the attached Engineering Department Memorandum dated June 17, 1986, NOW, THEREFORE, BE IT

RESOLVED that the vouchers of M. C. Morgan Contractors, Inc., 3690 Sheridan Drive, Amherst, New York 14226, totaling \$4,714.22 to perform the required repair be and hereby are approved, AND, BE IT FURTHER

Item No. 17D Cont'd.

RESOLVED that payment for said sewer repair be and hereby is chargeable to Sanitary Sewer District #5 Emergency Repairs Budget Item 508125.4438.

\*SEE NEXT PAGE FOR COPY OF MEMORANDUM FROM ENGINEERING DEPARTMENT.

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

### M E M O

TO: Chet Bryan, Town Engineer  
John Rogowski, Chairman  
Capital Improvements Committee

FROM: Bill Pugh, Junior Engineer

DATE: June 17, 1986

RE: Sanitary Sewer Lateral Connection  
@ Maryvale Elementary School

In April of this year, representatives of the Maryvale School District advised this office of chronic sewer blockages in the easterly sewer lateral serving the elementary school located at #777 Maryvale Drive. Subsequent field investigation revealed that said sewer lateral had remained connected to the sewer main on the north side of Maryvale Drive which was abandoned under the Sewer District No. 5 Rehabilitation Project performed in 1981-82. The existence of this easterly lateral had not been documented and included in the scope of work to be performed under the rehab project.

Due to the depth of the work required to connect to the new 18" A.C.P., north of the abandoned main, and based on the need to saw-cut the Maryvale Drive pavement, and also the familiarity with the job to be performed, arrangements were made with M.C. Morgan Contractors, Inc. to connect the 6" V.T.P. school lateral to the 18" A.C.P. main. The Maryvale Drive pavement, curb and apron at #800 Maryvale Drive were saw-cut on May 20, 1986. Excavation and connection of the school lateral was accomplished on May 28 and 29, 1986. A resolution is being submitted to authorize payment of \$4,714.22 to M.C. Morgan Contractors, Inc. for equipment, labor and materials required to make this connection.

WRP:mjh

MEETING NO. 13  
July 7, 1986

Item No. 17E Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, by resolutions dated August 5, 1985, this Town Board agreed to rezone property located at 35 French Road and owned by 35 French Road Car Wash, Inc. from C-Retail Business District to CM-General Commercial District and to grant such petitioner a special use permit for an automatic car wash and gasoline station, and

WHEREAS, pursuant to Section 82.71 of the code of the Town of Cheektowaga, 35 French Road Car Wash, Inc. requested permission to amend its development plan to delete the gasoline pumps, move the vacuum machines and add a six (6) bay self-service car wash, and

WHEREAS, the Cheektowaga Planning Board has reviewed the request of 35 French Road Car Wash, Inc. and has recommended approval of such revised development plan provided that the self-service bays not be operated once the automatic car wash is closed for business, and

WHEREAS, this Town Board is in agreement with the findings of the Cheektowaga Planning Board and also finds that the revised development plan is substantially in agreement with the intent of the rezoning and special use permit granted on August 5, 1985, NOW, THEREFORE, BE IT

RESOLVED that the aforesaid amendment to the development plan for 35 French Road be and hereby is approved, subject to the aforementioned conditions as recommended by the Cheektowaga Planning 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. 18A Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is the owner of the now-abandoned portion of Old Losson road, and

WHEREAS, Henry M. and Arlene Fronckowiak are the owners of a parcel of property adjoining John C. Stiglmeier Park, and

WHEREAS, the Town and the Fronckowiaks are interested in exchanging such properties, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is authorized to prepare an agreement for such property exchange, said agreement to include the following provisions:

1. The Fronckowiaks will convey to the Town a parcel of property measuring approximately 350 feet by 150 feet, said property being located at the northeast corner of property they acquired from Universal Marion Corporation on January 28, 1986.
2. The Town will convey to the Fronckowiaks a portion of the unimproved Old Lossn road from the Old Losson Road cul-de-sac southeast to the centerline of the former Gardenville Running Track.
3. The Town will pay the following charges associated with such transfer:
  - a. Redate of existing title search for Old Losson Road.
  - b. Redate of existing title search for Fronckowiak property.
  - c. Preparation of survey and legal description for Old Losson Road.
  - d. Preparation of survey and legal description for Fronckowiak property.
4. The Town and the Fronckowiaks will enter into early occupancy agreements with respect to the properties each is to acquire.

Item No. 18A cont'd

- 5. The Town will assume all liability with respect to personal injury or property damage which occurs on the Fronckowiak property while the Town is using same under the early occupancy agreement.

and, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute any and all documents approved by the town Attorney's Office with respect to the above referenced agreement.

\*\*\*\*\*

Motion by Councilman Johnson Seconded by Councilman Gabryszak to table the above item 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. 18B Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, there is need to provide sanitary sewer service to property owners along the south side of Walden Avenue east of Dick Road in the Town Sanitary Sewer District No. 7 as requested by said property owners, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc. as submitted to the town Engineer and dated February 26, 1986 for the preparation of Plans and Specifications for a fee of \$7,100. and for the provision of general services during construction at a cost of \$4,800. be and hereby is accepted, and, BE IT FURTHER

RESOLVED that the Supervisor on behalf of this town Board sign said proposal agreement as submitted by the consulting firm of Nussbaumer & Clarke, Inc.

Upon Roll Call....

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

Item No. 18C Motion by Councilman J. Rogowski Seconded by Supervisor Weber

WHEREAS, the Town of Cheektowaga has submitted an application to the Department of Housing and Urban Development for \$575,000 in Community Development Block Grant funds for the 1986-87 Program Year, and

WHEREAS, the Department of Housing and Urban Development has approved a grant of C.D.B.G. funds to the Town for said Program Year totaling \$570,000, said amount reflecting a decrease of \$5,000 from the Town's original request for funding, and

WHEREAS, it is necessary to execute a Grant Agreement with the Department of Housing and Urban Development for said funds and submit to H.U.D. a revised budget statement reflecting said \$5,000 decrease in funding, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is directed to execute the attached Grant Agreement and Funding Approval between the Town and the Department of Housing and Urban Development for the receipt of said Community Development Block Grant funds, and, BE IT

MEETING NO. 13  
July 7, 1986

Item No. 18C cont'd

FURTHER RESOLVED that the Town Board hereby approves for submission to H.U.D. the attached revised C.D.B.G. budget statement for the 1986-87 Program Year.

\*SEE NEXT SIX (6) PAGES FOR COPY OF APPLICATION AND REVISED BUDGET STATEMENT.

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**

U.S. Department of Housing  
 and Urban Development  
 Community Development  
 Block Grant Program



HI-00515R

1. Name of Grantee  Town of Cheektowaga		2. Grant No.  B-86-MC-36-0009	
3. Grantee's Address (Include Street, City, County, State and Zip Code) Mr. Daniel E. Weber Supervisor, Town of Cheektowaga Broadway & Union Roads Cheektowaga, NY 14227  Erie County		4. Date of Submission 4/29/86	
		5. Date of HUD Receipt of Submission 4/30/86	
		Date Grantee Notified JUN 27 1986	
		Start of Program Year 5/20/86	
		6. <input checked="" type="checkbox"/> Original Funding Approval <input type="checkbox"/> Amendment, Amendment No. _____	

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 1986
a. Amount of CDBG Funds Currently Reserved for this Grantee	\$ _____	\$ _____	\$ 570,000
b. Amount of CDBG Funds Now Being Approved for this Grantee	\$ _____	\$ _____	\$ 570,000
c. Amount of Reservation to be Cancelled (Line 8a minus 8b)	\$ _____	\$ _____	\$ -0-

HUD ACCOUNTING USE ONLY

BATCH	TAC	PROGRAM	Y	A	REG	AREA	DOCUMENT NO.	PROJECT NUMBER	S
1	1 5 3 1 7 6	9	12	13	14	16	7 0 8 2	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 1986
a. Grant amount withheld for payment of principal and interest on loans guaranteed pursuant to Sec. 108	\$ _____	\$ _____	\$ -0-
b. Grant amount deducted by HUD to settle outstanding Urban Renewal Loans (Sec. 112 (a)(1))	\$ _____	\$ _____	\$ -0-
c. Sum of lines 9a, and 9b	\$ _____	\$ _____	\$ -0-
d. Amount of CDBG Funds available for disbursement (Line 8b minus 9c)	\$ _____	\$ _____	\$ 570,000

Amount of Surplus Urban Renewal Funds approved and balance available (Sec. 112(b))

a. Amount of surplus U.R. Funds reserved for this grantee	\$ -0-
b. Amount of surplus U.R. Funds now being approved	\$ -0-
c. Balance of surplus U.R. Funds available for future use (Line 10a minus 10b)	\$ -0-

**HUD ACCOUNTING USE ONLY**

BATCH	TAC	PROGRAM	Y	A	REG	AREA	DOCUMENT NO.	PROJECT NUMBER	-	\$
1	1 5 3 1 7 6						7 0 8 2			
4			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. N/A

- a. Grantee's latest entitlement amount — \$ \_\_\_\_\_ x 3 \$

---

- 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) \$

---

- e. Amount of loan guarantee commitment now being approved \$

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

By Joseph B. Lynch  
 Title Joseph B. Lynch  
Manager, 2.2S  
 Date 8/2/86

# 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 the 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 86 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

*Joseph B. Lynch*  
By Joseph B. Lynch  
Manager, 2.2S

Title

Date 6/2/86

The Grantee Town of Cheektowaga

*Daniel E. Weber*  
By Supervisor Daniel E. Weber

Title

Date July 10, 1986

Date

Loan Guarantee Acceptance Provisions N/A

(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 (b) SPECIAL CONDITIONS

a. Notwithstanding any other provision of this agreement, no funds provided under this agreement may be obligated or expended for the planning or construction of water or sewer facilities until receipt of written notification from HUD of the release of funds on completion of the review procedures required under Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs, and HUD's implementing regulations at 24 CFR Part 52. The recipient shall also complete the review procedures required under E.O. 12372 and 24 CFR Part 52 and receive written notification from HUD of the release of funds before obligating or expending any funds provided under this agreement for any new or revised activity for the planning or construction of water or sewer facilities not previously reviewed under E.O. 12372 and implementing regulations.

b. Notwithstanding any other provisions of the Grant Agreement, requirements of the Amendments to Title I of the Housing and Community Development Act of 1974 which supersede or are not provided for in the HUD program regulations shall govern the use of the assistance provided until revised regulations implementing such requirements are published for effect.

c. Notwithstanding any other provisions of the Grant Agreement, the Fiscal Year 1986 funding approval of \$570,000 reflects a \$500 million deferral from the Fiscal Year 1986 Entitlement Appropriation. The provisions of the Balanced Budget and Deficit Control Act of 1985 (P.L. 99-177), also known as the "Gramm-Rudman-Hollings" Bill required additional reductions. In the event that these reductions are modified by Congress, the Town will be notified of any revised funding and required to adjust the Fiscal Year 1986 program accordingly within 30 days of notification.



**Instructions for Completing  
Funding Approval Form  
HUD-7082**

U.S. Department of Housing  
and Urban Development  
Community Development  
Block Grant Program



**Block No.**

1. Enter the Grantee's name as shown in Item 4 of Standard form 424.
2. Enter the number shown in Item 30 of Standard Form 424, and indicate the Fiscal Year for which the funding is to be made. *NOTE:* If reallocated funds are being made available as a supplement to an existing grant, enter in addition to the grant number for the current fiscal year, the grant number for the grantee applicable to the reallocated fund (i.e. if the grantee's FY 1985 grant number is B-85-MC-99-0001 and the grantee will also receive allocated funds appropriated in FY 1984, also enter B-84-MC-99-0001).
3. Enter the Grantee's complete address as shown in Item 4 of Standard Form 424.
4. Enter the date of submission or amendatory shown in Item 23 of Standard Form 424.
5. (a) Enter the month, day and year that the submission or amendatory was received, provided that it was judged to be complete. If the submission was incomplete, enter the date that the additions which made it complete were received.  
(b) Enter the date that the Grantee is notified of funding approval. This will be the date appearing on the letter transmitting the HUD-7082 to the Grantee and is considered the point of obligation for accounting purposes.  
(c) Enter date program year starts.
6. Check the appropriate box. Check "Original Funding Approval" for the first funding approval form executed under the grant number shown in Block No. 2. Check "Amendment" for subsequent funding approval forms executed under the same grant number. Number amendments under the grant number consecutively starting with "1."
7. Check the appropriate box.
8. The amounts entered in this block shall pertain only to funds appropriated to CD Block Grants. They shall not include amounts pertaining to surplus urban renewal funds, which are handled separately in Block No. 10. If grantee is to receive reallocated funds from prior Fiscal Year(s) in addition to its formula amount from the current Fiscal Year, complete one column for each separate Fiscal Year; otherwise leave the first two Fiscal Year columns blank.  
(a) Enter the amount of CDBG funds currently reserved for this Grantee under the grant number shown in Block No. 2. If amendment, enter the amount of CDBG funds which have been reserved since the completion of the previous Funding Approval form.  
(b) Enter the amount of CDBG funds now being provided to this Grantee. If amendment, enter only the increase (+) or decrease (-) in the amount of CDBG funds approved for use by this Grantee under the grant number shown in Block No. 2.  
(c) Subtract the amount on line 8B from the amount on line 8a and enter the difference on this line.
9. The amount entered in this block shall pertain only the distribution of the grant amount shown on line 8b. If grantee is to receive reallocated funds from prior Fiscal Year(s) in addition to its formula amount from the current Fiscal Year, complete one column for each separate Fiscal Year; otherwise leave the first two Fiscal Year columns blank.

(a) Enter the amount to be withheld for payment of principal and interest due the purchaser of notes or other obligations guaranteed pursuant to section 108, or, if applicable, for repayment due the United States as a result of guarantees made pursuant to section 108.

(b) Enter the amount deducted by HUD pursuant to 24 CFR 570.802 to be used for repayment of urban renewal loans. Attach schedule, indicating the following for each loan:

Project Number: \_\_\_\_\_

Amount of CDBG funds to be applied to loan repayment:

\$ \_\_\_\_\_

(c) Add the amounts on lines 9a and 9b and enter the sum on this line.

(d) Subtract the amount on line 9c from the amount on line 8b and enter the difference on this line. This is the amount of CDBG funds made available by this Funding approval form for disbursement through the grant payment system (e.g., letter of credit).

10. Complete only if surplus grant funds remained after the financial settlement of urban renewal and/or NDP project(s), and those funds have been reserved to this Grantee Reference: 24 CFR 570.801.

(a) Enter the amount of surplus U.R. funds reserved for this Grantee. Verify this amount with the Regional Accounting Division. On the first Funding Approval form in which this block is completed, enter the total amount of surplus U.R. funds reserved for this Grantee via Form HUD-718. On subsequent Funding Approval forms, whether original or amendment, enter the balance of surplus U.R. funds available for future use, as shown on line 10c of the previous Funding Approval form, plus any additional amount of surplus U.R. funds reserved for this Grantee via Form(s) HUD-718.

(b) Enter the amount of surplus U.R. funds now being approved for use by this Grantee. This amount will be disbursed through the grant payment system being used for CDBG funds (e.g., letter of credit). If a letter of credit is being used to disburse CDBG funds, the same letter of credit will be used to disburse surplus U.R. funds.

(c) Subtract the amount on line 10b from the amount on line 10a and enter the difference on this line.

11. (a) Enter an amount equal to three times the Grantee's current entitlement amount.

(b) Enter the principal amount of outstanding loans guaranteed pursuant to Section 108.

(c) Enter the amount of outstanding commitments to guarantee loans made pursuant to Section 108 (approved commitments minus outstanding loans guaranteed).

(d) Subtract the amounts on line 11b and 11c from the amount on line 11a and enter the difference on this line.

(e) Enter the amount of the loan guarantee commitment now being approved for this Grantee. *NOTE:* the amount approved cannot exceed the amount on line 11e.

12. Check the appropriate box. If applicable, enter the name and complete address (Street, City, County, State and ZIP Code) of any public agency designated and attach special Acceptance Provision.

13. Add Special Conditions, if applicable.

TOWN OF CHEEKTOWAGA  
COMMUNITY DEVELOPMENT BUDGET

1986 PROGRAM YEAR

Grant Amount	\$570,000
Cedargrove Heights Storm Sewer Improvements	10,000
Economic Development	175,000
Housing Rehabilitation	180,000
Town of Cheektowaga - \$150,000	
Village of Depew           20,000*	
Village of Sloan           10,000*	
Code Enforcement	60,000
Village of Depew Marengo Storm Sewer	42,430
Housing Rehabilitation *	
Village of Sloan Site Preparation - Elderly Housing	13,400
Housing Rehabilitation *	
Administration	72,000
Supplementary Programs	9,900
Housing Assistance Center - \$4,950	
Supportive Services Corp. - 4,950	
Contingency	7,270
	<hr/>
TOTAL	\$570,000

Item No. 19 Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak

WHEREAS, Change Order #1 for the modification of various Town buildings to facilitate their use by the handicapped has been submitted with recommendation for approval by the architect, Mr. David K. Wiedemer, R.A. representing the firm of Donald T. Maharan Associates, and

WHEREAS, the scope of work and adjustment is outlined in Change Order #1 and described in the letter from the contractor, Building Systems of Buffalo, Inc. dated June 3, 1986 and considered part of this resolution, NOW, THEREFORE, BE IT

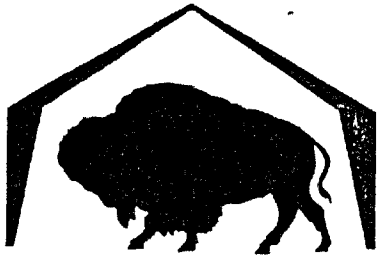
RESOLVED that Change Order #1 for the modification of various Town buildings to facilitate their use by the handicapped in the sum of \$2,600. as an increase to the contract of Building Systems of Buffalo, Inc., 45 Stanley Street, Buffalo, New York 14206, be approved and, BE IT FURTHER

RESOLVED that the Supervisor is hereby directed to sign said change order on behalf of this Town Board.

\*SEE NEXT PAGE FOR LETTER FROM BUILDING SYSTEMS OF BUFFALO, INC. CONTAINING OUTLINE OF SCOPE OF WORK.

Upon Roll Call....

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



# BUILDING SYSTEMS

of **BUFFALO INC.**

Phone 897-1100

45 STANLEY STREET  
BUFFALO, N. Y. 14206

3 June 1986

Donald T. Maharan  
712 Main Street  
Box 1144  
Buffalo, New York 14205

Attention: Mr. David Wiedemer

Reference: Town of Cheektowaga  
Handicap Renovations

Gentlemen:

In response to your request, the following is our price to make alterations in the Woman's Bathroom at the Cheektowaga Town Hall, per your meeting with our Foreman, Mr. Arthur Craft.

We propose to furnish labor, material, tools and equipment necessary to:


- a. remove existing duct
- b. remove clay tile framing
- c. cap duct above ceiling
- d. finish plaster corner walls
- e. tile and paint to match existing
- f. tile floor to match existing
- g. rework ceiling grid and tile in corner
- h. change light switch to opposite side of wall
- i. change swing of door

We will perform the above outlined project for the sum of \$2,600.00.

If you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,

BUILDING SYSTEMS OF BUFFALO, INC.

  
Robert R. Rudnick  
Vice President

RRR/amb

cc: Mr. R. Bogacki  
Town of Cheektowaga

RECEIVED

JUN 5 1986

C.L. BRYAN

MEETING NO. 13  
July 7, 1986

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

WHEREAS, the Board of Fire Commissioners of Doyle Fire District No. 1 is in need of one (1) fire hydrant in the vicinity of William Street directly accross from the State Farm Building at 3091 William Street, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Water Authority be directed to install a fire hydrant at the location specified.

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 Johnson Seconded by Councilman Gabryszak

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized connect 1-3300 lumen high pressure sodium post-top and provide energy and bulb maintenance on said street light, to be located on Davidson Drive in the Town of Cheektowaga, at an annual increase to the Town's General Lighting District of \$32.88, and, BE IT FURTHER

RESOLVED that the standard head and wire shall be installed, owned and maintained by the Town of Cheektowaga, in accordance with the attached proposal submitted by New York State Electric & Gas Corporation, which is hereby made a part of this resolution.

\*SEE NEXT PAGE FOR COPY OF PROPOSAL FROM NEW YORK STATE ELECTRIC & GAS

Upon Roll Call....

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

**NYSEG**

June 2, 1986

STREET LIGHTING PROPOSAL  
TOWN OF CHEEKTOWAGA

Davidson Drive

\* Connect 1 - 3300 lumen HPS post-top @ \$32.88 ea. ————— \$ 32.88

TOTAL ANNUAL INCREASE ————— \$ 32.88

standard, head and wire installed, owned and maintained by the Town of Cheektowaga; energy and bulb maintenance supplied by NYSEG

MEETING NO. 13  
July 7, 1986

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on the West Corner of Barone Circle, S.B.L. #92.17-5-31, East corner Dick Road, S.B.L. # 92.17-5-32, and Southeast corner Barone Circle, S.B.L. # 92.17-7-1, Cheektowaga, New York and according to the Assessors' Office is owned by Mr. Michael Barone & W, c/o Mrs. Feldmeyer, 25 Lydia Lane, Cheektowaga, New York, 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 22B Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 812 Borden Road (Tree Pickle), Cheektowaga, New York, SBL #114.20-9-12 and according to the Assessors' Office is owned by Borden Losson Corporation, 38 Quincy, Lancaster, New York 14086, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 22C Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 402 Cayuga Road, Cheektowaga, New York, SBL #92.05-2-7 and according to the Assessors' Office is owned by Mr. Calvin Freiheit, Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Item No. 22C 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. 22D Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located the west corner of French and Towers Boulevard, Cheektowaga, New York SBL #125.10-1-33 and according to the Assessors' Office is owned by Bella Vista Management, Inc., 6495 Transit Road, Bowmansville, New York 14026, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 22E Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at the rear of 3466 Genesee Street, Cheektowaga, New York, SBL #91.16-1-20 and according to the Assessors' Office is owned by Mr. Alfred Doro, Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 22F Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 91 Newport Road, Cheektowaga, New York, SBL #92.05-4-1 and according to the Assessor's Office is owned by Mr. Dennis B. McKillen, North Boston, New York 14110, and



MEETING NO. 13  
July 7, 1986

Item No. 22F cont'd

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 22G Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 115 Pine Ridge Road, Cheektowaga, New York, SBL #101.52-2-18 and according to the Assessor's Office is owned by Mr. Frank M. Schurman, Buffalo, New York 14205, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 22H Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on William Street between Starlite & Tamark, Cheektowaga, New York, SBL #113.56-5-19 and according to the Assessors' Office is owned by Mr. John Michalik, Buffalo, New York 14206, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 23 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 District 5-Remedial Program)	\$15,000.00
	308123-4821 (Sewer District 3-Remedial Program)	5,000.00
To:	508125-4221 (Sewer District 5-Gas)	\$ 5,000.00
	508125-4021 (Sewer District 5-Maintenance Supplies)	5,000.00
	508125-4438 (Sewer District 5-Emergency Repairs)	5,000.00
	308123-4021 (Sewer District 3-Maintenance Supplies)	5,000.00

GENERAL FUND

From:	599 (Appropriated Fund Balance)	\$ 6,000.00
To:	8540.4001 (General Fund Drainage)	\$ 6,000.00

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

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. 24 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 July 7th, 1986 are hereby approved and the Supervisor is ordered to pay said warrants:

FUND	AMOUNT
GENERAL FUND	\$264,863.78
SPECIAL DISTRICTS FUND	245,691.34
HIGHWAY FUND	48,017.60
FEDERAL REVENUE SHARING FUND	95.15
CAPITAL FUND	95,881.51
TRUST AND AGENCY FUND	4,433.15
COMMUNITY DEVELOPMENT FUND	8,145.45
RENTAL REHABILITATION FUND	16,868.95
PART TOWN FUND	6,166.48
	<u>\$690,163.41</u>

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. 25 Decision on Rezoning: Various Parcels of Losson Road

Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

Item No. 25 cont'd

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

WHEREAS, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

and BE IT FURTHER

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

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

\*\*\*\*\*

Motion by Councilman W. Rogowski Seconded by Councilman Gabryszak to table the above item, and the voting was as follows:

Upon Roll Call....

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

\*\*\*\*\*

\*THE ABOVE ITEM WAS TABLED!!!!

Item No. 26 Authorization for Sewer Maintenance Employee to attend School

Motion by Councilman Johnson Seconded by Councilman W. Rogowski

WHEREAS, the 91st Annual IMSA Conference is sponsoring a Level III Signs & Markings and Public Safety Certification School, August 3-9, 1986, in Milwaukee, Wisconsin, AND

MEETING NO. 13  
July 7, 1986

Item No. 26 cont'd

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that Arthur J. Blachowski attend said school, NOW, THEREFORE, BE IT

RESOLVED that Arthur Blachowski be and hereby is authorized to attend the 91st Annual IMSA Conference and School, August 3-9, 1986, in Milwaukee, Wisconsin, and shall be pre-registered for a fee of \$160.00 which includes all qualified instructors, class materials and textbooks, AND, BE IT FURTHER

RESOLVED that Arthur Blachowski be reimbursed for all necessary and reasonable expenses, not to exceed \$750.00.

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 27 Building Permits.  
Received and filed.

Item No. 28 Supervisors' Statement of Funds for October, November and December, 1985.  
Received and filed.

Item No. 29 Joan E. Dudek, Receiver of Taxes and Assessments: Letter regarding passage of legislation allowing Towns to collect County taxes until June 30th each year.  
Received and filed.

Item No. 30A Cheektowaga Library Board: Minutes of June 1986 meeting.  
Received and filed.

Item No. 30B Cheektowaga Planning Board: Minutes of May 1986 meeting.  
Received and filed.

Item No. 30C Cheektowaga Traffic Safety Commission: Minutes of June 1986 meeting.  
Received and filed.

Item No. 31 Alex J. Thrun, Letter of resignation of Traffic Safety Commission member.  
Received and filed.

V. GENERAL COMMUNICATIONS

Item No. 32 New York State Department of Transportation: Designation of Restricted Highway: Removal of railroad track crossing: NY Rte. 130, 0.8 mile east of NY Rte. 240.  
Received and filed.

Item No. 33 Erie County Legislature: Copy of resolution regarding continuation of 8% Erie County sales tax.  
Received and filed.

Item No. 34 Robert E. Whelan, Comptroller, City of Buffalo: Copy of Ethics in Government and Elections Committee of Erie County proposal. Copies of this proposal were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Council Secretary; and James Kirisits, Town Attorney.  
Received and filed.

## MEETING NO. 13

July 7, 1986

- Item No. 35A Summons and Complaint: Jack Caprow vs. Town of Cheektowaga. Copies of this Summons were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman, Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney; and Joan Dudek, Receiver of Taxes. Received and filed.
- Item No. 35B Summons and Complaint: Roxann Chartrand vs. Town of Cheektowaga. Copies of this Summons were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney; Leonard J. Smolarek, Chief of Police, and Schmitt & Kraft, Town's Insurance Carrier. Received and filed.
- Item No. 35C Summons and Complaint: James W. Grafton, guardian of Nicol R. Chartrand, infant and Nicol R. Chartrand vs. Town of Cheektowaga. Copies of this Summons were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney; Leonard J. Smolarek, Chief of Police, and Schmitt & Kraft, Town's Insurance Carrier. Received and filed.
- Item No. 35D Summons and Complaint: Gary Juskiewicz vs. Town of Cheektowaga. Copies of this Summons were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney; Leonard J. Smolarek, Chief of Police, and Schmitt & Kraft, Town's Insurance Carrier. Received and filed.
- Item No. 36A Notice of Claim: Judith Mazziotti vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; and Joseph Naples, Town's Insurance Carrier. Received and filed.
- Item No. 36B Notice of Claim: Erie County Water Authority vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; and Laverack & Haines, Town's Insurance Carrier. Received and filed.
- Item No. 36C Notice of Claim: Lumbermens Mutual as subrogee for Michael Filippi vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney; and Joseph Naples, Town's Insurance Carrier. Received and filed.
- Item No. 36D Notice of Claim: Herbert J. Raymondo vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney and Joseph Naples, Town's Insurance Carrier. Received and filed.
- Item No. 36E Notice of Claim: Monica and Conrad Szeffel vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; and Joseph Naples, Town's Insurance Carrier. Received and filed.

Item No. 37 Petition from residents of Vern Lane regarding widening of Vern Lane at Union Road.  
Copies of this petition were sent to: Karen McAuley, Council Office; Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway Superintendent; and New York State Department of Transportation.

\*\*\*\*\*

Motion by Councilman W. Rogowski Seconded by Councilman Johnson to suspend the rules to include the following two (2) items, 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

\*\*\*\*\*

VI. SUSPENSION OF RULES

Item No. 38 Authorize Supervisor to sign agreement regarding development of a 5 acre lake in Stiglmeier Park.

Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Town has applied for financial assistance from the State Office of Parks, Recreation and Historic Preservation for the construction of a 5 acre lake in Stiglmeier Park, which lake will be used for fishing, ice skating, canoeing and other water related activities; and

WHEREAS, the said State Office of Parks, Recreation and Historic Preservation has informed the Town that a sum not to exceed \$50,000.00 has been made available to the Town for the further development of Stiglmeier Park by the construction of the aforementioned 5 acre lake; and

WHEREAS, the State has submitted an agreement for signature by the town in connection with the aforesaid grant-in-aid,

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions contained in the agreement submitted by the State for development of a 5 acre lake in Stiglmeier Park are accepted by this Town Board on behalf of the Town of Cheektowaga; and BE IT FURTHER

RESOLVED that the Supervisor be and he hereby is authorized to sign such agreement, along with any and all related state aid vouchers, on behalf of the Town.

Upon Roll Call....

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

Item No. 39 Motion by Councilman J. Rogowski Seconded by Councilman Kowal

WHEREAS, there is need for the furnishing, installation of sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding at various locations in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the construction of new sidewalks and the reconstruction of existing sidewalks, notice to be published in THE BUFFALO NEWS and THE CHEEKTOWAGA TIMES, and BE IT FURTHER

Item No. 39 cont'd

RESOLVED that sealed bids will be received on the 21st day of July, 1986 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

\*\*\*\*\*

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on July 21, 1986 at 11:00 A.M., Local Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York for the furnishing, installation of new sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of twenty (\$20.00) dollars per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten (\$10.00) dollars upon return of contract documents within thirty (30) days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the 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: July 7, 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 E. Sore*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication ..... JUL 10 1986 ..... ;  
last publication ..... JUL 10 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda E. Sore*

Sworn to before me this ..... 1<sup>st</sup> .....

day of ..... July ....., 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 by the Town of Cheektowaga on July 21, 1986 at 11:00 A.M., Local Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York for the furnishing, installation of new side walks and the reconstruction of existing sidewalks including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of twenty (\$20.00) dollars per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded the sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten (\$10.00) dollars upon return of contract documents within thirty (30) days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award 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: July 7, 1986

PUBLISH: July 10, 1986

#2

# State of New York

ERIE COUNTY  
CITY OF BUFFALO



Up on th  
s for his high wirt  
k's World Trade Cen  
walks 30 feet above

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes  
and says that <sup>s</sup> he is Principal Clerk  
of the BUFFALO EVENING NEWS, INC., Publisher of  
THE BUFFALO 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~~ ~~3 weeks~~ ~~XXXXXX~~ ~~weeks~~ the  
first insertion being on the 10th day of July  
19 86 and the last insertion being on the ~~XXXXXX~~ day

D. Eileen Perry

Sworn to before me this 10th day  
of July 19 86

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.

#2

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

**NOTICE TO BIDDERS**  
 Sealed proposals will be received by the Town of Cheektowaga on July 21, 1986 at 11:00 A.M., Local Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York for the furnishing, installation of new sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of twenty (\$20.00) dollars per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten (\$10.00) dollars upon return of contract documents within thirty (30) days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the 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: July 7, 1986

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that <sup>s</sup> he is Principal Clerk

of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken

therein ~~once~~ ~~for~~ ~~the~~ ~~first~~ ~~insertion~~ ~~being~~ ~~on~~ ~~the~~ ~~10th~~ ~~day~~ ~~of~~ ~~July~~

19 86 and the last insertion being on the ~~10th~~ day

~~of~~ ~~the~~ ~~year~~ ~~1986~~  
D. Eileen Perry

worn to be 10th day of July 19 86

*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.

MEETING NO. 13  
July 7, 1986

Item No. 40 Motion by Supervisor Weber Seconded by Councilman Jaworowicz to adjourn the meeting in memory of Gregory Szafranski, Sanitation Department Employee; William Tucholka, Retired Sanitation Department Employee and Chester Anielski, member of the United States Postal Service.

---

RICHARD M. MOLESKI  
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of July, 1986 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Robert Lis, Assistant Chief of Police; Julia Reinstein, Town Historian; Ron Marten, Building and Plumbing Inspector; Chester Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; Sal LaGreca, Employment and Training Director II; Don Wegner, Chairman of Zoning Board of Appeals; Assemblyman Dennis Gorski; Ray Pugh, Planning Board.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that the Vehicle and Traffic regulations of the town be amended, 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 August 4, 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 24th day of July, 1986.

\* \* \* \* \*

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 August 4, 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 IX  
Speed Regulations

Section 76-90, entitled "applicable speed regulations", shall be amended by adding a new subsection number A.3. thereto reading as follows:

A.3. The exclusion of county road(s) from subsection 1 shall not apply to the following named county road(s), which road(s) shall have an established speed limit of 45 miles per hour:

AERO DRIVE between 0.1+ mile east of Holtz Drive to Transit Road (NY 78).

Item No. 2 cont'd

ARTICLE XIII  
Truck Exclusions

Section 76.130, entitled "all trucks excluded", shall be amended by adding thereto the following:

A. No person, firm or corporation shall drive or operate or permit to be driven or operated any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town highways within the Town of Cheektowaga, County of Erie, State of New York:

(4) DINGENS STREET between Harlem Road (NY 240) and Cass Avenue.

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

Dated: July 21, 1986

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

AFFIDAVIT - NEXT PAGE

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

*Ronald L. Bickelman*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... JUL 24 1986..... ;  
last publication..... JUL 24 1986..... ;  
and that no more than six days intervened be-  
tween publications.

*Ronald L. Bickelman*

Sworn to before me this .....<sup>25<sup>th</sup></sup>.....

day of .....*July*....., 19<sup>86</sup>.....

.....*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<sup>87</sup>

**LEGAL NOTICE  
NOTICE 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 August 4, 1986 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

**ARTICLE IV**

**Speed Regulations**

Section 76-90, entitled "applicable speed regulations", shall be amended by adding a new subsection number A.3. thereto reading as follows:

A.3 The exclusion of county road(s) from subsection 1 shall not apply to the following named county road(s), which road(s) shall have an established speed limit of 45 miles per hour:

Aero Drive between 0.1± mile east of Holz Drive to Transit Road (NY 78).

**ARTICLE XIII**

**Truck Exclusions**

Section 76-130, entitled "all trucks excluded", shall be amended by adding thereto the following:

A. No person, firm or corporation shall drive or operate or permit to be driven or operated any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town highways within the Town of Cheektowaga, County of Erie, State of New York:

(4) DINGENS STREET between Harlem Road (NY 240) and Cass Avenue.

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

RICHARD M. MOLESKI

Town Clerk

DATED: July 21, 1986

PUBLISH: June 24, 1985



Item No. 3a Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the installation of Air Conditioning System at the Police & Court Building, which bids were duly received and publicly opened on June 30, 1986, 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 attached letter from the consultants dated July 10, 1986, and

WHEREAS, it is the recommendation of Babinsky-Klein Engineering and the Town Engineer that the contract be awarded to BH Refrigeration, 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 at the Police & Court Building be awarded to:

BH Refrigeration, Inc.  
818 Elmwood Avenue, Buffalo, New York 14222

for the bid price of \$31,350.00, 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 BH Refrigeration, Inc. for the installation of an Air Conditioning System at the Police & Court Building, and BE IT FURTHER

RESOLVED that the cost of providing this improvement is to be charged to Federal Revenue Sharing Funds 1622.2511.

\* 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

**BK BABINSKY . KLEIN  
ENGINEERING, P.C.**

150 CREEKSIDE DRIVE  
AMHERST, N.Y. 14150  
(716) 691-4771

July 10, 1986

Town of Cheektowaga  
Town Hall  
Broadway and Union Road  
Cheektowaga, NY 14227

ATTN: Mr. Rudolph Bogacki

RE: Installation of Air Conditioning System  
Police and Court Building  
BK #86067

Dear Mr. Bogacki:

In regards to the bids received at the Town Hall on June 30, 1986, concerning the above-referenced project, the results are as follow:

1. BH Refrigeration, Inc. - Thirty-One Thousand Three Hundred Fifty Dollars (\$31,350.00)
2. Frank C. Kellner Co., Inc. - Thirty-One Thousand Nine Hundred Forty-Five Dollars (\$31,945.00)

We have reviewed the bids and recommend the acceptance of the low bid submitted by BH Refrigeration, Inc. For your information, we have also reviewed the qualifications/experience of BH Refrigeration and find this firm to an acceptable bidder.

If you should have any additional questions, do not hesitate to contact us.

Very truly yours,

BABINSKY. KLEIN ENGINEERING, P.C.

*Joseph M. Desotelle*  
Joseph M. Desotelle

JMD:dt  
86067A1.LTR

RECEIVED

JUL 14 1986

C.L. BRYAN

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of football equipment for use in the Cheektowaga Recreational 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, NOW, THEREFORE, BE It

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

Laux Sporting Goods, Inc.  
25 Pineview Drive  
North Tonawanda, N.Y. 14120

\* 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

SPECIFICATIONS AND BID PROPOSALS

Pursuant to and in accordance with your advertisement for bids dated June 16, 1986, and the instruction to bidders relating thereto, the undersigned offers to furnish all equipment as described in your specifications and deliver to the Cheektowaga Recreation Department located in the Cheektowaga Recreation Center, 2600 Harlem Road, Cheektowaga, New York 14225.

Approximately 30 Model #7700 Bike Helmets with full Royal Blue cage installed 77.90

Approximately 30 each Rawlings RTS-1 helmet - white - full grey steel cage installed 90.00

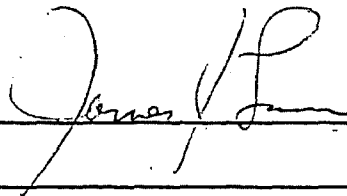
Approximately 30 each Rawlings PRO-2 shoulder pads 25.95

Approximately 30 Rawlings GBB Rib pads 13.95

LAUX SPORTING GOODS INC.  
25 PINEVIEW DR.  
AUDUBON INDUSTRIAL PARK  
N. TONAWANDA, N. Y. 14120

Delivery \_\_\_\_\_ days after receipt of order.

SIGNED \_\_\_\_\_



James J. Laux

TITLE President

COMPANY LAUX SPORTING GOODS INC

ADDRESS 25 Pineview Dr

North Tonawanda, New York 14120

PHONE 697-3367

Item No. 4 Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

WHEREAS, it is in order that bids be advertised to cover the application of a chemical root control agent to sanitary sewer lines in various locations in the Town of Cheketowaga, and

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

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the application of a chemical root control agent to sanitary sewer lines, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on August 4, 1986 at 11:00 A.M., Eastern Daylight Savings 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 August 4, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the application of a chemical root control agent to sanitary sewer lines in the Town of Cheektowaga.

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 Cheketowaga, 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.

DATED: July 21, 1986

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

AFFIDAVIT - NEXT PAGE

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

*Ronald L. Beckelman*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....*1*..... weeks:  
first publication.....*JUL 24 1986*..... ;  
last publication.....*JUL 24 1986*..... ;  
and that no more than six days intervned be-  
tween publications.

*Ronald L. Beckelman*

Sworn to before me this .....*25th*.....  
day of .....*July*....., 19*86*..  
.....*Cecelia Westover*.....

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

CECELIA WESTOVER  
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 August 4, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the application of a chemical root control agent to sanitary sewer lines in the Town of Cheektowaga.

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 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: July 21, 1986  
PUBLISH: July 24, 1986

Item No. 5a Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, the Diocese of Buffalo and Mother of Divine Grace Church are submitting an application to the State of New York Housing Trust Fund Corporation for funds to convert the Church's convent into eight (8) units of housing for elderly residents, and

WHEREAS, the Town, which has an elderly population of approximately 19,000, representing almost one out of every five Town residents, has a great, pressing need for affordable housing units for the elderly, and

WHEREAS, to-date, despite numerous attempts by the Town to secure such housing, only 80 units of subsidized units for the elderly have been provided in the Town, and

WHEREAS, the Town's elderly population is growing, and the number of those most in need - namely females, and aged persons over the age of 75 is also expanding, and

WHEREAS, the proposed project is located in the Cedargrove Heights neighborhood, an area targeted by the town and the HUD which has experienced an investment of over \$2.5 million for housing, capital and recreational improvements to benefit low and moderate income residents, NOW, THEREFORE, BE IT

RESOLVED that the State of New York Housing Trust Fund Corporation and the New York State Division of Housing and Community Renewal be and hereby are memorialized to act favorably upon the application of the Diocese of Buffalo for the renovation and conversion of the Mother of Divine Grace convent for eight (8) housing units for the elderly and BE IT FURTHER

RESOLVED that the Town Clerk be hereby directed to forward certified copies of this resolution to the New York State Division of Housing and Community Renewal, The State of New York Housing Trust Fund Corporation, 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. 5b Memorialize H.U.D. regarding proposal for Elderly housing  
This item was withdrawn prior to Town Board meeting by G. Gabryszak,  
Community Development Director.

Item No. 6a 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 and 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:



MEETING NO. 14  
July 21, 1986

Item No. 6a cont'd

25 Siberling	- \$ 5741.00
77 Eggert Road	- \$ 4781.00
75 Clearvale Dr.	- increase previous loan authorization by \$175.00
123 White Road	- \$932.50

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. 6B Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is committed to pursuing economic development activities in order to preserve existing jobs, create new job opportunities for Town residents and improve the Town's tax base, and

WHEREAS, in accordance with that goal, the Town has created the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development growth within the Town, and

WHEREAS, the Department of Housing & Urban Development has strongly encouraged the use of Community Development Block Grant funds for local economic development activities, and

WHEREAS, funds were allocated in the Town's C.D.B.G. application to H.U.D. as follows: \$250,000 for the 1985-86 Program Year, and

WHEREAS, the Cheektowaga Economic Development Corporation has received program income as a result of economic development loans made during the past year utilizing 1984-85 Program Year funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to enter into an Agreement with the Cheektowaga Economic Development Corporation for the purpose of allocating community Development Block Grant funds totaling \$460,004.30 to that Agency from the following program Years:  
\$175,000 - 1986; \$250,000 - 1985; and \$35,004.30 - 1984

Upon Roll Call....

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

Item No. 6C Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

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

MEETING NO. 14  
July 21, 1986

Item No. 6C cont'd

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, 1985 and terminated December 31, 1985 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 pages for agreement

Upon Roll Call....

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

T/V LE/CT  
1985 STOP DWI

THIS AGREEMENT, made and entered into as of the 1st day of January, 1985, 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, 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, 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 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 its police agency, has made formal application to the Erie County STOP-DWI Coordinator for the funding of certain alcohol traffic safety law enforcement activities in Erie County during the period from January 1, 1985 to December 31, 1985, which application is attached hereto and made a part hereof as Appendix "A", and

1985 OCT 10 PM 1:21  
TOWN OF CHEEKTOWAGA  
CLERK

RECEIVED

WHEREAS, a Justice Court has been established in and for the MUNICIPALITY with jurisdiction to hear and determine cases involving alleged violations of Sections 1192 and 511(2)\* of the Vehicle and Traffic Law.

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

FIRST: The term of this Agreement shall be the COUNTY's fiscal year commencing January 1, 1985 and ending December 31, 1985. The said term shall be divided into the following quarterly periods:

January 1 to March 31;  
April 1 to June 30;  
July 1 to September 30; and  
October 1 to December 31.

SECOND: During the term of this Agreement, the MUNICIPALITY, as an independent contractor, agrees to engage in the alcohol traffic safety law enforcement activities set forth in the annexed Appendix "A".

THIRD:

A. For purposes of this paragraph:

- (i) "DWI case" shall mean a criminal action commenced in any court within Erie County wherein a person is charged with

\*V.&T.L. §§ 511(2)(a)(i) and (iii), 511(3)(a) on and after November 1, 1985.

a violation of either Section 511(2)\* or Section 1192 of the Vehicle and Traffic Law;

(ii) "net STOP-DWI collections" shall mean the amount of fines, penalties and forfeitures collected by any court, judge, magistrate or other judicial officer within Erie County from violations of Section 511(2)\* or Section 1192 of the Vehicle and Traffic Law after deducting therefrom the amount of refunds made by reason of judicial mandate (e.g., appellate reversal of conviction, reduction of fine, etc.) or pursuant to former Section 521(c) of the Vehicle and Traffic Law (e.g., upon successful completion of an alcohol and drug rehabilitation program).

B. Within thirty (30) days after the close of each of the quarterly periods of this Agreement, the COUNTY agrees to pay the MUNICIPALITY a sum not to exceed the lesser of either:

\*V.&T.L. §§ 511(2) (a) (i) and (iii), 511(3) (a) on and after November 1, 1985.

- (i) the MUNICIPALITY's actual expenses, as certified by the MUNICIPALITY upon forms acceptable to the COUNTY, in carrying out, during such quarterly period, the alcohol traffic safety law enforcement activities set forth in Appendix "A"; or
- (ii) sixty-five percent (65%) of the net STOP-DWI collections actually paid over and received by the COUNTY during such quarterly period, provided that such collections have resulted from convictions obtained in DWI cases commenced by the MUNICIPALITY's police agency.

C. Where in any quarterly period, the MUNICIPALITY's actual expenses, as certified in (i) above, exceed sixty-five percent (65%) of the amount of net STOP-DWI collections attributable to the MUNICIPALITY's alcohol traffic safety law enforcement activities, as calculated pursuant to (ii) above, such excess amount shall be added to the MUNICIPALITY's certified actual expenses in the next succeeding quarterly period for purposes of determining the sum payable to the MUNICIPALITY under this paragraph.

D. Where, in any quarterly period, sixty-five percent (65%) of the amount of net STOP-DWI collections attributable to the MUNICIPALITY's alcohol traffic safety law enforcement activities, as calculated pursuant to (ii) above, is a negative amount due to refunds made by or on behalf of the COUNTY, such negative amount shall be carried forward into the next succeeding quarterly period for purposes of determining the amount payable to the MUNICIPALITY under this paragraph.

E. The MUNICIPALITY agrees to allocate to any Justice Court located within Erie County, from the amounts payable to the MUNICIPALITY under this paragraph, the sum of TEN DOLLARS (\$10.00) for each "DWI case" which is "finally disposed of", as such terms are defined in paragraph FOURTH hereof, in such Justice Court.

FOURTH:

A. For purposes of this paragraph:

- (i) "DWI case" shall mean a criminal action commenced in any court within Erie County wherein a person is charged with a violation, or multiple violations involving the same person and arising out of the same incident, of either

Section 511(2)\* or Section 1192 of the  
Vehicle and Traffic Law;

(ii) "finally disposed of" and "final  
disposition" shall mean the termination  
of a DWI case at the trial court level  
by reason of a dismissal, acquittal or  
conviction and imposition of sentence by  
the trial court, but shall not include  
the removal or transfer of a DWI case to  
another court.

B. Within thirty (30) days after the close of  
each of the quarterly periods of this Agreement, the COUNTY  
agrees to pay the MUNICIPALITY, for the services of the  
MUNICIPALITY's Justice court, the sum of TEN DOLLARS  
(\$10.00) for each DWI case finally disposed of in such court  
during such quarterly period which was commenced by either  
the Erie County Sheriff's Department or the New York State  
Police. The said sum shall be payable by the COUNTY for  
each such DWI case regardless of the final disposition  
thereof.

\*V.&T.L. §§ 511(2)(a)(i) and (iii), 511(3)(a) on and after  
November 1, 1985.



FIFTH:

A. The MUNICIPALITY, through its police agency, agrees to compile information and render monthly reports to the Erie County Office of Criminal Justice Planning with respect to:

- (i) the MUNICIPALITY's actual expenses in carrying out the alcohol traffic safety law enforcement activities set forth in Appendix "A". A sample copy of the STOP-DWI Monthly Fiscal Cost Report form is annexed hereto as Appendix "B";
- (ii) all alcohol-related traffic accidents investigated by the MUNICIPALITY's police agency. A sample copy of the STOP-DWI Monthly Accident Report form is annexed hereto as Appendix "C"; and
- (iii) all DWI cases (cases involving alleged violation(s) of either Section 1192 or Section 511(2)\* of the Vehicle and Traffic Law) commenced by the MUNICIPALITY's police agency in any

\*V.&T.L. §§ 511(2)(a)(i) and (iii), 511(3)(a) on and after November 1, 1985.

court in Erie County. A sample copy of the STOP-DWI Monthly Arrest Report form is annexed hereto as Appendix "D".

B. The MUNICIPALITY, through its Justice Court with jurisdiction to hear and determine DWI cases (cases involving alleged violation(s) of either Section 1192 or Section 511(2)\* of the Vehicle and Traffic Law), agrees to compile information and render monthly reports to the Erie County Office of Criminal Justice Planning with respect to all DWI cases finally disposed of (as that term is defined in paragraph FOURTH (A) (ii), but including cases removed or transferred) in the MUNICIPALITY's Justice Court. A sample copy of the STOP-DWI Monthly Court Report form is annexed hereto as Appendix "E".

C. The MUNICIPALITY acknowledges that the determination by the COUNTY of the amounts payable to the MUNICIPALITY under paragraphs THIRD and FOURTH of this Agreement is dependent upon the timely receipt by the Erie County Office of Criminal Justice Planning of accurate information from the MUNICIPALITY. Accordingly, the MUNICIPALITY agrees that, as a condition precedent to its right to payment under this Agreement, it shall fully

\*V.&T.L. §§ 511(2)(a)(i) and (iii), 511(3)(a) on and after November 1, 1985.

complete and forward to the Erie County Office of Criminal Justice Planning each of the monthly reports required under this paragraph (Appendices "B", "C", "D" and "E") within 15 days after the last day of each monthly period to which such reports relate.

SIXTH: 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.

SEVENTH: 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.

EIGHTH: The MUNICIPALITY shall not assign, transfer, convey, sublet or otherwise dispose of this Agreement or of any right, title or interest therein, nor of the power to execute the same or any extension thereof to

any other person or corporation without the previous consent in writing of the COUNTY.

NINTH: 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.

TENTH: 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.

ELEVENTH: 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.

TWELFTH: 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 to submit certificates of insurance in accordance with Vendor Classification C-"Professional Services", on Appendix "F" annexed 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.

THIRTEENTH: 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.

FOURTEENTH: This Agreement, or any renewal thereof, may be terminated by either party upon at least thirty (30) days prior notice. Such notice shall be provided in writing to the chief executive officer of the other party at the address appearing on the first page of this Agreement.

FIFTEENTH: Provided that the MUNICIPALITY shall have made formal application for the continued funding of its alcohol traffic safety law enforcement activities,


this Agreement may be renewed for such additional twelve (12) month terms as may be mutually agreed upon by the parties through their respective legislative bodies.

This Agreement is executed by the COUNTY pursuant to a resolution adopted by the Legislature of the County of Erie at its meeting held on the June 20, 1985, and by the MUNICIPALITY pursuant to a resolution of its governing body adopted at a meeting of said governing body held on July 21, 1986, a certified copy of the MUNICIPALITY's resolution being annexed hereto as Appendix "G".

TOWN OF CHEEKTOWAGA

COUNTY OF ERIE

By:

  
DANIEL E. WEBER  
Supervisor

By:

\_\_\_\_\_  
EDWARD J. RUTKOWSKI  
Erie County Executive

APPROVED AS TO CONTENT

\_\_\_\_\_  
JOSEPH M. GIGLIO  
Director, Criminal Justice  
Planning

ACKNOWLEDGMENT

STATE OF NEW YORK)  
COUNTY OF ERIE     ) ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 1986,  
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

ACKNOWLEDGMENT

STATE OF NEW YORK)      ss:  
COUNTY OF ERIE     )

On this 21st day of July, 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 Nov. 30, 19 88





SCHEDULE II - EXPENSE OTHER

STOP DWI

TITLE: \_\_\_\_\_

FOR MONTH OF \_\_\_\_\_

---

APPENDIX  
**ERIE COUNTY  
 STOP DWI  
 MONTHLY ACCIDENT REPORT**

REPORTING AGENCY				#CASUALTIES: INJURIES, FATALITIES								REPORTING PERIOD	
ACCIDENT:				MOTOR VEHICLE:				OTHER (CYCL., ETC.)				BAC OF DRIVER INVOLVED <sup>1</sup>	LOCATION OF ACCIDENT <sup>2</sup>
				DRIVER		PASS'GR.							
#	DATE	TIME	AM PM	INJ.	FAT.	INJ.	FAT.	INJ.	FAT.	INJ.	FAT.		
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
13													
14													
15													
16													
17													
18													
19													
20													

<sup>1</sup> BLOOD ALCOHOL CONTENT  
<sup>2</sup> BE AS SPECIFIC AS POSSIBLE!

TO

County

Reporting Agency

Reporting Period

1. Total Number of Persons Charged with a Moving Traffic Violation

2. Total Number of Persons Arrested for DWAI, DWI, or BAC  $\geq$  .10 (section 1192) Violations

\_\_\_\_\_

\_\_\_\_\_

3. Total Number of Persons Arrested for Section 1192 Violations by Age	
a) Under 18	
b) 18	
c) 19	
d) 20	
e) 21-24	
f) 25-29	
g) 30-39	
h) 40-49	
i) 50-59	
j) 60-64	
k) Over 64	

5. Total Number of Persons Arrested for Section 1192 Violations by Sex	
a) Male	
b) Female	

6. Total Number of Persons Arrested for Section 1192 Violations by Time Intervals	
a) 6:01a.m. to 6:00p.m.	
b) 6:01p.m. to 9:00p.m.	
c) 9:01p.m. to 12:00p.m.	
d) 12:01p.m. to 3:00a.m.	
e) 3:01a.m. to 6:00a.m.	

4. Total Number of Persons Arrested for Section 1192 Violations by BAC Level	
a) No Test Offered	
b) Test Refused	
c) .00 to .05	
d) .051 to .07	
e) .071 to .099	
f) .10 to .149	
g) .15 to .199	
h) .20 or Greater	

7. Total Number of Persons Arrested for Section 1192 Violations by Day	
a) Sunday	
b) Monday	
c) Tuesday	
d) Wednesday	
e) Thursday	
f) Friday	
g) Saturday	



**COUNTY OF ERIE  
STOP-DWI MONTHLY COURT REPORT**

NAME OF JUSTICE: \_\_\_\_\_ COURT \_\_\_\_\_ PERIOD: \_\_\_\_\_  
 LOCATION: \_\_\_\_\_ TYPE CITY  TOWN  VILLAGE  \_\_\_\_\_ TO \_\_\_\_\_

DEFENDANT'S NAME	CHARGE OF STATUTE	ARRESTING AGENCY	DATE:			DISPOSITION: FINAL STATUS	AMOUNT:		REFERRED AGENCY INVOLVEMENT: DRUNKEN DRIVER PROGRAMS, PROBATION, etc.
			OF ARREST	OF ARRAIGNM'T	OF DISPOS'TN		FINED	COLLECTED	

APPENDIX E



# CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

**PRODUCER**

PROFESSIONAL COVERAGE MANAGERS  
130 WILLIAM STREET  
NEW YORK, NEW YORK 10038

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**COMPANIES AFFORDING COVERAGE**

COMPANY LETTER **A** CITY INSURANCE COMPANY

COMPANY LETTER **B**

COMPANY LETTER **C**

COMPANY LETTER **D**

COMPANY LETTER **E**

**INSURED**

TOWN OF CHEEKTOWAGA POLICE DEPT.  
TOWN HALL  
BROADWAY & UNION ROAD  
CHEEKTOWAGA, NEW YORK 14227

**COVERAGES**

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIABILITY LIMITS IN THOUSANDS	
					EACH OCCURRENCE	AGGREGATE
	<b>GENERAL LIABILITY</b>					
<input type="checkbox"/>	COMPREHENSIVE FORM				BODILY INJURY	\$
<input type="checkbox"/>	PREMISES/OPERATIONS UNDERGROUND EXPLOSION & COLLAPSE HAZARD PRODUCTS/COMPLETED OPERATIONS				PROPERTY DAMAGE	\$
<input type="checkbox"/>	CONTRACTUAL				BI & PD COMBINED	\$
<input type="checkbox"/>	INDEPENDENT CONTRACTORS				PERSONAL INJURY	\$
<input type="checkbox"/>	BROAD FORM PROPERTY DAMAGE					
<input type="checkbox"/>	PERSONAL INJURY					
	<b>AUTOMOBILE LIABILITY</b>					
<input type="checkbox"/>	ANY AUTO				BODILY INJURY (PER PERSON)	\$
<input type="checkbox"/>	ALL OWNED AUTOS (PRIV. PASS.)				BODILY INJURY (PER ACCIDENT)	\$
<input type="checkbox"/>	ALL OWNED AUTOS (OTHER THAN PRIV. PASS.)				PROPERTY DAMAGE	\$
<input type="checkbox"/>	HIRED AUTOS				BI & PD COMBINED	\$
<input type="checkbox"/>	NON-OWNED AUTOS					
<input type="checkbox"/>	GARAGE LIABILITY					
	<b>EXCESS LIABILITY</b>					
<input type="checkbox"/>	UMBRELLA FORM				BI & PD COMBINED	\$
<input type="checkbox"/>	OTHER THAN UMBRELLA FORM					\$
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>				STATUTORY	
					\$	(EACH ACCIDENT)
					\$	(DISEASE-POLICY LIMIT)
					\$	(DISEASE-EACH EMPLOYEE)
<b>A</b>	<b>OTHER</b> POLICE PROFESSIONAL LIABILITY	PPL 1726093		3/30/86		500,000 EACH PERSON 1,000,000 EACH INCIDENT 1,000,000 AGGREGATE

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

**CERTIFICATE HOLDER**

COUNTY OF ERIE  
DIRECTOR OF INSURANCE  
95 FRANKLIN STREET RM. 1275  
BUFFALO, NEW YORK 14202

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

*Thomas L. Howe*

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 21st day of July, 1986, at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

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

ABSENT: 0

Motion by Councilman Jaworowicz Seconded by Councilman Kowal

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, 1985 and terminated December 31, 1985 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.

Upon roll call .....

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

AYES: 7  
NAYES: 0  
ABSENT: 0



MEETING NO. 14  
July 21, 1986

Item No. 6D Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga will sponsor a Polish-American Festival from August 15 through August 17, 1986; and

WHEREAS, the Town of Cheketowaga wishes to engage the services of various performing artists and craftsmen for said Festival, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to sign all agreements on behalf of the Town necessary to secure the services of various performing artists and craftsmen.

Upon Roll Call....

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

Item No. 6E Motion by Supervisor Weber, Seconded by Councilman Kowal

WHEREAS, Ronald Chernow Communication Services, Inc. has proposed to investigate and audit all telephone bills of the Town of Cheektowaga and to press the telephone companies for refunds of any overcharges paid, and

WHEREAS, under such proposal, the Town would pay Ronald Chernow Communication Services, Inc. ("Chernow") on a contingency fee basis only when Chernow has obtained a refund for the Town, and

WHEREAS, such proposal is beneficial to the Town, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Agreement with Chernow, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute the attached letter of authorization and any and all other papers necessary to effectuate the aforementioned Agreement.

\* See next pages for agreement and letter

Upon Roll Call....

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

RECEIVED  
1986 JUL 22 PM 2:55  
AGREEMENT  
TOWNSHIP

THIS AGREEMENT is made and entered into as of the 21st day of July, 1986, by and between the TOWN OF CHEEKTOWAGA, a municipal corporation organized under the laws of the State of New York, having its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227 (hereinafter the "TOWN"); and RONALD CHERNOW COMMUNICATION SERVICES, INC., a domestic corporation organized under the laws of the State of New Jersey, having its office and principal place of business at A2 Brier Hill Court, P.O. Box 867, Brunswick, New Jersey 08816 (hereinafter "CHERNOW").

WITNESSETH:

WHEREAS, CHERNOW has proposed to investigate and audit all telephone bills of the Town of Cheektowaga and to press the telephone companies for refunds of any overcharges paid, and

WHEREAS, the TOWN will pay CHERNOW on a contingency fee basis for such services.

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. CHERNOW will review the monthly charges for service on the telephone bills of the TOWN to determine if overcharges exist. CHERNOW will negotiate with the Telephone Company and other Communication Carriers and Companies (O.C.C.C.) to have the overcharges eliminated from the Monthly Charge for service and obtain refunds or credits for past overcharges.

2. The TOWN agrees to compensate CHERNOW as follows:

(a) Where there is no refund or credit and there is no reduction in the Monthly Charge for Service due to the elimination of overcharges, there is no fee at all.

(b) Where there is a reduction in the Monthly Charge for Service due to the elimination of the overcharges, the fee is 50% of the amount of the reduction per month payable each month for sixty (60) consecutive months. This is payable in sixty (60) equal monthly payments starting the first month that reflects these reductions. Where the item of equipment or service that was identified by CHERNOW as overbilled is disconnected during the sixty months, the payment for that overcharge shall cease.

(c) Fees for all other overbillings, identified by CHERNOW, shall continue to be paid even when the customer premise telephone system is changed.


(d) For refunds or credits, the fee is 50% of the refunds and credits. This is payable within 30 days of receipt by the TOWN of the refund and credit.

3. The TOWN will execute all authorizations that are necessary for CHERNOW COMMUNICATIONS to negotiate with the Telephone Company and the O.C.C.C.

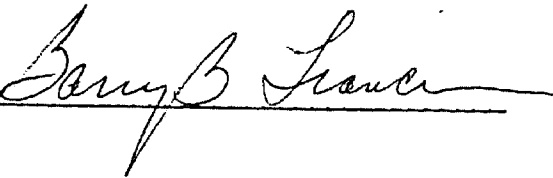
4. If the TOWN fails to make payment as described in (2b), 2(c) and 2(d) above, the balance of the payments become due and payable at that time.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be signed as of the day and year first above written.

TOWN OF CHEEKTOWAGA

By:   
Daniel E. Weber, Supervisor

RONALD CHERNOW COMMUNICATION SERVICES, INC.

By: 

DANIEL E. WEBER  
SUPERVISOR



TOWN OF CHEEKTOWAGA  
ERIE COUNTY, NEW YORK

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

686-3465

July 22, 1986

RECEIVED  
1986 JUL 29 AM 9:03  
CHEEKTOWAGA  
TOWN CLERK

ATTIS  
New York Telephone Company  
Ronald Chernow  
Communication Services, Inc.  
P.O. Box 867  
East Brunswick, New Jersey 08816

Gentlemen:

We have engaged Ronald Chernow Communication Services, Inc. as telecommunications consultants under the terms outlined in their agreement dated July 21, 1986.

The New York Telephone Company and ATTIS are authorized and requested to respond to Ronald Chernow Communication Services, Inc. in all matters pertaining to our telephone account with you. This includes billing records, equipment and service records and order activity with reference to our telephone service and equipment.

All requests from Ronald Chernow Communication Services, Inc.'s office should be mailed to, P.O. Box 867, East Brunswick, New Jersey 08816, and they may be contacted at 201-254-0100.

This letter of authorization is valid until further written notification.

Very truly yours,

DANIEL E. WEBER  
Supervisor

DEW:pl  
cc: James J. Matecki

MEETING NO. 14  
July 21, 1986

Item No. 7A Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, Los-Green, Inc., as part of the acceptance of the Losson Green Estates Subdivision and as a prerequisite to the construction of any buildings in a portion of such subdivision, has submitted to the town for its acceptance a warranty deed for the following highways:

1. a portion of Rushford Lane;
2. Butternut Road; and
3. a portion of Hillpine Road.

and

WHEREAS, the Town Superintendent of Highways in the attached letter dated July 16, 1986 has recommended that such deed be accepted by the Town, and

WHEREAS, the Town Engineer has recommended that Los-Green, Inc. complete grading and seeding of the "Green Belt" area by August 15, 1986 in accordance with the attached letter dated July 17, 1986 as a condition of acceptance, and

WHEREAS, Los-Green, Inc. has also submitted a maintenance bond for the aforementioned deeded areas and a certified check to guarantee street lighting for this area to the Town, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned deed, maintenance bond and certified check be and hereby are accepted by this Town Board contingent upon the approval of the form thereof by Town Attorney, and BE IT FURTHER

RESOLVED that the completion of improvements to the Green Belt, as outlined in the attached letter of the Town Engineer, be imposed as a condition of acceptance of the above-named streets, and BE IT FURTHER

RESOLVED that, after approval of these documents by the Town Attorney, the Town Attorney be and hereby is directed to file the deed in the Erie County Clerk's Office.

\* See next eight (8) pages for letters

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

July 16, 1986

Honorable Daniel E. Weber  
Honorable Town Board Members  
Town of Cheektowaga, NY 14227

RE: Acceptance of Streets  
Losson Green Subdivision  
Parts 1 & 2  
MC 2464 & MC 2475

Dear Members of the Board:

Please be advised that timely and effective inspections, during all phases of construction, have been performed by my Engineer, Ted Skowron, and myself; and we find that all of Butternut Rd., part of Hillpine Rd., part of Rushford Ln., part of Brown Ave., part of Groell Ave. and all of Red Oak Dr., as herein described, do conform to current specifications of the Town of Cheektowaga and are recommended for acceptance into our system of highways.

All that parcel of land, situate in the Town of Cheektowaga, County of Erie, State of New York, being parts of Lots No. 58 and 59, as shown on the map of Losson Green Estates, prepared by Elwood D. Hummel L.S., as filed in the Erie County Clerk's Office under Map Cover 2464, more particularly being:

Rushford Lane a 60 foot Right-Of-Way from the center line of an existing easement to New York State Electric and Gas Corp. (Liber 7433, Page 276) said line being the southerly line of Rushford Lane as previously deeded to the Town of Cheektowaga, NY., 391.23 feet (center line distance), to a point being on the easterly extension of the southerly line of Sublot No. 162.

Also, Hillpine Road a 60 foot Right-of-Way from the center line of an existing easement to New York State Electric and Gas Corp. (Liber 7433, Page 276) and said point being the southerly line of Hillpine Road as previously deeded to the Town of Cheektowaga, NY, 339.72 feet (center line distance) to a point on the westerly extension of the southerly line of Sublot No. 101.

Also, Butternut Road a 60 foot Right-of-Way from the east line of Rushford Lane, 663,97 feet (center line distance) to the west line of Hillpine Road.

The above described Right-of-Way to serve Sublots No. 52-71 inclusive, 97-102 inclusive 162-167 inclusive.

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



p. 2

7/16/86

Losson Green Subdivision

All that parcel of land, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 60, as shown on the map of Losson Green Estates, Phase II, prepared by McIntosh & McIntosh, P.C. as filed in the Erie County Clerk's Office under Map Cover 2475, more particularly being:

Groell Avenue a 60 foot wide Right-of-Way from the south side of Losson Road (80 feet wide), 1,195.42 feet (center line distance) to the west line of Groell Avenue previously deeded to the Town of Cheektowaga, NY said point being the westerly line of Map Cover 2475, fronting sublots 8-9, 11-28, 42-50, inclusive.

Also, Red Oak Drive a 60 foot wide Right-of-Way from the west line of Groell Avenue, 992.03 feet (center line distance) to the north line of Groell Avenue, fronting sublots 28-43, 50-57, inclusive.

Also, Brown Avenue a 60 foot wide Right-of-Way from the west line of Red Oak Drive, 120.00 feet (center line distance) to the east line of Brown Avenue, previously deeded to the Town of Cheektowaga, NY said point being on the westerly line of Map Cover 2475, fronting sublots 30 & 31.

The above described Right-of-Ways to serve Sublots No. 8 & 9, 11-57 inclusive.

Also, beginning at the intersection of the northwest corner of Sublot No. 27; thence south, 120.0 feet along the westerly line of Sublot No. 27; thence west, 20.0 feet perpendicular to the south line of Sublot No. 27; thence north, 120.0 feet parallel with the westerly line of Sublot No. 27; thence east 20.0 feet to the point of beginning. Said parcel containing 2,400 square feet. This parcel is a R.O.W. for access to Green Belt.

The deeds are in the office of the Town Attorney for approval and filing. The maintenance bond is an amount commensurate with the provisions of our P.I.P. Ordinance. This bond too is in the Town Attorney's office for approval. A street lighting agreement is being provided. Drainage Easements as per attached schedules must be recorded and filed.

I request that no C.O. be issued by the Building Inspector until the builder of a house in this subdivision guarantees the planting of a tree in front of each house built by him. Such a tree to be located within the street R.O.W. in front of the house.

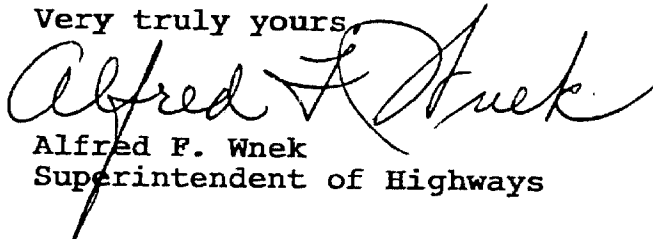


p. 3  
7/16/86  
Losson Green Subdivision

Information on tree specifications can be obtained at the Highway Department office.

I trust this meets with your honorable approval and I remain,

Very truly yours,

A handwritten signature in cursive script that reads "Alfred F. Wnek". The signature is written in dark ink and is positioned above the typed name and title.

Alfred F. Wnek  
Superintendent of Highways

cc: Town Clerk  
Town Attorney  
Building Inspector  
Town Engineer

6/17/86

Schedule 1: Groell - Brown - Red Oak

PHASE 2

DRAINAGE EASEMENTS TO THE TOWN OF CHEEKTOWAGA, N. Y.

ALL OF THAT PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 60, as shown on the Map of Losson Green Estates, Phase II, prepared by McIntosh & McIntosh, P.C. as filed in the Erie County Clerk's Office under Map Cover 1475, being described as follows:

- Sublot No. 1, the southerly 5 feet and the westerly 10 feet thereof,
- Sublot No. 2 through 10 inclusive (including Sublot No. 5A) the southerly 5 feet thereof,
- Sublot No. 16, the southerly 26 feet thereof,
- Sublot No. 19, the southwesterly 13 feet thereof,
- Sublot No. 20, the northeasterly 13 feet thereof,
- Sublot No. 28 through 34 inclusive, the westerly 10 feet thereof,
- Sublot No. 35, the westerly 10 feet and northerly 5 feet thereof,
- Sublot No. 36 through 38 inclusive, the northerly 5 feet thereof,
- Sublot No. 39, the northerly 5 feet and easterly 12.50 feet thereof,
- Sublot No. 40, the northerly 5 feet and westerly 12.50 feet thereof,
- Sublot No. 41 & 42, the northerly 5 feet thereof,
- Sublot No. 43 & 44, the westerly 5 feet thereof,
- Sublot No. 45, the westerly 5 feet and 25 feet easement which intersects diagonally with southerly boundary of Sublot No. 45 and northerly boundary of Sublot No. 46 as shown on Map Cover 2475 thereof,
- Sublot No. 46, the northwesterly 12.5 feet, southeasterly 10 feet and 25 feet easement, which intersects diagonally with northerly boundary of Sublot No. 46 and southerly boundary of Sublot No. 45 as shown on Map Cover 2475 thereof,
- Sublot No. 47, the northwesterly 12.50 feet thereof,
- Sublot No. 48, the northwesterly 5 feet thereof,
- Sublot No. 49 & 50, the northerly 5 feet and southerly 10 feet thereof,
- Sublot No. 51, a portion of the northerly 5 feet beginning 120.02 feet from Red Oak Drive continuing 82.77 feet to the northeasterly corner of Sublot No. 51, the southeasterly 12.5 feet measuring a distance of 111.16 feet and southeasterly 5 feet thereof,
- Sublot No. 52 through 54 inclusive, the easterly 5 feet thereof,
- Sublot No. 55, the southerly and westerly 5 feet thereof,
- Sublot No. 56, the southerly 5 feet, southeasterly 12.5 feet measuring a distance of 38.34 feet and southeasterly 5 feet measuring a distance of 18.13 feet thereof,
- Sublot No. 57, the easterly and southeasterly 5 feet thereof.

6/17/86

Schedule A: Hillpine - Butternut - Rushford

PHASE 4

DRAINAGE EASEMENTS TO THE TOWN OF CHEEKTOWAGA, N. Y.

ALL THAT PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being parts of Lots No. 58 & 59, as shown on the Map of Losson Green Estates, prepared by Elwood D. Hummel L.S., as filed in the Erie County Clerk's Office under Map Cover 2464, being described as follows:

- Sublot No. 52 through 61 inclusive, the northerly 25 feet thereof,
- Sublot No. 63, the northerly 25 feet thereof,
- Sublot No. 64 through 70 inclusive, the southerly 5 feet thereof,
- Sublot No. 71, the southerly and easterly 5 feet thereof,
- Sublot No. 162 through 164 inclusive, the westerly 5 feet thereof,
- Sublot No. 165, a portion of the southerly 5 feet, beginning 226.42 feet from Rushford Lane continuing 58.28 feet to the southwesterly corner of said Lot 165.



## 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

July 17, 1986

Supervisor Weber and  
Honorable Town Board Members  
Town of Cheektowaga

Re: Acceptance of Phase II and IV of the  
Losson Green Estates Subdivision

Gentlemen:

An important component of the development of the Losson Green Estates Subdivision is an area designated as a "greenbelt" through which storm waters generated within the subdivision, and also tributary to the subdivision, are channeled by means of an open drainage system to an outlet at Slate Bottom Creek. The greenbelt area, having an average width of approximately 120 feet and comprising several acres, is to be improved in conjunction with the subdivision development and will later become a maintenance responsibility of the Town when complete.

To this date, the improvements to be made to the greenbelt as outlined in the subdivision plans, as approved by this office, have not been completed where it abuts previously accepted Phase I, nor where it abuts Phase II and Phase IV currently being requested for acceptance by your Honorable Body. It is the opinion of the Engineering Department that the Town ensure completion of greenbelt improvements in a timely manner as prescribed below.

By August 15, 1986, the developer of the Losson Green Estates Subdivision shall complete greenbelt improvements abutting Phase I, II and IV to include the following:

- 1) Grade and compact existing channel subsoil to a maximum 4:1 sideslope (one foot vertical rise for each four feet of horizontal run).
- 2) Remove existing groupings of black willow trees along the northeast slope of the channel and dispose of offsite.
- 3) Provide channel cross sections to the Engineering Department at Sta 11+50, 16+00 and 18+00 for review prior to placement of topsoil to insure conformance with the approved plans.

Supervisor and  
Honorable Town Board Members

- 4) Furnish and spread 4 inches of topsoil, fertilize, seed and mulch the greenbelt abutting Phase I, II and IV of this subdivision so as to provide a mowable area.
- 5) Provide rip rap stone material at all storm sewer outlets to the channel as indicated on the subdivision plans.
- 6) Furnish and plant 2 to 3 inch diameter deciduous trees, balled and burlapped of a species as outlined in the attached letter of Merriman Conservation Consultants Inc. dated July 16, 1986, at locations directed by the Town Engineer at a maximum 100 foot spacing, including proper staking and care and/or replacement up to one year from the time of planting.
- 7) Any seeded areas of the greenbelt which fail to support grass growth or on which erosion or scouring take place, shall be promptly reseeded and restored to a condition acceptable to the Town Engineer for a period of one year from acceptance of completion.
- 8) The 20 foot wide parcel west of Sublot 27 in Phase II of this subdivision to be deeded to the Town for greenbelt access and shall be properly graded and seeded in accordance with Item 4 (above).

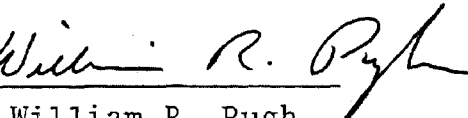
It is recommended, that should the developer fail to complete the above stated greenbelt improvements by the 15th day of August 1986, that said default shall require the developer to post a Performance Bond in an amount acceptable to the Town Engineer, in a form acceptable to the Town Attorney prior to any further issuance of building permits within the Losson Green Estates Subdivision.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

By



William R. Pugh  
Junior Engineer

WRP:mjh  
attachment

Phone (716) 652-7577

## Merriman Conservation Consultants Inc.

Conservation Planning and Development

504 RIDGE AVENUE  
EAST AURORA, NEW YORK 14052

July 16, 1986

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

Dear Mr. Bryan:

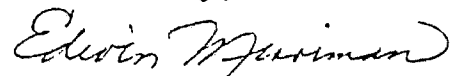
I have just completed an inspection with Bill Pugh of the trees in the Greenbelt of the Losson Green Subdivision and offer the following comments:

All of the trees are Black willow which constitutes a poor choice for landscaping purposes due to its poor conformation, brittle structure, high maintenance input and excessive ground litter tendencies. In addition, this stand of trees has very few individuals which are growing in a straight upright position with most of them growing outward at excessive angles. Some were so low that they have been buried in the land grading process and will be sending up new growth in these areas. With this grading now complete except for the addition of topsoil, the elevation of the area around these clumps of trees has been raised substantially leaving the trees growing in mosquito breeding depressions which will have to be swaled to the drainage ditch and will be difficult to mow and maintain.

With the improvement in surface drainage now afforded by the regrading process, good deciduous hardwoods could well be grown in this area. It therefore appears that now may be a good time to eliminate the trashy growth of Black willow and start to establish a greenbelt of more acceptable species such as Sugar maple, American linden and American sycamore interspersed with a variety of flowering crabapple trees. Spacing would depend upon the funding available but probably should be randomly spaced no closer than 40 to 50 feet apart to encourage easy mowing and furnish shade at fairly close intervals. Initial plantings could be made further apart with an eye toward maintaining the minimum distance between the trees as funding became available.

If there are any questions, please let us know.

Sincerely,



Edwin R. Merriman, Pres.

MEETING NO. 14  
July 21, 1986

Item No. 7B Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, Los-Green, Inc., as part of the acceptance of the Losson Green Estates Subdivision, Phase II, and as a prerequisite to the construction of any buildings in a portion of such subdivision, has submitted to the Town for its acceptance a warranty deed for the following highways:

1. Brown Avenue;
2. Groell Avenue; and
3. Redoak Drive.

and,

WHEREAS, the Town Superintendent of Highways in the attached letter dated July 16, 1986 has recommended that such deed be accepted by the Town, and

WHEREAS, the Town Engineer has recommended that Los-Green, Inc. complete grading and seeding of the "Green Belt" area by August 15, 1986 in accordance with the attached letter dated July 17, 1986 as a condition of acceptance, and

WHEREAS, Los-Green, Inc. has also submitted a maintenance bond for the aforementioned deeded areas and a certified check to guarantee street lighting for this area to the Town, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned deed, maintenance bond and certified check be and hereby are accepted by this Town Board contingent upon the approval of the form thereof by Town Attorney, and BE IT FURTHER

RESOLVED that the completion of improvements to the Green Belt, as outlined in the attached letter of the Town Engineer, be imposed as a condition of acceptance of the above-named streets, and BE IT FURTHER

RESOLVED that, after approval of these documents by the Town Attorney, the Town Attorney be and hereby is directed to file the deed in the Erie County Clerk's Office.

\* See next eight (8) pages for letters

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

July 16, 1986

Honorable Daniel E. Weber  
Honorable Town Board Members  
Town of Cheektowaga, NY 14227

RE: Acceptance of Streets  
Losson Green Subdivision  
Parts 1 & 2  
MC 2464 & MC 2475

Dear Members of the Board:

Please be advised that timely and effective inspections, during all phases of construction, have been performed by my Engineer, Ted Skowron, and myself; and we find that all of Butternut Rd., part of Hillpine Rd., part of Rushford Ln., part of Brown Ave., part of Groell Ave. and all of Red Oak Dr., as herein described, do conform to current specifications of the Town of Cheektowaga and are recommended for acceptance into our system of highways.

All that parcel of land, situate in the Town of Cheektowaga, County of Erie, State of New York, being parts of Lots No. 58 and 59, as shown on the map of Losson Green Estates, prepared by Elwood D. Hummel L.S., as filed in the Erie County Clerk's Office under Map Cover 2464, more particularly being:

Rushford Lane a 60 foot Right-of-Way from the center line of an existing easement to New York State Electric and Gas Corp. (Liber 7433, Page 276) said line being the southerly line of Rushford Lane as previously deeded to the Town of Cheektowaga, NY., 391.23 feet (center line distance), to a point being on the easterly extension of the southerly line of Sublot No. 162.

Also, Hillpine Road a 60 foot Right-of-Way from the center line of an existing easement to New York State Electric and Gas Corp. (Liber 7433, Page 276) and said point being the southerly line of Hillpine Road as previously deeded to the Town of Cheektowaga, NY, 339.72 feet (center line distance) to a point on the westerly extension of the southerly line of Sublot No. 101.

Also, Butternut Road a 60 foot Right-of-Way from the east line of Rushford Lane, 663.97 feet (center line distance) to the west line of Hillpine Road.

The above described Right-of-Way to serve Sublots No. 52-71 inclusive, 97-102 inclusive 162-167 inclusive.

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





p. 2

7/16/86

Losson Green Subdivision

All that parcel of land, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 60, as shown on the map of Losson Green Estates, Phase II, prepared by McIntosh & McIntosh, P.C. as filed in the Erie County Clerk's Office under Map Cover 2475, more particularly being:

Groell Avenue a 60 foot wide Right-of-Way from the south side of Losson Road (80 feet wide), 1,195.42 feet (center line distance) to the west line of Groell Avenue previously deeded to the Town of Cheektowaga, NY said point being the westerly line of Map Cover 2475, fronting sublots 8-9, 11-28, 42-50, inclusive.

Also, Red Oak Drive a 60 foot wide Right-of-Way from the west line of Groell Avenue, 992.03 feet (center line distance) to the north line of Groell Avenue, fronting sublots 28-43, 50-57, inclusive.

Also, Brown Avenue a 60 foot wide Right-of-Way from the west line of Red Oak Drive, 120.00 feet (center line distance) to the east line of Brown Avenue, previously deeded to the Town of Cheektowaga, NY said point being on the westerly line of Map Cover 2475, fronting sublots 30 & 31.

The above described Right-of-Ways to serve Sublots No. 8 & 9, 11-57 inclusive.

Also, beginning at the intersection of the northwest corner of Sublot No. 27; thence south, 120.0 feet along the westerly line of Sublot No. 27; thence west, 20.0 feet perpendicular to the south line of Sublot No. 27; thence north, 120.0 feet parallel with the westerly line of Sublot No. 27; thence east 20.0 feet to the point of beginning. Said parcel containing 2,400 square feet. This parcel is a R.O.W. for access to Green Belt.

The deeds are in the office of the Town Attorney for approval and filing. The maintenance bond is an amount commensurate with the provisions of our P.I.P. Ordinance. This bond too is in the Town Attorney's office for approval. A street lighting agreement is being provided. Drainage Easements as per attached schedules must be recorded and filed.

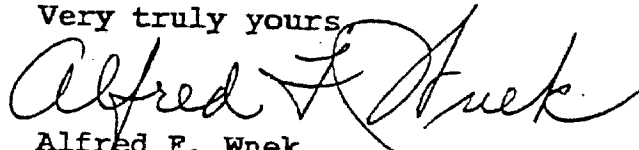
I request that no C.O. be issued by the Building Inspector until the builder of a house in this subdivision guarantees the planting of a tree in front of each house built by him. Such a tree to be located within the street R.O.W. in front of the house.

p. 3  
7/16/86  
Losson Green Subdivision

Information on tree specifications can be obtained at the Highway Department office.

I trust this meets with your honorable approval and I remain,

Very truly yours,



Alfred F. Wnek  
Superintendent of Highways

cc: Town Clerk  
Town Attorney  
Building Inspector  
Town Engineer

6/17/86

Schedule 1:Groell - Brown - Red Oak

PHASE 2

DRAINAGE EASEMENTS TO THE TOWN OF CHEEKTOWAGA, N. Y.

ALL OF THAT PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 60, as shown on the Map of Losson Green Estates, Phase II, prepared by McIntosh & McIntosh, P.C. as filed in the Erie County Clerk's Office under Map Cover 1475, being described as follows:

- Sublot No. 1, the southerly 5 feet and the westerly 10 feet thereof,
- Sublot No. 2 through 10 inclusive (including Sublot No. 5A) the southerly 5 feet thereof,
- Sublot No. 16, the southerly 26 feet thereof,
- Sublot No. 19, the southwesterly 13 feet thereof,
- Sublot No. 20, the northeasterly 13 feet thereof,
- Sublot No. 28 through 34 inclusive, the westerly 10 feet thereof,
- Sublot No. 35, the westerly 10 feet and northerly 5 feet thereof,
- Sublot No. 36 through 38 inclusive, the northerly 5 feet thereof,
- Sublot No. 39, the northerly 5 feet and easterly 12.50 feet thereof,
- Sublot No. 40, the northerly 5 feet and westerly 12.50 feet thereof,
- Sublot No. 41 & 42, the northerly 5 feet thereof,
- Sublot No. 43 & 44, the westerly 5 feet thereof,
- Sublot No. 45, the westerly 5 feet and 25 feet easement which intersects diagonally with southerly boundary of Sublot No. 45 and northerly boundary of Sublot No. 46 as shown on Map Cover 2475 thereof,
- Sublot No. 46, the northwesterly 12.5 feet, southeasterly 10 feet and 25 feet easement, which intersects diagonally with northerly boundary of Sublot No. 46 and southerly boundary of Sublot No. 45 as shown on Map Cover 2475 thereof,
- Sublot No. 47, the northwesterly 12.50 feet thereof,
- Sublot No. 48, the northwesterly 5 feet thereof,
- Sublot No. 49 & 50, the northerly 5 feet and southerly 10 feet thereof,
- Sublot No. 51, a portion of the northerly 5 feet beginning 120.02 feet from Red Oak Drive continuing 82.77 feet to the northeasterly corner of Sublot No. 51, the southeasterly 12.5 feet measuring a distance of 111.16 feet and southeasterly 5 feet thereof,
- Sublot No. 52 through 54 inclusive, the easterly 5 feet thereof,
- Sublot No. 55, the southerly and westerly 5 feet thereof,
- Sublot No. 56, the southerly 5 feet, southeasterly 12.5 feet measuring a distance of 38.34 feet and southeasterly 5 feet measuring a distance of 18.13 feet thereof,
- Sublot No. 57, the easterly and southeasterly 5 feet thereof.

6/17/86

Schedule A: Hillpine - Butternut - Rushford

PHASE 4

DRAINAGE EASEMENTS TO THE TOWN OF CHEEKTOWAGA, N. Y.

ALL THAT PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being parts of Lots No. 58 & 59, as shown on the Map of Losson Green Estates, prepared by Elwood D. Hummel L.S., as filed in the Erie County Clerk's Office under Map Cover 2464, being described as follows:

Sublot No. 52 through 61 inclusive, the northerly 25 feet thereof,

Sublot No. 63, the northerly 25 feet thereof,

Sublot No. 64 through 70 inclusive, the southerly 5 feet thereof,

Sublot No. 71, the southerly and easterly 5 feet thereof,

Sublot No. 162 through 164 inclusive, the westerly 5 feet thereof,

Sublot No. 165, a portion of the southerly 5 feet, beginning 226.42 feet from Rushford Lane continuing 58.28 feet to the southwesterly corner of said Lot 165.



## 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

July 17, 1986

Supervisor Weber and  
Honorable Town Board Members  
Town of Cheektowaga

Re: Acceptance of Phase II and IV of the  
Losson Green Estates Subdivision

Gentlemen:

An important component of the development of the Losson Green Estates Subdivision is an area designated as a "greenbelt" through which storm waters generated within the subdivision, and also tributary to the subdivision, are channeled by means of an open drainage system to an outlet at Slate Bottom Creek. The greenbelt area, having an average width of approximately 120 feet and comprising several acres, is to be improved in conjunction with the subdivision development and will later become a maintenance responsibility of the Town when complete.

To this date, the improvements to be made to the greenbelt as outlined in the subdivision plans, as approved by this office, have not been completed where it abuts previously accepted Phase I, nor where it abuts Phase II and Phase IV currently being requested for acceptance by your Honorable Body. It is the opinion of the Engineering Department that the Town ensure completion of greenbelt improvements in a timely manner as prescribed below.

By August 15, 1986, the developer of the Losson Green Estates Subdivision shall complete greenbelt improvements abutting Phase I, II and IV to include the following:

- 1) Grade and compact existing channel subsoil to a maximum 4:1 sideslope (one foot vertical rise for each four feet of horizontal run).
- 2) Remove existing groupings of black willow trees along the northeast slope of the channel and dispose of offsite.
- 3) Provide channel cross sections to the Engineering Department at Sta 11+50, 16+00 and 18+00 for review prior to placement of topsoil to insure conformance with the approved plans.

Supervisor and  
Honorable Town Board Members

- 4) Furnish and spread 4 inches of topsoil, fertilize, seed and mulch the greenbelt abutting Phase I, II and IV of this subdivision so as to provide a mowable area.
- 5) Provide rip rap stone material at all storm sewer outlets to the channel as indicated on the subdivision plans.
- 6) Furnish and plant 2 to 3 inch diameter deciduous trees, balled and burlapped of a species as outlined in the attached letter of Merriman Conservation Consultants Inc. dated July 16, 1986, at locations directed by the Town Engineer at a maximum 100 foot spacing, including proper staking and care and/or replacement up to one year from the time of planting.
- 7) Any seeded areas of the greenbelt which fail to support grass growth or on which erosion or scouring take place, shall be promptly reseeded and restored to a condition acceptable to the Town Engineer for a period of one year from acceptance of completion.
- 8) The 20 foot wide parcel west of Sublot 27 in Phase II of this subdivision to be deeded to the Town for greenbelt access and shall be properly graded and seeded in accordance with Item 4 (above).

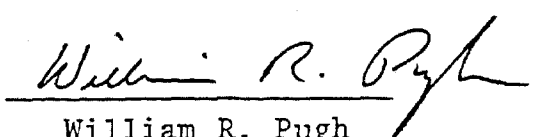
It is recommended, that should the developer fail to complete the above stated greenbelt improvements by the 15th day of August 1986, that said default shall require the developer to post a Performance Bond in an amount acceptable to the Town Engineer, in a form acceptable to the Town Attorney prior to any further issuance of building permits within the Losson Green Estates Subdivision.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

By

  
William R. Pugh  
Junior Engineer

WRP:mjh  
attachment

Phone (716) 652-7577

## Merriman Conservation Consultants Inc.

*Conservation Planning and Development*

504 RIDGE AVENUE  
EAST AURORA, NEW YORK 14052

July 16, 1986

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

Dear Mr. Bryan:

I have just completed an inspection with Bill Pugh of the trees in the Greenbelt of the Losson Green Subdivision and offer the following comments:

All of the trees are Black willow which constitutes a poor choice for landscaping purposes due to its poor conformation, brittle structure, high maintenance input and excessive ground litter tendencies. In addition, this stand of trees has very few individuals which are growing in a straight upright position with most of them growing outward at excessive angles. Some were so low that they have been buried in the land grading process and will be sending up new growth in these areas. With this grading now complete except for the addition of topsoil, the elevation of the area around these clumps of trees has been raised substantially leaving the trees growing in mosquito breeding depressions which will have to be swaled to the drainage ditch and will be difficult to mow and maintain.

With the improvement in surface drainage now afforded by the regrading process, good deciduous hardwoods could well be grown in this area. It therefore appears that now may be a good time to eliminate the trashy growth of Black willow and start to establish a greenbelt of more acceptable species such as Sugar maple, American linden and American sycamore interspersed with a variety of flowering crabapple trees. Spacing would depend upon the funding available but probably should be randomly spaced no closer than 40 to 50 feet apart to encourage easy mowing and furnish shade at fairly close intervals. Initial plantings could be made further apart with an eye toward maintaining the minimum distance between the trees as funding became available.

If there are any questions, please let us know.

Sincerely,



Edwin R. Merriman, Pres.

MEETING NO. 14  
July 21, 1986

Item No. 7C Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, by resolutions dated December 17, 1984 and August 5, 1985, this Town Board accepted the Losson Green Estates Subdivision, and

WHEREAS, it is stated on such subdivision map cover number 2464 that "the drainage systems set forth on this subdivision map are for the benefit of the owners of the property within Losson Green Estates and the benefit derived from these easements is for the property owners only and the Town of Cheektowaga assumes no responsibility for maintenance", and

WHEREAS, the Town Superintendent of Highways and the Town Engineer, despite such working on said map cover, desire that the Town obtain the easements as shown on such map cover, and

WHEREAS, Los-Green, Inc., the owner of such subdivision, is willing to convey said easements to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby waives the aforesaid statement as it appears on Map Cover 2464, and BE IT FURTHER

RESOLVED that this Town Board hereby accepts the attached easement for Losson Green Estates Subdivision, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to record such easement in the Erie County Clerk's Office.

\* See next three (3) 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

July 17, 1986

Supervisor Weber and  
Honorable Town Board Members  
Town of Cheektowaga

Re: Acceptance of Phase II and IV of the  
Losson Green Estates Subdivision

Gentlemen:

An important component of the development of the Losson Green Estates Subdivision is an area designated as a "greenbelt" through which storm waters generated within the subdivision, and also tributary to the subdivision, are channeled by means of an open drainage system to an outlet at Slate Bottom Creek. The greenbelt area, having an average width of approximately 120 feet and comprising several acres, is to be improved in conjunction with the subdivision development and will later become a maintenance responsibility of the Town when complete.

To this date, the improvements to be made to the greenbelt as outlined in the subdivision plans, as approved by this office, have not been completed where it abuts previously accepted Phase I, nor where it abuts Phase II and Phase IV currently being requested for acceptance by your Honorable Body. It is the opinion of the Engineering Department that the Town ensure completion of greenbelt improvements in a timely manner as prescribed below.

By August 15, 1986, the developer of the Losson Green Estates Subdivision shall complete greenbelt improvements abutting Phase I, II and IV to include the following:

- 1) Grade and compact existing channel subsoil to a maximum 4:1 sideslope (one foot vertical rise for each four feet of horizontal run).
- 2) Remove existing groupings of black willow trees along the northeast slope of the channel and dispose of offsite.
- 3) Provide channel cross sections to the Engineering Department at Sta 11+50, 16+00 and 18+00 for review prior to placement of topsoil to insure conformance with the approved plans.

Supervisor and  
Honorable Town Board Members

- 4) Furnish and spread 4 inches of topsoil, fertilize, seed and mulch the greenbelt abutting Phase I, II and IV of this subdivision so as to provide a mowable area.
- 5) Provide rip rap stone material at all storm sewer outlets to the channel as indicated on the subdivision plans.
- 6) Furnish and plant 2 to 3 inch diameter deciduous trees, balled and burlapped of a species as outlined in the attached letter of Merriman Conservation Consultants Inc. dated July 16, 1986, at locations directed by the Town Engineer at a maximum 100 foot spacing, including proper staking and care and/or replacement up to one year from the time of planting.
- 7) Any seeded areas of the greenbelt which fail to support grass growth or on which erosion or scouring take place, shall be promptly reseeded and restored to a condition acceptable to the Town Engineer for a period of one year from acceptance of completion.
- 8) The 20 foot wide parcel west of Sublot 27 in Phase II of this subdivision to be deeded to the Town for greenbelt access and shall be properly graded and seeded in accordance with Item 4 (above).

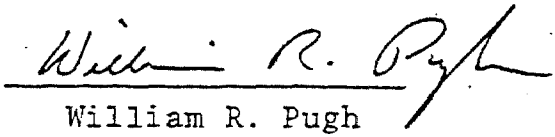
It is recommended, that should the developer fail to complete the above stated greenbelt improvements by the 15th day of August 1986, that said default shall require the developer to post a Performance Bond in an amount acceptable to the Town Engineer, in a form acceptable to the Town Attorney prior to any further issuance of building permits within the Losson Green Estates Subdivision.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

By

  
William R. Pugh  
Junior Engineer

WRP:mjh  
attachment

Phone (716) 652-7577

## Merriman Conservation Consultants Inc.

Conservation Planning and Development

504 RIDGE AVENUE  
EAST AURORA, NEW YORK 14052

July 16, 1986

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

Dear Mr. Bryan:

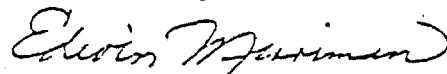
I have just completed an inspection with Bill Pugh of the trees in the Greenbelt of the Losson Green Subdivision and offer the following comments:

All of the trees are Black willow which constitutes a poor choice for landscaping purposes due to its poor conformation, brittle structure, high maintenance input and excessive ground litter tendencies. In addition, this stand of trees has very few individuals which are growing in a straight upright position with most of them growing outward at excessive angles. Some were so low that they have been buried in the land grading process and will be sending up new growth in these areas. With this grading now complete except for the addition of topsoil, the elevation of the area around these clumps of trees has been raised substantially leaving the trees growing in mosquito breeding depressions which will have to be swaled to the drainage ditch and will be difficult to mow and maintain.

With the improvement in surface drainage now afforded by the regrading process, good deciduous hardwoods could well be grown in this area. It therefore appears that now may be a good time to eliminate the trashy growth of Black willow and start to establish a greenbelt of more acceptable species such as Sugar maple, American linden and American sycamore interspersed with a variety of flowering crabapple trees. Spacing would depend upon the funding available but probably should be randomly spaced no closer than 40 to 50 feet apart to encourage easy mowing and furnish shade at fairly close intervals. Initial plantings could be made further apart with an eye toward maintaining the minimum distance between the trees as funding became available.

If there are any questions, please let us know.

Sincerely,



Edwin R. Merriman, Pres.

MEETING NO. 14  
July 21, 1986

Item No. 7D Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, by resolution dated June 17, 1985, this Town Board accepted the Losson Green Estates Subdivision, Phase II, and

WHEREAS, it is stated on such subdivision map cover number 2475 that "the drainage systems set forth on this subdivision map are for the benefit of the owners of the property within Losson Green Estates, Phase II, and the benefit derived from these easements is for the property owners only and the Town of Cheektowaga assumes no responsibility for maintenance", and

WHEREAS, the Town Superintendent of Highways and the Town Engineer, despite such wording on said map cover, desire that the Town obtain the easements as shown on such map cover, and

WHEREAS, Los-Green, Inc., the owner of such subdivision, is willing to convey said easements to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby waives the aforesaid statement as it appears on Map Cover No. 2475, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to record such easement in the Erie County Clerk's Office.

\* See next three (3) 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

July 17, 1986

Supervisor Weber and  
Honorable Town Board Members  
Town of Cheektowaga

Re: Acceptance of Phase II and IV of the  
Losson Green Estates Subdivision

Gentlemen:

An important component of the development of the Losson Green Estates Subdivision is an area designated as a "greenbelt" through which storm waters generated within the subdivision, and also tributary to the subdivision, are channeled by means of an open drainage system to an outlet at Slate Bottom Creek. The greenbelt area, having an average width of approximately 120 feet and comprising several acres, is to be improved in conjunction with the subdivision development and will later become a maintenance responsibility of the Town when complete.

To this date, the improvements to be made to the greenbelt as outlined in the subdivision plans, as approved by this office, have not been completed where it abuts previously accepted Phase I, nor where it abuts Phase II and Phase IV currently being requested for acceptance by your Honorable Body. It is the opinion of the Engineering Department that the Town ensure completion of greenbelt improvements in a timely manner as prescribed below.

By August 15, 1986, the developer of the Losson Green Estates Subdivision shall complete greenbelt improvements abutting Phase I, II and IV to include the following:

- 1) Grade and compact existing channel subsoil to a maximum 4:1 sideslope (one foot vertical rise for each four feet of horizontal run).
- 2) Remove existing groupings of black willow trees along the northeast slope of the channel and dispose of offsite.
- 3) Provide channel cross sections to the Engineering Department at Sta 11+50, 16+00 and 18+00 for review prior to placement of topsoil to insure conformance with the approved plans.

Supervisor and  
Honorable Town Board Members

- 4) Furnish and spread 4 inches of topsoil, fertilize, seed and mulch the greenbelt abutting Phase I, II and IV of this subdivision so as to provide a mowable area.
- 5) Provide rip rap stone material at all storm sewer outlets to the channel as indicated on the subdivision plans.
- 6) Furnish and plant 2 to 3 inch diameter deciduous trees, balled and burlapped of a species as outlined in the attached letter of Merriman Conservation Consultants Inc. dated July 16, 1986, at locations directed by the Town Engineer at a maximum 100 foot spacing, including proper staking and care and/or replacement up to one year from the time of planting.
- 7) Any seeded areas of the greenbelt which fail to support grass growth or on which erosion or scouring take place, shall be promptly reseeded and restored to a condition acceptable to the Town Engineer for a period of one year from acceptance of completion.
- 8) The 20 foot wide parcel west of Sublot 27 in Phase II of this subdivision to be deeded to the Town for greenbelt access and shall be properly graded and seeded in accordance with Item 4 (above).

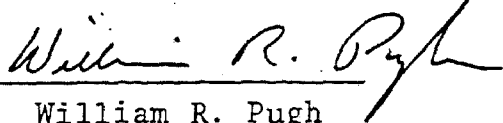
It is recommended, that should the developer fail to complete the above stated greenbelt improvements by the 15th day of August 1986, that said default shall require the developer to post a Performance Bond in an amount acceptable to the Town Engineer, in a form acceptable to the Town Attorney prior to any further issuance of building permits within the Losson Green Estates Subdivision.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

By

  
William R. Pugh  
Junior Engineer

WRP:mjh  
attachment

Phone (716) 652-7577

## Merriman Conservation Consultants Inc.

Conservation Planning and Development

504 RIDGE AVENUE  
EAST AURORA, NEW YORK 14052

July 16, 1986

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

Dear Mr. Bryan:

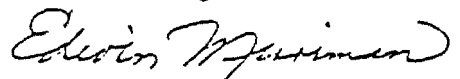
I have just completed an inspection with Bill Pugh of the trees in the Greenbelt of the Losson Green Subdivision and offer the following comments:

All of the trees are Black willow which constitutes a poor choice for landscaping purposes due to its poor conformation, brittle structure, high maintenance input and excessive ground litter tendencies. In addition, this stand of trees has very few individuals which are growing in a straight upright position with most of them growing outward at excessive angles. Some were so low that they have been buried in the land grading process and will be sending up new growth in these areas. With this grading now complete except for the addition of topsoil, the elevation of the area around these clumps of trees has been raised substantially leaving the trees growing in mosquito breeding depressions which will have to be swaled to the drainage ditch and will be difficult to mow and maintain.

With the improvement in surface drainage now afforded by the regrading process, good deciduous hardwoods could well be grown in this area. It therefore appears that now may be a good time to eliminate the trashy growth of Black willow and start to establish a greenbelt of more acceptable species such as Sugar maple, American linden and American sycamore interspersed with a variety of flowering crabapple trees. Spacing would depend upon the funding available but probably should be randomly spaced no closer than 40 to 50 feet apart to encourage easy mowing and furnish shade at fairly close intervals. Initial plantings could be made further apart with an eye toward maintaining the minimum distance between the trees as funding became available.

If there are any questions, please let us know.

Sincerely,



Edwin R. Merriman, Pres.

MEETING NO. 14  
July 21, 1986

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

WHEREAS, a ten lot subdivision has been proposed on property located at the southeast corner of Como Park Boulevard and Borden Road, and

WHEREAS, drawings for such subdivision, as prepared by Pratt & Huth Associates (Job No. 86010) and dated 6/2/86, have been reviewed and approved by the Cheektowaga Planning Board, the Town Highway Department and the Town Engineering Department, subject to the construction of the proposed private roadway having a minimum width of twenty-five (25) feet, NOW, THEREFORE, BE IT

RESOLVED that the above-referenced subdivision be and hereby is approved, subject to the above-mentioned condition as recommended by the various Town departments.

MOTION BY COUNCILMAN JOHNSON, 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

THIS RESOLUTION WAS TABLED!

Item No. 9a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance 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 has completed a review and evaluation of the various license renewal application(s) submitted for driver(s)/attendant(s), and has recommended that the Town Board renew such license(s), and

WHEREAS, this Town Board desires to renew such driver(s)/attendant(s) licenses, NOW, THEREFORE, BE IT

RESOLVED that the recommendations of EMS Board concerning the renewal of license(s) for driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the renewal application(s) for driver(s)/attendant(s) set forth on the annexed schedule be and hereby are approved for a period to expire upon the expiration of such driver'(s)/attendant'(s) Emergency Medical Technician ("EMT") card, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue renewal license(s) to the driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

\* See next page for schedule

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 AMBULANCE DRIVER/ATTENDANT LICENSE RENEWALS

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRATION DATE</u>
Matthew T. Altman	Lockport, NY 14094	Town's	5/31/88
Kenneth L. Henderson	Snyder, NY 14226	Town's	8/31/87
James T. Glass	Tonawanda, NY 14150	Town's	12/31/88
Robert P. Voelker	Tonawanda, NY 14150	Town's	12/31/86
Paul Haskins	Depew, NY 14043	Town's	12/31/87
Brian Wakoff	Amherst, NY 14226	Town's	3/31/88
Daniel Kishbaugh	Cheektowaga, NY 14225	Town's	3/31/87
Jeffrey Bancroft-Billings	Niagara Falls, NY 14304	Town's	12/31/88
Robert W. Jozwiak	West Seneca, NY 14224	Town's	12/31/87
Robert D. Stachowski, Jr.	NY 14226	Town's	5/31/87
Henry Costello	Buffalo, NY 14222	Town's	12/31/87
Paul Richardville	Buffalo, NY 14211	Gold	5/31/88
David Persse	West Seneca, NY 14224	Gold	3/31/88
Joseph M. Gonter	Buffalo, NY 14213	Town's	3/31/87

MEETING NO. 14  
July 21, 1986

Item No. 9B Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and driver(s)/attendant(s) operating in the Town of Cheektowaga, and for the creation of an Emergency Medical Services Board ("EMS BOARD"), and

WHEREAS, the EMS Board has completed an initial review and evaluation of the various license application(s) submitted for driver(s)/attendant(s), and has recommended that the Town Board license such driver(s)/attendant(s), and

WHEREAS, this Town Board desires to license such driver(s)/attendant(s), NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the EMS Board concerning the licensing of driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the applicant(s) for driver(s)/attendant(s) license(s) set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period to expire upon the expiration of such driver(s)/attendant(s) Emergency Medical Technician ("EMT") card, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue driver(s)/attendant(s) license(s) to the applicant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

\* See next page for schedule

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 AMBULANCE DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRATION DATE</u>
John Michael Daskocz	Chktg., NY 14225	Town's	3/31/89

MEETING NO. 14  
July 21, 1986

Item No. 10 Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that Barbara Volk, be terminated as an employee in the Department of Senior Services, and BE IT FURTHER

RESOLVED that Patricia Hamme of Cheektowaga, New York 14211 be hired as a part-time nutrition site manager at \$3.75 per hour, at a maximum of 20 hours weekly as of Monday, July 21, 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. 11a 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:

Parks Division - #01-007110-1-0-1491-001

	<u>Effective</u>
John Bratek	8/3/86
Gordon Hagmier	8/3/86
Randy Palmisano	8/3/86
Stanley Siejak	8/3/86
John Slisz	8/3/86
Joseph Dolecki	8/3/86
Harry Rogalski	8/3/86
Michael Dudas	Immediately
Daryl Stachura	Immediately

Street Lighting Division - #02-905182-1-0-1492-001

Joseph Stallone	8/3/86
Kenneth Ostempowski	8/10/86

Upon Roll Call....

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

Item No. 11B Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, Dawn D. Shane, part-time clerk in the Town Justice Court resigned from such position as of June 26, 1986, NOW, THEREFORE, BE IT

RESOLVED that Dawn D. Shane of Cheektowaga, New York be and hereby is terminated from her position as a part-time clerk in the Town Justice Court, effective June 26, 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. 11C Motion by Councilman Gabryszak, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Sanitation Department as listed below:

MEETING NO. 14  
July 21, 1986

Item No. 11C cont'd

EFFECTIVE DATE

Cavanaugh, David	8/15/86
Ciechanski, Danny	8/15/86
Gawron, Mark	8/1/86
Keefe, Patrick	8/19/86
Szczepanik, John	8/15/86
Szafranski, Greg	6/18/86
Krieger, Mark	7/1/86

Upon Roll Call....

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

Item No. 12A 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:

Parks Division - #01-007110-1-0-1491-001

EFFECTIVE

Cam Viverto

7/17/86

and BE IT FURTHER

RESOLVED that the following individual be and hereby is transferred as Seasonal Employee from the Facilities Department, Street Lighting Division, Account #02-905182-1-0-1492-001, to the Facilities Department, Parks Division, Account #01-007110-1-0-1491-001, retroactive to 7/1/86:

Anthony Belcer

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 Johnson, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees at the Main Pump Station at a rate of \$4.00 per hour, effective July 21, 1986:

Leroy Linkner

Darlene Hoffman

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 Jaworowicz

WHEREAS, there are presently one full-time and one part-time Fire Inspectors in the Office of the Town Building and Plumbing Inspector, and

MEETING NO. 14  
July 21, 1986

Item No. 13A cont'd

WHEREAS, it has been determined that there is a need to have a second full-time Fire Inspector due to the increasing number of inspections required, NOW, THEREFORE, BE IT

RESOLVED that a new position of Fire Inspector (Full-Time) be and hereby is created in the Office of the Building and Plumbing Inspector, effective immediately, and BE IT FURTHER

RESOLVED that such position be posted for a period of ten (10) work days in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association.

MOTION BY COUNCILMAN KOWAL, SECONDED BY COUNCILMAN W. ROGOWSKI TO TABLE THIS RESOLUTION.

Upon Roll Call....

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

THIS RESOLUTION WAS TABLED!

Item No. 13B Motion by Councilman Gabryszak, Seconded by Councilman Kowal

WHEREAS, the necessary PO-17 has been filed with the County of Erie Personnel Department, and

WHEREAS, a need exists for a General Mechanic in the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED that the position of General Mechanic is hereby created in the Facilities Department.

Upon Roll Call....

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

Item No. 14 Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, Sherry L. Witt has required an unpaid leave of absence for a period of one month from her position as Senior Clerk in the Assessor's Office, and

WHEREAS, such leave is being requested for medical reasons, NOW, THEREFORE, BE IT

RESOLVED that Sherry L. Witt be and hereby is granted a one month leave of absence, effective immediately, from her position as Senior Clerk in the Assessor's Office.

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 J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 133 Hoerner Ave. Cheektowaga, New York, SBL #101.52-3-23 and according to the Assessors' Office is owned by Mr. Ronald J. Schwartz, Buffalo, New York 14211, and

MEETING NO. 14  
July 21, 1986

Item No. 15 cont'd

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property therein before 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. 16 Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, Change Order No. 2 for the modification of various Town buildings to facilitate their use by the handicapped has been submitted with recommendation for approval by the architect, David K. Wiedemer, R.A., representing the firm of Donald T. Maharan Associates, and

WHEREAS, the scope of work and adjustment is outlined in the attached Change Order No. 2 dated July 17, 1986, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 2 to rectify changes in the existing grade to the new grade for the ramp at the Police and Court Building in the sum of \$490.00 as an increase to the contract of Building Systems of Buffalo, Inc. 45 Stanley Street, Buffalo, New York 14206 be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby directed to sign said Change Order on behalf of this Town Board.

\* See next page for Change Order

Upon Roll Call....

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

CHANGE ORDER

RECEIVED

Order No. 2  
1986 JUL 24 PM 12:42

Date: July 17, 1986

CONTRACT NO. 100-100000000

Agreement Date: \_\_\_\_\_

NAME OF PROJECT: Handicap Renovations of Various Town Buildings

OWNER: Town of Cheektowaga

Building Systems of Buffalo, Inc.

CONTRACTOR: 45 Stanley Street, Buffalo, New York 14206

The following changes are hereby made to the CONTRACT DOCUMENTS: rectify

changes from existing grade to new grade for the ramp @ Police & Ct Bldg.

Justification: per Project Engineer

Change to CONTRACT PRICE: + \$490.00

Original CONTRACT PRICE: \$40,607.00

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ 43,207.00

The CONTRACT PRICE due to this CHANGE ORDER will be (increased) (~~decreased~~)

by: \$ 490.00

The new CONTRACT PRICE including this CHANGE ORDER will be \$ 43,697.00

Change to CONTRACT TIME: None

The CONTRACT TIME will be (increased) (decreased) by \_\_\_\_\_ calendar days.

The date for completion of all work will be July 7, 1986 (Date)

Approvals Required:

To be effective this Order must be approved by the Federal agency if it changes the scope or objective of the PROJECT, or as may otherwise be required by the SUPPLEMENTAL GENERAL CONDITIONS.

Recommended By: \_\_\_\_\_

Ordered By: Richard E. Bogalia

Accepted By: Daniel G. Prager

Federal Agency Approval (where applicable) \_\_\_\_\_



MEETING NO. 14  
July 21, 1986

Item No. 17 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the developer of the Greenwood Village Subdivision has furnished and installed seven (7) 5200 lumen high pressure sodium luminaires, fiberglass standards and related conduit and conductors as required in conjunction with the subdivision development, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to connect seven (7) 5200 lumen high pressure sodium luminaires on Jessica Lane, in the Town of Cheektowaga, at an annual increase to the Town's General Lighting District of \$296.24 in accordance with the attached proposal dated July 14, 1986 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**

July 14, 1986

STREET LIGHTING PROPOSAL  
TOWN OF CHEEKTOWAGA

Jesseca Lane

Connect 7 - 5200 lumen HPS lamps (energy & bulb rate) @ \$42.32 ea. ----- \$ 296.24

(see attached sketch)

Standards, underground conductors and fixtures to be supplied and installed by developer; owned and maintained by the Town of Cheektowaga. Connections, energy, lamp and photo-electric eye replacements to be supplied by NYSEG.

MEETING NO. 14  
July 21, 1986

Item No. 18 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following fund transfer is hereby approved and made a part hereof.

GENERAL FUND

From: 01-2036.000 (Sr. Citizen-Special Events Revenues) \$3,209.08  
To: 01-7620.4491 (Sr. Citizen-Special Events Expenses) \$3,209.08

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 July 21st, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	\$165,668.84
SPECIAL DISTRICTS FUND	41,877.68
HIGHWAY FUND	25,364.47
FEDERAL REVENUE SHARING FUND	2,600.00
TRUST AND AGENCY FUND	3,509.99
PART TOWN FUND	583.71
COMMUNITY DEVELOPMENT FUND	4,379.07
SPECIAL ASESMENTS FUND	1,185.75
DEBT SERVICE FUND	17,642.00
HUD REHABILITATION FUND	9,952.66
	<u>\$272,764.17</u>

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 Councilman Kowal

WHEREAS, the Official Drainage Systems Map for the Town of Cheektowaga, New York, which was duly adopted as part of the "Drainage Systems Ordinance and Official Drainage Systems Map" on April 17, 1978, shows an open drainage ditch carrying surface water from lands in the southeast portion of the Town, across property owned by Charles and Jean Burgio on Strasmer Road, east of Borden Road, Cheektowaga, New York and

WHEREAS, Mr. & Mrs. Burgio have offered to sell the Town this land for \$4,000.00 and

WHEREAS, this Board feels that \$4,000.00 represents the fair market value of such land, NOW, THEREFORE, BE IT

Item No. 20 cont'd

RESOLVED that Charles Burgio and Jean Burgio be paid the sum of \$4,000.00 for the purchase of their property designated as Section-Block-Lot number 114.04-5-4, and BE IT FURTHER

RESOLVED that the amount for such purchase be paid from the appropriate account subject to passage of a fund transfer.

Upon Roll Call....

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

Item No. 21 Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is the owner of the now-abandoned portion of Old Losson road, and

WHEREAS, Henry M. and Arlene Fronckowiak are the owners of a parcel of property adjoining John C. Stiglmeier Park, and

WHEREAS, the Town and the Fronckowiaks are interested in exchanging such properties, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is authorized to prepare an agreement for such property exchange, said agreement to include the following provisions:

1. The Fronckowiaks will convey to the Town a parcel of property measuring approximately 350 feet by 150 feet, said property being located at the northeast corner of property they acquired from Universal Marion Corporation on January 28, 1986.
2. The Town will convey to the Fronckowiaks a portion of the unimproved Old Losson road from the Old Losson Road cul-de-sac southeast to New Losson Road
3. The Town will pay the following charges associated with such transfer:
  - a. Redate of existing title search for Old Losson Road.
  - b. Redate of existing title search for Fronckowiak property.
  - c. Preparation of survey and legal description for Old Losson Road.
  - d. Preparation of survey and legal description for Fronckowiak property.
4. The Town and the Fronckowiaks will enter into early occupancy agreements with respect to the properties each is to acquire.
5. The Town will assume all liability with respect to personal injury or property damage which occurs on the Fronckowiak property while the Town is using same under the early occupancy agreement.

and, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute any and all documents approved by the Town Attorney's Office with respect to the above referenced agreement.

MOTION BY COUNCILMAN JAWOROWICZ, SECONDED BY COUNCILMAN JOHNSON 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

THIS RESOLUTION WAS TABLED!

MEETING NO. 14  
July 21, 1986

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

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

WHEREAS, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

and BE IT FURTHER

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

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

MOTION BY COUNCILMAN J. ROGOWSKI, SECONDED BY SUPERVISOR WEBER TO TABLE THE ABOVE RESOLUTION.

Upon Roll Call....

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

THIS RESOLUTION WAS TABLED!

III. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Office of Disaster Preparedness - Quarterly report from April to June Received and Filed.

MEETING NO. 14  
July 21, 1986

Item No. 24 Cheektowaga Planning Board - minutes of June meeting  
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 25 NOTICE OF CLAIM - Anthony Tedesco 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; Laverack & Haines, Insurance Carrier; Leonard  
Smolarek, Chief of Police.  
Received and Filed.

Item No. 26 Petition from residents of Park Avenue requesting installation of  
storm sewers and receivers  
Copies were sent to: Town Board; Alfred Wnek, Highway  
Superintendent  
Received and Filed.

Item No. 27A Letter from resident regarding Losson Road rezoning: Joseph Dusza  
Copy sent to: Town Board  
Received and Filed.

Item No. 27B Letter from resident regarding Losson Road rezoning: Joseph Loffredo  
Copy sent to: Town Board  
Received and Filed.

Item No. 27C Letter from resident regarding Losson Road rezoning: John Bialecki  
Copy sent to: Town Board  
Received and Filed.

Item No. 27D Letter from resident regarding Losson Road rezoning: Sheryl Ann  
Kupiec  
Copy sent to: Town Board  
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Johnson, Seconded by Councilman J. Rogowski  
to suspend the rules to include the following 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. 28 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

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 dispo-  
sal area commonly known as the Union/Losson Road Disposal Site, and

MEETING NO. 14  
July 21, 1986

Item No. 28 cont'd

WHEREAS, the New York State Department of Environment and Planning and a private environmental research firm have investigated this disposal site containing 50+ drums and a one-quarter acre pool of tar-like material and have indicated that potentially hazardous materials exist thereon, and

WHEREAS, the New York State Department of Environmental Conservation ("DEC") has notified the Town that it is presently conducting further sampling, analysis, and evaluation of this site, and

WHEREAS, by resolution dated February 19, 1986, this Town Board directed the fencing of and posting of warning signs on such property, and

WHEREAS, this Town has repeatedly requested the DEC to expedite testing and clean-up of this site, but has been told that such site is not a high priority item on the DEC's agenda, and

WHEREAS, this Town Board is still concerned with the pressing need to test and clean up the above-mentioned site, especially because of the extraordinary circumstance of nearby residential development, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the DEC to expedite its study and testing of the Union/Losson Road Disposal Site, and BE IT FURTHER

RESOLVED that the DEC be and hereby is requested to act quickly to clean up such site and to proceed against the owner of such property for all costs involved in the testing and clean-up, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Peter J. Buechi, Regional Engineer of the N.Y.S. DEC at 600 Delaware Avenue, Buffalo, New York 14202-1073 and David A. Engel, Division of enforcement, N.Y.S. DEC, 50 Wolf Road, Albany, New York 12233-0001.

Upon Roll Call....

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

Item No. 29 Motion by Councilman Kowal, Seconded by Councilman Gabryszak to adjourn the meeting in memory of William Tucholka, Town Employee.

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 4th day of August, 1986 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Pat Wojcik, Senior Citizens Coordinator; Robert Lis, Assistant Chief of Police; Chester Bryan, Town Engineer; Bernard Wojtkowiak, Mayor of Sloan; Ron Marten, Building and Plumbing Inspector; Don Wegner, Chairman of Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; Julia Reinstein, Town Historian; Sal LaGreca, Employment and Training Director II; Ray Pugh, Member of Planning Board; James Matecki, Facilities Director.

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 Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) 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:

ARTICLE IX  
Speed Regulations

Section 76-90, entitled "applicable speed regulations", shall be amended by adding a new subsection number A.3. thereto reading as follows:

- A.3. The exclusion of county road(s) from subsection 1 shall not apply to the following named county road(s), shall have an established speed limit of 45 miles per hour:

AERO DRIVE between 0.1+ mile east of Holtz Drive to Transit Road (NY 78).

ARTICLE XIII  
Truck Exclusions

Section 76-130, entitled "all trucks excluded", shall be amended by adding thereto the following:

- A. No person, firm or corporation shall drive or operate or permit to be drive or operated any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town highways within the Town of Cheektowaga, County of Erie, State of New York:



Item No. 2 cont'd

(4) DINGENS STREET between Harlem Road (NY 240)  
and Cass Avenue.

\*\*\*\*\*

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, as part of the contract for Stiglmeier Park Improvements, Phase II, a football field was erected along the west boundary line of the park, and

WHEREAS, due to an error on the part of the surveyor for the contractor for such project, a portion of the football field was erected on private property now owned by Henry M. and Arlene Fronckowiak, and

WHEREAS, the Town desires to exercise its powers of condemnation to acquire said property, as extended, measuring in total approximately 350 feet by 150 feet, for public purposes,

NOW, THEREFORE BE IT RESOLVED that the firm of Northeastern Appraisal Associates, Rand Building, Buffalo, New York be and hereby is retained by the Town to prepare the necessary "court ready" appraisal for the above-referenced property, and BE IT FURTHER

RESOLVED that the moneys for such appraisal shall be paid by the Town, subject to an appropriate budgetary transfer of funds, and BE IT FURTHER

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 18th day of August, 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.

\*\*\*\*\*

NOTICE OF HEARING

FOR ACQUISITION OF CERTAIN PROPERTY

AS ADDITION TO THE PARKLAND

KNOWN AS STIGLMEIER PARK

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town of Cheektowaga, which was duly passed on the 4th day of August, 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 18th day of August, 1986 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheekotwaga, 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 thge acquisition of certain privately-owned vacant property measuring approximately 350 feet by 150 feet and located generally adjacent to the southwest portion of Stiglmeier Park, and being the northeast corner of property

Item No. 3 cont'd

acquired by Henry M. and Arleme Frankowiak from Universal Marion Corporation by deed recorded in Liber 9537 of Deeds at page 645 on January 28, 1986. The land to be acquired will be used as parkland.

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

\*\*\*\*\*

MOTION BY SUPERVISOR WEBER, SECONDED BY COUNCILMAN W.P. ROGOWSKI 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 ITEM WAS TABLED!

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

WHEREAS, bids were duly received by this Town Board at a bid opening held on July 21, 1986 for One (1) New Brush Chipper to be purchased by the Town Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to Vermeer Sales & Service of Western New York Inc. of 3784 Dodgeson Road, Alexander NY 14005 for the purchase price of \$9,815.00, being the lowest responsible bidder meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof.

\* 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

July 29, 1986

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

Re: Award of Bid for New Brush Chipper

Dear Town Board Members:

Bids for the above mentioned Brush Chipper were received by the Town Clerk, Richard Moleski, and opened July 21st, 1986. Listed hereunder are the bids submitted:

Vermeer Sales & Service of Western New York Inc. 3784 Dodgeson Rd., Alexander NY 14005	\$ 9,815.00
Valley Truck & Equipment Co., Inc. P.O. Box 43, Boston NY 14025	\$13,375.00
Wellington Bros. Equipment Co., Inc. 7040 Ellicott Road, Orchard Park NY 14127	\$11,570.00
Buffalo Tractor & Implement Co., Inc. 3045 Seneca Street, Buffalo NY 14224	\$12,744.00

After careful inspection and consideration of all bids submitted according to specifications, I have awarded the bid for purchase of One (1) New Brush Chipper to Vermeer Sales & Service of Western New York, Inc.

Very truly yours,

ALFRED F. WNEK  
HIGHWAY SUPERINTENDENT

AFW:erp

cc: Town Board Members  
Town Clerk  
Town Attorney

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



MEETING NO. 15  
August 4, 1986

Item No. 4b Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, bids were duly requested and received for the purchase and installation of furniture for the Cheektowaga Police Department, and

WHEREAS, such bids were opened at a public bid opening held on July 16, 1986, and

WHEREAS, such bids were analyzed and reviewed by Lt. Howlett of the Cheektowaga Police Department, NOW, THEREFORE, BE IT

RESOLVED that bids for the following respective items be and hereby be awarded to the following bidder, being the lowest responsible bidder for such items, for the following respective bid price:

<u>Items</u>	<u>Company</u>	<u>Bid Price</u>
Items I - XXXII, XXXVI	Macke Business Products	\$11,890.46

Upon Roll Call....

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

Item No. 4c Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for sanitary sewer remedial work in Sanitary Sewer Districts #5 and #7, which bids were duly received and publicly opened on July 21, 1986, and

WHEREAS, said bids were referred to the Town Engineer and the consulting firm of Nussbaumer & Clarke, Inc. for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated July 31, 1986, and

WHEREAS, said report recommends that the bid be awarded to Amadori Construction Company, Inc., 65 Jackson Avenue, Lackawanna, New York 14218, NOW, THEREFORE, BE IT

RESOLVED that the contract for sanitary sewer remedial work in Sanitary Sewer Districts #5 and #7 be and hereby is awarded to Amadori Construction Company, Inc., the lowest responsible bidder meeting the requirements of our specifications at the total bid price of \$213,637.00, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said agreement with Amadori Construction Company, Inc.

\* 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

July 31, 1986

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

Gentlemen:

On July 21, 1986 bids were received and opened at 11:00 a.m. by Mr. Richard Moleski, Town Clerk. Bid opening included bids received for sanitary sewer remedial work in Sewer Districts #5 and #7. Three (3) bids were received as follows:

	Bid Section "A" <u>SD #7</u>	Bid Section "B" <u>SD #5</u>	<u>Total</u>
Amadori Const. Co., Inc.	\$119,217.00	\$ 94,420.00	\$213,637.00
C.M.H. Co., Inc.	\$111,573.50*	\$102,587.00*	\$214,160.50*
Mar-Wal Const. Co., Inc.	\$133,765.00	\$111,294.00	\$245,059.00

\* Represents corrected figure

Bids were reviewed by Nussbaumer & Clarke, Inc. It is recommended that the bid be awarded to Amadori Construction Company, Inc. for their submission of the lowest total bid meeting the requirements of the specifications. The total of both districts is in the amount of \$213,637.00. We intend to delete some of the work in Sewer District #7 so that the total cost of remedial work will be within the balance of our wastewater remedial budget account. A resolution is being submitted to award the bid to the Amadori Construction Company, Inc.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

CLB:dms

Item No. 4d Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

WHEREAS, it has been determined that the exterior stone and mortar joints of the north elevation of Town Hall need immediate repointing, together with repainting the entire wood cornice, repairing existing copper flashing, cut out and recaulk the front steps, sandblast stone and brick work and then waterproof, and

WHEREAS, the Engineering Department has received estimates from various specialty contractors capable of performing this work, and

WHEREAS, funds for this project, in the amount of \$6,825.00, have been allocated, and

WHEREAS, the Town Engineering Department will inspect this project,  
NOW, THEREFORE, BE IT

RESOLVED that the firm of Freedom Restoration Services, 337 LaSalle Avenue, Buffalo, New York 14215 as recommended by the Town Engineer as being the lowest qualified bidder and ready to start work in the shortest time possible be and hereby is awarded the contract for exterior Town Hall building repairs.

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 Kowal

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening on July 21, 1986 for the construction of new sidewalks and the reconstruction of existing sidewalks, and

WHEREAS, said bids were reviewed and tabulated by the Engineering Department and analysis, tabulation and report was submitted in the letter from the Engineering Department to the Town Board dated August 1, 1986, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of sidewalks including incidental piping and landscaping be and hereby is awarded to:

Sunshine General Construction  
60 Lorna Lane  
Tonawanda, New York 14150

for their submission of the lowest responsible bid total of \$40,195.00 with the award being made at the following unit prices:

ITEM 1	4" thick sidewalk	\$ 1.83/sq. ft.
ITEM 2	6" thick sidewalk	\$ 2.09/sq. ft.
ITEM 3	Excess fill or excavation	\$ 6.00/cu. yd.
ITEM 4	4" diameter P.V.C. underdrain	\$ 1.50/lin. ft.
ITEM 5	6" sidewalk reinforced with 6 X 6 X 10 mesh	\$ 2.20/sq. ft.
ITEM 6	Landscaping beyond Item 1	\$ 2.25/sq. yd.
ITEM 7	Fine asphalt mix beyond Item 1	\$10.00/sq. yd.
ITEM 8	6" reinforced driveway apron	\$ 2.60/sq. ft.
ITEM 9	Traffic control	\$500.00

and BE IT FURTHER

Item No. 4e cont'd

RESOLVED that the Supervisor, on behalf of this Town Board sign the agreement with said contractor for the construction of Town sidewalks and the related work, and BE IT FURTHER

RESOLVED that funding for this work is to be made under Capital 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. 5a Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

WHEREAS, the Sewer Maintenance Department is in need of one (1) diesel air compressor, and

WHEREAS, funds have been budgeted for this purpose in account #508-125-2304, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of said air compressor, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 18th day of August, 1986 at 11:00 A.M., Eastern Daylight Savings 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 of Cheektowaga on August 18, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one (1) air compressor.

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: August 4, 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.

..Susan...Hansberger....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....Clerk..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks:  
first publication..... AUG - 7 1986..... ;  
last publication..... AUG - 7 1986..... ;  
and that no more than six days intervened be-  
tween publications.

*S. Hansberger*.....

Sworn to before me this .....8<sup>th</sup>.....

day of .....August....., 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



**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on August 18, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one (1) air compressor.

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 any award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

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

**RICHARD M. MOLESKI**  
Town Clerk

Dated: August 4, 1986  
PUBLISH: August 7, 1986

Item No. 5b Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, by resolution dated June 16, 1986, this Town Board approved bonds in the amount of \$4,850,000 for the Resurfacing of Various Town Streets, and

WHEREAS, the mandatory permissive referendum and estoppel periods have now passed and such bonds will be sold in the near future, and

WHEREAS, due to the condition of some roadways in the Town, the Town Superintendent of Highways has recommended that this Town Board advertise for bids to resurface 27 Town streets during 1986, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Legal Notice in the CHEEKTOWAGA TIMES and the BUFFALO NEWS, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is designated as the Officer to open bids on the aforesaid project at 11:00 A.M. on August 18, 1986 at the Cheektowaga Town Hall.

\*\*\*\*\*

LEGAL NOTICE

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Law, that bids for the resurfacing of some roads in the Town of Cheektowaga will be received.

Specifications may be obtained from the Superintendent of Highways at 3145 Union Road, Cheektowaga, New York during the hours of 8:00 A.M. and 3:30 P.M., from Thursday, August 7, 1986 to Monday, August 18, 1986.

All bids are to be furnished to the Town Clerk of Cheektowaga on or before 11:00 A.M. on August 18, 1986 in the Town Clerk's Office at Town Hall, Broadway and Union Road, Cheektowaga, New York.

The Town Clerk will open such bids in the Council Chambers at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 18th day of August, 1986 at 11:00 A.M., Daylight Saving Time.

Completion of each road contracted must be on or before October 15, 1986.

The Town will require the bidder to furnish Bid Bond or Certified Check in the amount of \$500.00.

The Town of Cheektowaga reserves the right to waive informalities in or to reject any or all bids when deemed to be in the best interests of the Town.

RICHARD M. MOLESKI  
Town Clerk

DATED: August 4, 1986

PUBLISHED: August 7, 1986

\*\*\*\*\*

Upon Roll Call...

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

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

.....*Susan Honsberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....*clerk*..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....*1*..... weeks:  
first publication.....*AUG - 7 1986*..... ;  
last publication.....*AUG - 7 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

.....*Susan M. Honsberger*.....

Sworn to before me this .....*8th*.....

day of .....*August*....., 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 IS HEREBY GIVEN**, in compliance with Section 103 of the General Municipal Law, that bids for the resurfacing of some roads in the Town of Cheektowaga will be received.

Specifications may be obtained from the Superintendent of Highways at 3145 Union Road, Cheektowaga, New York during the hours of 8:00 a.m. and 3:30 p.m. from Thursday, August 7, 1986 to Monday, August 18, 1986.

All bids are to be furnished to the Town Clerk of Cheektowaga on or before 11:00 a.m. on August 18, 1986 in the Town Clerk's Office at Town Hall, Broadway and Union Road, Cheektowaga, New York.

The Town Clerk will open such bids in the Council Chambers at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 18th day of August, 1986 at 11:00 a.m. Daylight Saving Time.

Completion of each road contracted must be on or before October 15, 1986.

The Town will require the bidder to furnish Bid Bond or Certified Check in the amount of \$500.00.

The Town of Cheektowaga reserves the right to waive informalities in or to reject any or all bids when deemed to be in the best interests of the Town.

**RICHARD M. MOLESKI**

Town Clerk

**DATED: August 4, 1986**

**PUBLISH: August 7, 1986**

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

**LEGAL NOTICE**  
NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Law, that bids for the resurfacing of some roads in the Town of Cheektowaga will be received.  
Specifications may be obtained from the Superintendent of Highways at 5145 Union Road, Cheektowaga, New York during the hours of 8:00 AM and 3:30 PM from Thursday, August 7, 1986 to Monday, August 18, 1986.  
All bids are to be furnished to the Town Clerk of Cheektowaga on or before 11:00 AM on August 15, 1986 in the Town Clerk's Office at Town Hall, Broadway and Union Road, Cheektowaga, New York.  
The Town Clerk will open such bids in the Council Chambers at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 15th day of August, 1986 at 11:00 AM Daylight Saving Time.  
Completion of each road contracted must be on or before October 15, 1986.  
The Town will require the bidder to furnish Bid Bond or Certified Check in the amount of \$500.00.  
The Town of Cheektowaga reserves the right to waive informalities in or to reject any of all bids when deemed to be in the best interests of the Town.  
RICHARD M. MOLESKI  
Town Clerk  
DATED: August 4, 1986.

D. Lileen 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 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 XXXXXXXX weeks,~~ the first insertion being on the 7th day of August 19 86 and the last insertion being on the XXXXXX day

~~XXXXXXXXXXXXXXXXXXXX~~  
D. Lileen Perry

Sworn to before me this 7th day of August 19 86

Harold A. Mann

HAROLD A. MANN  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires November 30, 19.....  
*HM*  
Notary Public, Erie County, N.Y.

Item No. 5c 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 snow plow blades, wing blades, cutting edges, wing and front plow shoes, grader blades, receiver grates, receiver frames, curb boxes, extension rings and frames and covers for manholes for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at 11:00 A.M. on August 18th, 1986.

\*\*\*\*\*

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for snow plow blades, wing blades, cutting edges, wing and front plow shoes, grader blades, receiver grates, receiver frames, curb boxes, extension rings and frames and covers for manholes before 11:00 A.M. on August 18th, 1986. All sealed bids received will be publicly opened and read. Each sealed bid to be plainly marked "SEALED BID FOR SNOW PLOW BLADES, ETC. FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

The Superintendent of Highways reserves the right to reject any or all bids. All bids to be in accordance with the specifications and instructions to bidders, prepared by Alfred W. Wnek, Superintendent of Highways for the Town of Cheektowaga.

All bids to be publicly opened and read by the Town Clerk at the Town Hall Council Chambers, Broadway and Union Roads, Cheektowaga, New York 14227 on August 18, 1986 at 11:00 A.M.

Bidders may attend the public opening thereof, if they so desire.

RICHARD M. MOLESKI  
Town Clerk

DATED: August 4, 1986

PUBLISHED: August 7, 1986

\*\*\*\*\*

Upon Roll Call....

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

AFFIDAVITS - NEXT PAGE

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

.....*Susan Hensberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....*Clerk*..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *1*..... weeks:  
first publication..... *AUG - 7 1986*..... ;  
last publication..... *AUG - 7 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

.....*Susan M. Hensberger*.....

Sworn to before me this .....*8th*.....

day of .....*August*....., 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**

**LEGAL NOTICE TO BIDDERS**  
NOTICE IS HEREBY GIVEN in compliance with Section 103 of the General Municipal Finance law, that the Town of Cheektowaga will receive proposals for snow plow blades, wing blades, cutting edges, wing and front plow shoes, grader blades, receiver grate, receiver frames, curb boxes, extension rings and frames and covers for manholes before 11:00 A.M. on August 18th, 1986. All sealed bids received will be publicly opened and read. Each sealed bid to be plainly marked "SEALED BID FOR SNOW PLOW BLADES ETC. FOR THE TOWN OF CHEEK-TOWAGA HIGHWAY DEPARTMENT"

The Superintendent of Highways reserves the right to reject any or all bids. All bids to be in accordance with the specifications and instructions to bidders, prepared by Alfred W. Wnek, Superintendent of Highways for the Town of Cheektowaga.

All bids to be publicly opened and read by the Town Clerk at the Town Hall Council Chambers, Broadway and Union Roads, Cheektowaga, NY 14227 on August 18th, 1986 at 11:00 A.M.

Bidders may attend the public opening thereof, if they so desire.

**RICHARD M. MOLESKI**

Town Clerk

**DATED: August 4, 1986**

**PUBLISH: August 7, 1986**



MEETING NO. 15  
August 4, 1986

Item No. 6 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is the owner of Old Losson Road, having received such property through action of the Legislature of Erie County, and

WHEREAS, Henry M. and Arlene Fronckowiak are the owners of a parcel of property adjoining John C. Stiglmeier Park, and

WHEREAS, the Town and the Fronckowiaks are interested in exchanging such properties, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is authorized to prepare an agreement for such property exchange, said agreement to include the following provisions:

1. The Fronckowiaks will convey to the Town a parcel of property measuring approximately 350 feet by 150 feet, said property being located at the northeast corner of property they acquired from Universal Marion Corporation on January 28, 1986.
2. The Town will convey to the Fronckowiaks a portion of the unimproved Old Losson Road from the Old Losson Road cul-de-sac southeast to the centerline of the former Gardenville Running Track on the condition that such land not be used for ingress/egress to (New) Losson Road nor as a connection to any other adjacent parcel now owned, or which in the future may be owned by the Fronckowiaks, their company or their successor.
3. The Town will grant the Fronckowiaks a sanitary sewer easement over the portion of the unimproved Old Losson Road right-of-way from the former Gardenville Running Track to (New) Losson Road.
4. The Town will pay the following charges associated with such transfer:
  - a. Redate of existing title search for Old Losson Road
  - b. Redate of existing title search for Fronckowiak property.
  - c. Preparation of survey and legal description for Old Losson Road.
  - d. Preparation of survey and legal description for Fronckowiak property.
5. The Town and the Fronckowiaks will enter into early occupancy agreements with respect to the properties each is to acquire.
6. The Town will assume all liability with respect to personal injury or property damage which occurs on the Fronckowiak property while the Town is using same under the early occupancy agreement.

and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute any and all documents approved by the Town Attorney's Office with respect to the above-referenced agreement.

Item No. 6 was postponed and moved for consideration at time Item No. 19 is to be considered.

NO ACTION WAS TAKEN ON THIS ITEM

\* See Item No. 19

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

BE IT RESOLVED that Babbette Subdivision be and hereby is accepted pursuant to the terms as set forth in the attached letter dated July 25, 1986 from the Cheektowaga Highway Superintendent.

\* See next two (2) pages for letter

**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

July 25, 1986

HON. SUPERVISOR DANIEL E. WEBER  
HONORABLE COUNCILLORS  
TOWN OF CHEEKTOWAGA, NY 14227

Re: Approval of Plans for the BABETTE SUBDIVISION - 27 Sublots

HON. TOWN BOARD MEMBERS:

Mr. C.L. Bryan, Town Engineer, Mr. T.R. Skowron, Highway Department Engineer and I, have reviewed the plans for the Babette Subdivision and find that they conform with the current specifications of the Town of Cheektowaga, including the following:

1. A properly designed storm sewer system with required pipe and sizes thereof, as well as proper appurtenances as specified on the detail sheets. Design data has been submitted.
2. Road construction is to be performed to current highway specifications as shown on subdivision plans.
3. The planting of a tree by the Builder, in front of each house between sidewalk and curb, within one year after the house is built. Tree information can be obtained by calling the Highway Department.

The road in the subdivision is briefly described as follows:

BABETTE DR. - A 60'w. R.O.W. - 871.51' long, fronting Sub-lots 1-27.

Prior to final acceptance of roads, all essential easements must be recorded and filed.

No building permits are to be issued until after the Deed & Bond are properly filed. The Building Permit should specify that a tree must be planted as per Highway Department specifications.

As this subdivision also extends into the Village of Depew, this letter of approval only pertains to that part of the subdivision which lies within the Town of Cheektowaga.

**TOWN CLERK**  
**CHEEKTOWAGA**  
1986 JUL 25 PM 2:49  
**RECEIVED**

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

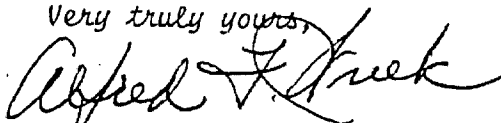


HON. SUPERVISOR & TOWN BOARD MEMBERS  
7/25/86  
Page 2

Re: Babette subdivision (cont.)

All requirements being met, I recommend approval of the construction plans for the Babette Subdivision, as they have been filed with the Town Engineer and this office.

Very truly yours,



ALFRED F. WNEK  
HIGHWAY SUPERINTENDENT

TRS:erp

cc: Town Clerk  
Town Engineer  
Town Attorney  
Building Inspector  
Hwy. Engineer

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

Item No. 8 Motion by Councilman J. Rogowski, Seconded by Supervisor Weber

WHEREAS, Forks Fire District conducted a Hazardous Material Drill on July 30, 1986, and

WHEREAS, Forks Fire District requested the services of employees from the Town Sewer Maintenance Department for the transporting of the Town Disaster Trailer and to aid in the simulation of the disaster, and

WHEREAS, such Town employees did assist Forks Fire District in its Hazardous Material Drill, and

WHEREAS, such Hazardous Material Drill was for the benefit and safety of all residents of the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes retroactively the payment of overtime wages to Town Sewer Maintenance Department employees who assisted in the Hazardous Material Drill on July 30, 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. 9a Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, a deed was recorded in the Erie County Clerk's Office in Liber 4715 of Deeds at Page 316, from Elaine and Louise Ruskin to the Town of Cheektowaga covering a fifty foot wide by 870+ foot long strip of land beginning at the Town/Depew line 208 feet west of Dean Road and proceeding northward to a point north of Airport Drive, and

WHEREAS, such land was never accepted, developed or used by the Town as a Town highway and the Town has no use for such land, and

WHEREAS, such land was also conveyed by the same grantors to Jiggs Lewin Co., Inc., and

WHEREAS, Jiggs Lewin Co., Inc. is currently proposing to construct a subdivision known as Babbette Subdivision in and along the easterly 31 feet of the aforementioned strip of land and needs a deed from the Town to clear up certain title problems, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Quit Claim Deed conveying the Town's interest, if any, in the aforesaid 31 foot wide by 870+ foot long strip of land to Jiggs Lewin Co., Inc., and BE IT FURTHER

RESOLVED that since such conveyance is subject to a permissive referendum pursuant to Sections 29(11) and 64(2) of the Town Law of the State of New York, the Town Clerk be and hereby is directed to publish the attached Notice in the CHEEKTOWAGA TIMES.

Item No. 9a cont'd

NOTICE OF ADOPTION OF  
RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 4th day of August, 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 execution of a Quit Claim Deed for the easterly thirty-one (31) foot wide by 871.51 foot long right-of-way deeded to, but never accepted or improved by the Town of Cheektowaga, by Elaine and Louise Ruskin by Deed recorded in the Erie County Clerk's Office in Liber 4715 of Deeds at Page 316 on May 29, 1950.

DATED: August 4, 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

our Stamps  
Affixed

# This Indenture,

Made the 4th day of August, Nineteen Hundred and Eighty-six  
Between TOWN OF CHEEKTOWAGA, NEW YORK  
Broadway and Union Road  
Cheektowaga, New York

municipal  
a/corporation organized under the laws of the State of New York

party of the first part, and

JIGGS LEWIN CO., INC.  
4525 Main Street  
Buffalo, New York

party of the second part,

Witnesseth that the party of the first part, in consideration of  
-----One and No More ----- Dollar (\$1.00 & )  
lawful money of the United States, No More)  
paid by the party of the second part, does hereby remise, release and quitclaim  
unto the party of the second part, its successors and assigns forever, all

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga,  
County of Erie and State of New York, being part of Lot No. 74, Township 11,  
Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the south boundary line of Airport Drive (a 60  
foot wide right-of-way) Two Hundred and Thirty-nine (239) feet west of the west  
boundary line of Dean Road (a 40 foot wide right-of-way); THENCE southerly and  
parallel to the west boundary line of Dean Road, a distance of Eight Hundred  
Seventy-one and Fifty-one Hundredths (871.51) feet to a point; THENCE easterly  
and parallel with the south boundary line of Airport Drive, a distance of Thirty-  
one (31) feet; THENCE northerly at right angles and parallel with the west  
boundary line of Dean Road a distance of Eight Hundred Seventy-one and Fifty-one  
Hundredths (871.51) feet to a point on the south boundary line of Airport Drive;  
THENCE westerly along the south boundary line of Airport Drive Thirty-one (31)  
feet to the point or place of beginning.

RESERVING to the party of the first part a sanitary sewer easement over  
a portion of the above-described property, bounded and described as follows:

BEGINNING at a point Four Hundred Eighty-four and Fifty-eight Hundredths  
(484.58) feet south of the aforementioned point of beginning; THENCE easterly  
and parallel with the south boundary line of Airport Drive a distance of Thirty-  
one (31) feet; THENCE southerly and parallel with the west boundary line of  
Dean Road, a distance of 37± feet to a point; THENCE westerly and parallel with  
the south boundary line of Airport Drive a distance of Thirty-one (31) feet to a  
point; THENCE northerly and parallel with the west boundary line of Dean Road a  
distance of 37± feet to the point or place of beginning.

RECEIVED  
1986 OCT 10 PM 1:21  
CHEEKTOWAGA  
TOWN CLERK

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

To have and to hold the premises herein granted unto the party of the second part, its successors and assigns forever.

In Witness Whereof, the party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this day of Nineteen Hundred and Eighty-six

TOWN OF CHEEKTOWAGA

By Daniel E. Weber

State of New York } ss. On this 4th day of August  
County of ERIE } Nineteen Hundred and Eighty-six  
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 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; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

James J. Kirisits

JAMES J. KIRISITS  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Nov. 30, 1988

**Quit**  
CORPORATION—QUIT CLAIM

TOWN OF CHEEKTOWAGA

TO

JIGGS LEWIN CO., INC.

Dated, August 4, 1986

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

*Susan Hasberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk*..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....*1*..... weeks:  
first publication..... *AUG - 7 1986*..... ;  
last publication..... *AUG - 7 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Susan M. Hasberger*.....

Sworn to before me this .....*8th*.....

day of .....*August*....., 19*86*..

.....*Cecilia 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 ADOPTION OF  
RESOLUTION SUBJECT TO  
PERMISSIVE REFERENDUM  
NOTICE IS HEREBY GIVEN**

that at a regular meeting held on the 4th day of August, 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 execution of a Quit Claim Deed for the easterly thirty-one (31) foot wide by 871.51 foot long right-of-way deeded to, but never accepted or improved by the Town of Cheektowaga, by Elaine and Louise Ruskin by Deed recorded in the Erie County Clerk's Office in Liber 4715 of Deeds at Page 316 on May 29, 1950.

**RICHARD M. MOLESKI**

Town Clerk

**DATED: August 4, 1986  
PUBLISH: August 7, 1986**

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

WHEREAS, the New York State Department of Transportation is proposing the improvement of Walden Avenue from Dale Road to Union Road, and

WHEREAS, as part of this roadway improvement it is necessary to undertake Town-owned utility improvements, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga grants permission to the State of New York to perform utility improvements and adjustments as necessary and as required by the Walden Avenue Road Improvement Project, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed to sign the agreement as submitted by the New York State Department of Transportation 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. 9c Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is eligible for partial reimbursement of funds expended for youth programming during Fiscal Year 1987, and

WHEREAS, the Town of Cheektowaga will submit a State Aid application to the New York State Division for Youth for funding under the following Project Funding Categories: Youth Bureau, Youth Service, Youth Initiatives and Recreation, NOW, THEREFORE, BE IT

RESOLVED that said application is approved contingent upon the appropriation of funds in the adopted 1987 Town of Cheektowaga budget and that the Supervisor is hereby directed and authorized to duly execute and present same 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. 9d 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 and 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:

1042 George Urban Blvd. - increase previous loan authorization by  
\$600.00  
84 E. Windwood Ct. - increase previous loan authorization by  
\$885.00

Item No. 9d cont'd

50 Madaline Lane - \$1,711.00  
23 Toelsin Road - \$6,911.00

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. 10a Appointment to Planning Board  
This item was withdrawn.

Item No. 10b Motion by Councilman Gabryszak, Seconded by Councilman J. Rogowski

WHEREAS, a vacancy exists on the Cheektowaga Planning Board, and

WHEREAS, this vacancy was duly posted and applications accepted and reviewed by the Town Board, NOW, THEREFORE, BE IT

RESOLVED that Kevin Urbanski of 300 Enez Drive, Depew, NY, be and hereby is appointed to the Cheektowaga Planning Board to fill the unexpired term of Henry Ksierzarczyk which expires on March 1, 1992.

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 Supervisor Weber to dispense with the reading of the names in Item Nos. 11A, 11B, 11C.

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 Kowal

BE IT RESOLVED that the below listed individuals be terminated from the Cheektowaga Conservation Corps Program (7310.1812), effective July 31, 1986:

Roger Taveres 14206  
David Lisiecki 14212

Item No. 11a cont'd

Michelle Wojtkowiak	14227
Alex Grierson	14225
Jason Flks	14225
Mark Wipperman	14227
Rodney Burns	14227
Jim Kowalski	14043
John Pollock	14227
Keith Gawronski	14227
Kevin Wojtaszczyk	14043
Robert Ring	14043
Gregory Osswald	14225
Bill Greentanner	14206
Michelle Young	14227
Kevin Wier	14227
Mike Gulczewski	14206
Mark Brotz	14043
Dale Wittmer	14225
Brian Kindzierski	14227
Norbert Beiter	14225
Darrin Kubik	14227
Darren Juskiewicz	14227
Kevin Kaczorowski	14227
Charles Geary	14227
Lisa Shaul	14225
Dave Shields	14212

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 W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that Christopher Kowalewski, Youth Leader with the Cheektowaga Conservation Corps be terminated effective August 4, 1986, and BE IT FURTHER

RESOLVED that with the resignation of Christopher Kowalewski, Shawn Dibble be elevated to the position of Youth Leader at \$3.75 per hour (7310.1812), effective August 4th, and BE IT FURTHER

RESOLVED that Kim Ott be terminated as a Recreation Supervisor (Senior Counselor) from the Adapted Recreation Program (7310.1803), effective August 4, 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. 11c 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 various Departments:

Parks Division - #01-007110-1-0-1491-001

	<u>Effective</u>
Bruce Blachowski	8/17/86
Felix Lampke	8/24/86
David Lease	8/24/86
Dale Matecki	8/24/86
Francis Strong	8/24/86
Earl Scherer	8/31/86
Dale Brewer	7/30/86

Item No. 11c cont'd

Street Lighting Division - #02-905182-1-0-1492-001

Joseph Coffta 8/26/86

SEWER MAINTENANCE DEPARTMENT

Ronald Lynch 8/9/86  
Timothy Wojdan 8/9/86

POLICE DEPARTMENT - CROSSING GUARD - part-time

Joanne Idziak Immediately

MAIN PUMP STATION

John Johnson 8/30/86

Upon Roll Call....

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

Item No. 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:

Parks Division - #01-007110-1-0-1491-001

	<u>Effective</u>
Joseph Dolecki	Immediately
Stanley Siejak	Immediately
Randy Palmisano	Immediately
Gordon Hagmier	Immediately
John Bratek	Immediately
John Slisz	Immediately
Harry Rogalski	Immediately
Kevin Ostempowski	Immediately
Jeffrey Koscielny	retroactive to 7/29/86

Street Lighting Division - #02-905182-1-0-1492-001

Joseph Stallone 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. 12b 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 Sanitation Department at a rate of \$3.10 per hour:

	<u>EFFECTIVE</u>
Mark Gawron	8/4/86
Patrick Keefe	8/29/86
Daniel Ciechanski	8/18/86
David Cavanaugh	8/18/86
John Szczepanik	8/18/86
Matthew Wisniewski	As needed
David Orlikowski	(retro.) 7/21/86
Ray Sliwinski, Jr.	(retro.) 7/21/86

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. 13 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Kevin Glascott, an employee of the Sanitation Department, has requested a fifteen (15) day sick leave extension due to illness, and

WHEREAS, Mr. Glascott has exhausted all accrued sick leave, vacation and personal leave benefits, NOW, THEREFORE, BE IT

RESOLVED that Kevin Glascott be and hereby is granted an extended sick leave of absence not to exceed fifteen (15) days, effective August 5, 1986, subject to the provisions of the 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. 14 Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, a workshop is being conducted a Quality Assurance in Wastewater Laboratories, which workshop would be beneficial in the operation of the Main Pump Station laboratory, and

WHEREAS, the Superintendent of the Main Pump Station requests that one of the Main Pump Station staff be allowed to attend said workshop, NOW, THEREFORE, BE IT

RESOLVED that a representative of the Main Pump Station as designated by the Superintendent be and hereby is authorized to attend a one-day work-shop to be held at the Buffalo Marriott Hotel on August 20, 1986 and that the cost of the workshop in the amount of \$95.00 is to be paid for under Budget Item # 548135.4087.

Upon Roll Call....

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

Item No. 15 Motion by Supervisor Weber, Seconded by Councilman Kowal

WHEREAS, the following accounts in the Town of Cheektowaga's Trust and Agency Fund have been inactive for a number of years, and

WHEREAS, the Town's independent auditor, KMG Main Hurdman, recommends that the excess funds be returned to the Town of Cheektowaga's General Fund, NOW, THEREFORE, BE IT

WHEREAS, that the following amounts are to be transferred to the Town's General Fund.

T.865.00	Unclaimed Registered Bond Interest	\$252.00
T.872.00	Overpayments and Collections in Advance	\$842.24
T.876.00	Escrow Deposits	<u>\$230.31</u>
		\$1,324.55

Item No. 15 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 Supervisor Weber, Seconded by Councilman J. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to August 4th, 1986 are hereby approved and made a part hereof.

FUND	AMOUNT
GENERAL FUND	\$268,036.24
SPECIAL DISTRICTS FUND	183,533.30
HIGHWAY FUND	180,817.04
FEDERAL REVENUE SHARING FUND	4,100.00
CAPITAL FUND	1,413.00
TRUST AND AGENCY FUND	4,356.83
HUD-CDBG FUND	6,911.00
HUD REHABILITATION FUND	21,639.25
PART TOWN FUND	3,560.78
	<u>\$675,367.44</u>

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. 17 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, there are presently one full-time and one part-time Fire Inspectors in the Office of the Town Building & Plumbing Inspector, and

WHEREAS, it has been determined that there is a need to have a second full-time Fire Inspector due to the increasing number of inspections required, NOW, THEREFORE, BE IT

RESOLVED that a new position of Fire Inspector (Full-Time) be and hereby is created in the Office of Building & Plumbing Inspector, effective immediately, and BE IT FURTHER

RESOLVED that such position be posted for a period of ten (10) work days in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association.

MOTION BY COUNCILMAN KOWAL, 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

THE ABOVE RESOLUTION WAS TABLED.

Item No. 18 Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, a ten lot subdivision has been proposed on property located at the southeast corner of Como Park Boulevard and Borden Road, and

WHEREAS, drawings for such subdivision, as prepared by Pratt & Huth Associates (Job No. 86010) and dated 6/2/86, have been reviewed and approved by the Cheektowaga Planning Board, the Town Highway Department and the Town Engineering Department, subject to the construction of the proposed private roadway having a minimum width of twenty-five (25) feet, NOW, THEREFORE, BE IT

RESOLVED that the above-referenced subdivision be and hereby is approved, subject to the above-mentioned condition as recommended by the various Town departments.

Upon Roll Call....

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

Item No. 19 Motion by Councilman Johnson, Seconded by Councilman Gabryszak to substitute Item #6 in place of Item #19.

Upon Roll Call....

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

THIS WAS DENIED!

Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is the owner of the now-abandoned portion of Old Losson Road, and

WHEREAS, Henry M. and Arlene Fronckowiak are the owners of a parcel of property adjoining John C. Stiglmeier Park, and

WHEREAS, the Town and the Fronckowiaks are interested in exchanging such properties, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is authorized to prepare an agreement for such property exchange, said agreement to include the following provisions:

1. The Fronckowiaks will convey to the Town a parcel of property measuring approximately 350 feet by 150 feet, said property being located at the northeast corner of property they acquired from Universal Marion Corporation on January 28, 1986.
2. The Town will convey to the Fronckowiaks a portion of the unimproved Old Losson Road from the Old Losson Road cul-de-sac southeast to New Losson Road.
3. The Town will pay the following charges associated with such transfer:
  - a. Redate of existing title search for Old Losson Road
  - b. Redate of existing title search for Fronckowiak property
  - c. Preparation of survey and legal description for Old Losson Road
  - d. Preparation of survey and legal description for Fronckowiak property
4. The Town and the Fronckowiaks will enter into early occupancy agreements with respect to the properties each is to acquire.
5. The Town will assume all liability with respect to personal injury or property damage which occurs on the Fronckowiak property while the Town is using same under the early occupancy agreement.



Item No. 19 cont'd

and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute any and all documents approved by the Town Attorney's Office with respect to the above referenced agreement.

Upon Roll Call....

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

Item No. 20 Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

WHEREAS, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

and BE IT FURTHER

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

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

MOTION BY COUNCILMAN J. ROGOWSKI, SECONDED BY SUPERVISOR WEBER TO AMEND THE ABOVE RESOLUTION AS FOLLOWS:

"To exclude three (3) parcels of property from the rezoning, namely; Souzzi, Marrano, Los-Green Acres and noted on deed as Mader Corp."

MEETING NO. 15  
August 4, 1986

Item No. 20 cont'd

Upon Roll Call....

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

THE MOTION TO AMEND WAS DENIED!

Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

WHEREAS, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

and BE IT FURTHER

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

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

MOTION BY COUNCILMAN J. ROGOWSKI, SECONDED BY SUPERVISOR WEBER TO TABLE THE ABOVE RESOLUTION.

Upon Roll Call....

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

THE MOTION TO TABLE WAS DENIED!

Item No. 20 cont'd

Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

WHEREAS, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

\* See next three (3) pages for description

and BE IT FURTHER

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

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

---

PROPERTY TO BE REZONED FROM  
CM-GENERAL COMMERCIAL 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 Lot 63, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:

BEING an irregularly-shaped parcel of land bounded on the:

- (a) north by:
  - (1) the centerline of Losson Road for the easterly 420± feet; and
  - (2) the south property line of 2565 Union Road for the remainder of the parcel.
- (b) south by:
  - (1) the north boundary line of Groell Estates Subdivision, as filed in the Erie County Clerk's Office under Cover No. 784 for the easterly 518± feet; and
  - (2) the south property line of 2555 Union Road for the remainder of the parcel.
- (c) west by:
  - (1) a line being 150 feet easterly from the east boundary line of Union Road for the southerly one-half of the parcel; and
  - (2) the east property line of 2565 Union Road for the remainder of the parcel.
- (d) east by the west boundary line of Lot 60 of the Buffalo Creek Reservation.

---

PROPERTY TO BE REZONED FROM  
C-RETAIL BUSINESS DISTRICT  
TO  
RA-APARTMENT 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 Lot 60, 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 by the centerline of Old Losson Road.
- (b) south by the centerline of Losson Road.
- (c) west by the point of intersection of the centerlines of Losson Road and Old Losson Road.
- (d) east by a curved line being an average of 715± feet westerly from the point of intersection of the centerlines of Losson Road and Old Losson Road.

---

PROPERTY TO BE REZONED FROM  
RC-RESTRICTED BUSINESS DISTRICT  
TO  
RA-APARTMENT 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 Lot 60, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:

BEING a rectangular-shaped parcel of land bounded on the:

- (a) west by the west boundary line of Lot 60 of the Buffalo Creek Reservation.
- (b) east by a line being 300± feet east from the west boundary line of said Lot 60 and the centerline of Old Losson Road.
- (c) south by the centerline of Losson Road.
- (d) north by an east-west line being 300± feet north of the centerline of Losson Road (at its intersection with the west boundary line of Lot 60) and 185± feet north of the centerline of Old Losson Road.

---

PROPERTY TO BE REZONED FROM  
C-RETAIL BUSINESS 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 parts of Lots 55 and 56, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:

BEING a rectangular-shaped parcel of land bounded on the:

- (a) west by a line being 50<sup>+</sup> feet westerly from the west boundary line of Lot 56.
- (b) east by the east boundary line of 825 Losson Road.
- (c) north by the centerline of Losson Road.
- (d) south by a line being 433<sup>+</sup> feet south from the centerline of Losson Road at its westerly boundary and 260.05 feet south from Losson Road at its easterly boundary.

PROPERTY TO BE REZONED FROM  
CM-GENERAL COMMERCIAL DISTRICT  
TO  
RA-APARTMENT 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 Lot 63, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:

BEING an irregularly-shaped parcel of property bounded on the:

- (a) north by the centerline of Cayuga Creek.
- (b) south by:
  - (1) the centerline of Losson Road for the easterly 300± feet thereof; and
  - (2) the north property line of 2567 Union Road for the remainder of the property.
- (c) east by the west boundary line of Lot 60 of the Buffalo Creek Reservation.
- (d) west by:
  - (1) the east property line of 2567 Union Road for the southerly 547± feet thereof; and
  - (2) a line being 348± feet east of the centerline of Union Road for the remainder of the property.

---

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.

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

*Susan M. Haasberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
**Clerk**  
..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... **AUG 14 1986** ..... ;  
last publication..... **AUG 14 1986** ..... ;  
and that no more than six days intervened be-  
tween publications.

*Susan M. Haasberger*.....

Sworn to before me this ..... *15<sup>th</sup>* .....  
day of ..... *August* ....., 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 DESCRIPTION OF PROPERTIES TO BE REZONED FROM MI-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:**

- 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 690± east of the west boundary line of Lot 56 of the Buffalo Creek Reservation.

**and BE IT FURTHER RESOLVED** that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above and **BE IT FURTHER**

**RESOLVED** that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

**Upon roll call:**

<b>Supervisor:</b>	
Weber	Voting NAYE
<b>Councilmen:</b>	
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 August 4, 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 No. 20, 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

**LEGAL NOTICE**

**EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 4th day of August, 1986 at 7:00 p.m. Eastern Daylight Saving Time there were:

**Present:**

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

**ABSENT: 0**

Motion by Councilman Jaworowicz Seconded by Councilman Johnson

**WHEREAS**, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

**WHEREAS**, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

**WHEREAS**, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

**WHEREAS**, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 p.m. and on the 3rd day of March, 1986 at 6:30 p.m. at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

**WHEREAS**, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

**WHEREAS**, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

**WHEREAS**, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in Town concerning its proposal to rezone areas along Losson Road, and

**WHEREAS**, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, **NOW, THEREFORE, BE IT**

**RESOLVED**, that the following described areas along Losson Road be and hereby are rezoned as follows:

**PROPERTY TO BE REZONED FROM CM-GENERAL COMMERCIAL 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 Lot 63, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:**

**BEING** an irregularly-shaped parcel of land bounded on the:

- a) north by:
  - 1) the centerline of Losson Road for the easterly 420± feet; and
  - 2) the south property line of 2565 Union Road for the remainder of the parcel.
- b) south by:
  - 1) the north boundary line of Goell Estates Subdivision, as filed in the Erie County Clerk's Office under Cover No. 784 for the easterly 518± feet; and
  - 2) a line being 150 feet easterly from the east boundary line of Union Road for the southerly one-half of the parcel; and
  - 3) the east property line of 2565 Union Road for the remainder of the parcel.
- d) east by the west boundary line of Lot 60 of the Buffalo Creek Reservation.

**PROPERTY TO BE REZONED FROM C-RETAIL BUSINESS DISTRICT TO RA-APARTMENT 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 Lot 60, 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 by the centerline of Old Losson Road;
- b) south by the centerline of Losson Road;
- c) west by the point of intersection of the centerlines of Losson Road and Old Losson Road;
- d) east by a curved line being an average of 715± feet westerly from the point of intersection of the centerlines of Losson Road and Old Losson Road.

**PROPERTY TO BE REZONED FROM RC-RESTRICTED BUSINESS DISTRICT TO RA-APARTMENT 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 Lot 60, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:**

- a) west by the west boundary line of Lot 60 of the Buffalo Creek Reservation;
- b) east by a line being 300± feet east from the west boundary line of the said Lot 60 and the centerline of Old Losson Road;
- c) south by the centerline of Losson Road;
- d) north by an east-west line being 300± feet north of the centerline of Losson Road (at its intersection with the west boundary line of Lot 60) and 185± north of the centerline of Old Losson Road.

**PROPERTY TO BE REZONED FROM RC-RESTRICTED BUSINESS DISTRICT TO RA-APARTMENT 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 Lot 60, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:**

- a) west by the west boundary line of Lot 60 of the Buffalo Creek Reservation;
- b) east by a line being 300± feet east from the west boundary line of the said Lot 60 and the centerline of Old Losson Road;
- c) south by the centerline of Losson Road;
- d) north by an east-west line being 300± feet north of the centerline of Losson Road (at its intersection with the west boundary line of Lot 60) and 185± north of the centerline of Old Losson Road.

**PROPERTY TO BE REZONED FROM C-RETAIL BUSINESS 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 parts of Lots 55 and 56, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:**

**BEING** a rectangular-shaped parcel of land bounded on the:

- a) west by a line being 50± feet westerly from the west boundary line of Lot 56;
- b) east by the boundary line of 825 Losson Road;
- c) north by the centerline of Losson Road;
- d) south by a line being 433± feet from the centerline of Losson Road at its westerly boundary and 260.05 feet south from Losson Road at its easterly boundary.

**PROPERTY TO BE REZONED FROM CM-GENERAL COMMERCIAL DISTRICT TO RA-APARTMENT 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 Lot 63, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly described as follows:**

**BEING** an irregularly-shaped parcel of property bounded on the:

- a) north by the centerline of Cayuga Creek;
- b) south by:
  - 1) the centerline of Losson Road for the easterly 300± feet thereof; and
  - 2) the north property line of 2567 Union Road for the remainder of the property.
- c) east by the west boundary line of Lot 60 of the Buffalo Creek Reservation;
- d) west by:
  - 1) the east property line of 2567 Union Road for the southerly 547± feet thereof; and
  - 2) a line being 348± feet east of the centerline of Union Road for the remainder of the property.



IV. DEPARTMENTAL COMMUNICATIONS

- Item No. 21 Building Permits  
Received and Filed.
- Item No. 22 Minutes of Traffic Safety Commission - July meetign  
Received and Filed.

V. GENERAL COMMUNICATIONS

- Item No. 23a NOTICE OF ORDER - N.Y.S. DEPARTMENT OF TRANS.: Yield sign on ramp at  
Broadway and Union Road.  
Received and Filed.
- Item No. 23b NOTICE OF ORDER - N.Y.S. DEPARTMENT OF TRANS.: Establishment of STOP  
sign on Jessica Lane  
Received and Filed.
- Item No. 24a E.C. DEPT. OF PUBLIC WORKS-HIGHWAYS - NOTICE OF HIGHWAY CLOSURE:  
Rowley Road  
Copies were sent to: Alfred Wnek, Highway Superintendent; Leonard  
Smolarek, Chief of Police; Cheektowaga Traffic Safety Commission.  
Received and Filed.
- Item No. 24b E.C. DEPT. OF PUBLIC WORKS-HIGHWAY - NOTICE OF HIGHWAY CLOSURE: Rein  
Road  
Copies were sent to: Alfred Wnek, Highway Superintendent; Leonard  
Smolarek, Chief of Police; Cheektowaga Traffic Safety Commission.  
Received and Filed.
- Item No. 25a NOTICE OF CLAIM: Natalie C. Hochmuth 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; Laverack  
and Haines, Insurance Company.  
Received and Filed.
- Item No. 25b NOTICE OF CLAIM: Metropolitan Property & Liability Ins. Co. as  
subrogee of Philip Kazmierczak 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; Central Garage; Joseph J. Naples, Insurance  
Company.  
Received and Filed.
- Item No. 25c NOTICE OF CLAIM - Antoinette & Thomas Campbell 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; Laverack & Haines, Insurance Company.  
Received and Filed.
- Item No. 26 South Cheektowaga Taxpayers Organization - request to speak  
regarding various Town issues  
Copies were sent to: Daniel E. Weber, Supervisor; Town Board  
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak to suspend the rules to include the following items.

Upon Roll Call....

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

Item No. 27 Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, Taras P. Kulyk, an employee in the Cheektowaga Highway Department, has requested a sixty (60) day personal leave of absence, in accordance with Article 9 of the Collective Bargaining Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby grants Taras Kulyk a personal leave of absence, without pay, not to exceed sixty (60) 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. 28 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town acquired a 12.5 foot wide drainage easement along the west boundary line of Sublot 14 of the Greenwood Village Subdivision under Liber 9509 of Deeds at Page 161, and

WHEREAS, the developer of this Sublot accidentally erected a dwelling over the easterly one foot of such easement, and

WHEREAS, the Town Engineer feels that it would create a substantial hardship on the part of the developer to move the dwelling out of the easement area, and therefore, recommends that the Town Board release the easterly one foot of such easement area, and

WHEREAS, this Board is in agreement with the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor, on behalf of the Town, be and hereby is authorized to execute the attached Discharge and Partial Release of Easement, and BE IT FURTHER

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

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 4th day of August, 1986. the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

Item No. 28 cont'd

Resolution authorizing the discharge and release of the easterly one foot of the easement located along the westerly 12.5 feet of Sublot 14 of the Greenwood Village Subdivision.

Dated: August 4, 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

DISCHARGE AND PARTIAL RELEASE  
OF EASEMENT

THIS INDENTURE, made and entered into as of the <sup>15th</sup> day of August, 1986, by and between the TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road, in the Town of Cheektowaga County of Erie and State of New York, hereinafter referred to as the party of the first part, and M. J. OGIONY BUILDERS INC., a New York Corporation with offices at 163 Getzville Road, Eggertsville, New York, hereinafter referred to as the party of the second part;

1986 OCT 10 PM 1:21  
RECEIVED  
TOWN OF CHEEKTOWAGA  
CLERK OF TOWN

WITNESSETH:

That the party of the first part, in consideration of the sum of One and no more Dollars (\$1.00 and no more), and other good and valuable consideration paid by the party of the second part, does hereby release, remit and quit-claim unto the party of the second part, its successors and assigns forever, the following described easement:

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 43, Township 10, Range 7 of the Buffalo Creek Reservation, more particularly described as easement areas

shown on a Map entitled "Greenwood Village Subdivision" filed in the Erie County Clerk's Office under Map Cover 2463 described as follows:

BEING the easterly one foot of the westerly twelve and five tenths (12.5) foot easement affecting Sublot 14 granted under Liber 9509 of Deeds, Page 161.

IN WITNESS WHEREOF the party of the first part has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer this 5<sup>th</sup> day of August, 1986.

TOWN OF CHEEKTOWAGA, NEW YORK

By: *Daniel E. Weber*  
Supervisor

STATE OF NEW YORK, )  
( SS:  
COUNTY OF ERIE. )

On the 5<sup>th</sup> day of August, 1986, before me came Daniel E. Weber to me known, who, being by me duly sworn, did depose and say that he resides at \_\_\_\_\_, Cheektowaga, New York; that he is the supervisor of the Town of Cheektowaga, the municipal corporation described in, and which executed the foregoing Discharge and Partial Release of Easement; that he knows the seal of said municipal corporation; that the seal affixed to said instrument is such corporate seal; that it was affixed by order of the Town Board of said municipal corporation; and that he signed his name thereto by like order.

*Jean A. Rosenberry*  
Notary Public  
JEAN A. ROSENBERY  
Notary Public, State of New York  
Qualified in Erie County  
-2- Commission Expires Nov. 30, 1987

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

*Susan M. Handberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk*..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....*1*..... weeks:  
first publication..... *AUG - 7 1986*..... ;  
last publication..... *AUG - 7 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Susan M. Handberger*.....

Sworn to before me this ..... *8<sup>th</sup>*.....

day of ..... *August*....., 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 ADOPTION OF  
RESOLUTION SUBJECT TO  
PERMISSIVE REFERENDUM**

**NOTICE IS HEREBY GIVEN** that at a regular meeting held on the 4th day of August, 1986, the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which is subject to permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

Resolution authorizing the discharge and release of the easterly one foot of the easement located along the westerly 12.5 feet of Sublot 14 of the Greenwood Village Subdivision.

**RICHARD M. MOLESKI**

Town Clerk

**DATED: August 4, 1986**

**PUBLISH: August 7, 1986**

MEETING NO. 15  
August 4, 1986

Item No. 29

Motion by Supervisor Weber, Seconded by Councilman J. Rogowski  
to adjourn the meeting in memory of Cecelia Buczynski.

RICHARD M. MOLESKI  
Town Clerk



Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of August, 1986 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Bruce Chamberlin, Captain, Police Department; James Kirisits, Town Attorney; Andrew Kulyk, Member of Zoning Board of Appeals; Sal LaGreca, Employment and Training Director II; Ronald Marten, Building Inspector; Richard Slisz, Chairman of Erie County Legislature; Donald Wegner, Chairman of Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; Pat Wojcik, Senior Services Coordinator; Bernard Wojtkowiak, Mayor of Sloan.

### I. RESOLUTIONS

Item No. 2 Motion by Supervisor Weber Seconded by Councilman J. Rogowski

WHEREAS, the next regularly scheduled Town Board meeting is set for Monday, September 1, 1986, AND

WHEREAS, Monday, September 1, 1986 is a legal holiday, namely, Labor Day, NOW, THEREFORE, BE IT

RESOLVED that the next regularly scheduled Town Board meeting shall be held on Tuesday, September 2, 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 Gabryszak Seconded by Councilman Johnson

WHEREAS, this Town Board is empowered to establish rules and procedures to govern its Town Board meetings, AND

WHEREAS, presently, the procedure of the Town Board is to permit public comment only at public hearings and at the end of each Town Board meeting, AND

WHEREAS, this Board is interested in changing its procedure to allow public comment prior to the consideration of resolutions and after the public hearings rather than at the end of a meeting to listen to the public, AND

WHEREAS, by allowing public comment prior to the consideration of resolutions, this Board feels that the public will be able to have a greater involvement in the government which is created for their benefit, NOW, THEREFORE, BE IT

Item No. 3 Cont'd.

RESOLVED that general communications shall be allowed at all future Town Board meetings during public hearings and immediately after public hearings prior to the consideration of resolutions by this Town Board.

Upon Roll Call....

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

THE ABOVE RESOLUTION WAS DENIED!!!!!!

Item No. 4A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Vincent R. DiPasquale has petitioned for the rezoning from RC-Restricted Business District to C-Retail Business District of property owned by him and located at 2460 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of July, 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 strict adherence to the site plan, 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 Vincent R. DiPasquale for the rezoning from RC-Restricted Business District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby approved, subject to the aforementioned condition 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.

\*\*\*\*\*

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 62, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Commencing at a point in the centerline of Union Road 682.86 feet southerly from its intersection with the north line of Lot No. 62; thence westerly and parallel with the south line of Lot No. 62, 203.81 feet to a point; thence proceeding southerly at right angles 88.36 feet to a point in a line drawn parallel to the southerly line of Farm Lot 62; thence proceeding easterly at right angles 220.93 feet to the centerline of Union Road; thence proceeding northerly along the centerline of Union Road 90 feet to the point or place of beginning.

EXCEPTING and RESERVING from the above described premises such portion thereof lying within the boundaries of Union Road as one hundred (100) foot highway.

\*\*\*\*\*

MEETING NO. 16  
August 18, 1986

Item 4A 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 PAGE

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

*S. Hunsberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
**Clerk**..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks;  
first publication..... **AUG 21 1986** ..... ;  
last publication..... **AUG 21 1986** ..... ;  
and that no more than six days intervened be-  
tween publications.

*S. Hunsberger*.....

Sworn to before me this ..... *22nd*.....

day of ..... *August* ....., 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 18th day of August, 1986 at 7:00 p.m. Eastern Daylight Saving Time there were:

**Present:**

**Supervisor:**

Daniel E. Weber

**Councilmen:**

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

**ABSENT: 0**

Motion by Councilman Jaworowicz

Seconded by Councilman J.V.

Rogowski

WHEREAS, Vincent R. DiPasquale has petitioned for the rezoning from RC-Restricted Business District to C-Retail Business District of property owned by him and located at 2460 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of July, 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 strict adherence to the site plan, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinances 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 Vincent R. DiPasquale for the rezoning from RC-Restricted Business District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby approved, subject to the aforementioned condition 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.

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: 7**

**NAYES: 0**

**ABSENT: 0**

**LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 62, Township 19, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Commencing at a point in the centerline of Union Road 682.86 feet southerly from its intersection with the north line of Lot No. 62; thence westerly and parallel with the south line of Lot No. 62, 203.81 feet to a point; thence proceeding southerly at right angles 88.36 feet in a line drawn parallel to the southerly line of Farm Lot 62; thence proceeding easterly at right angles 220.93 feet to the centerline of Union Road; thence proceeding northerly along the centerline of Union Road 90 feet to the point or place of beginning.

EXCEPTING and RESERVING from the above described premises such portion thereof lying within the boundaries of Union Road as one hundred (100) feet highway.

STATE OF NEW YORK  
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 18, 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 No. 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 18th day of August 1986.

RICHARD M. MOLESKI

Town clerk

PUBLISH: August 21, 1986

Item No. 4B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on August 4, 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 IX

Speed Regulations

Section 76-90, entitled "applicable speed regulations", shall be amended by adding a new subsection number A.3. thereto reading as follows:

- A.3. The exclusion of county road(s) from subsection 1 shall not apply to the following named county road(s), which road(s) shall have an established speed limit of 45 miles per hour:

AERO DRIVE between 0.1 plus or minus mile east of Holtz Drive to Transit Road (NY 78).

ARTICLE XIII

Truck Exclusions

Section 76-130, entitled "all trucks excluded", shall be amended by adding thereto the following:

- A. No person, firm or corporation shall drive or operate or permit to be driven or operated any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town highways within the Town of Cheektowaga, County of Erie, State of New York:

- (4) DINGENS STREET between Harlem Road (NY 240) and Cass Avenue.

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

MEETING NO. 16  
August 18, 1986

Item No. 4B Cont'd.

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.

.....*S. Hunsberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
**Clerk**  
.....of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....*1*..... weeks;  
first publication.....*AUG 21 1986*..... ;  
last publication.....*AUG 21 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*S. Hunsberger*.....

Sworn to before me this *22nd*.....

day of *August*....., 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 18th day of August, 1986 at 7:00 P.M. Eastern Daylight Saving Time there were:

Present:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Joworowicz  
Seconded by Councilman  
Gabryszak

WHEREAS, this Town Board held a public hearing on August 4, 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 IX**

**Speed Regulations**

Section 76-90, entitled "applicable speed regulations", shall be amended by adding a new subsection number A.3, thereto reading as follows:

A.3. The exclusion of county road(s) from subsection 1 shall not apply to the following named county road(s), which road(s) shall have an established speed limit of 45 miles per hour:

AERO DRIVE between 0.1± mile east of Holtz Drive to Transit Road (NY 78).

**ARTICLE XIII**

**Truck Exclusions**

Section 76-130, entitled "all trucks excluded", shall be amended by adding thereto the following:

A. No person, firm or corporation shall drive or operate or permit to be driven or operated any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town highways within the Town of Cheektowaga, County of Erie, State of New York:

(4) DINGENS STREET between

Avenue

**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 August 18, 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 No. 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 here unto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of August 1986.

RICHARD M. MOLESKI

Town clerk

PUBLISH: August 21, 1986

MEETING NO. 16  
August 18, 1986

Item No. 5A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Edward W. Miller has made application and requested the rezoning of property located at 782 Losson Road from R-Residential to RC-Restricted Business, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on September 2, 1986 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, 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.

*S. Hansberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
**Clerk**..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... **AUG 21 1986**..... ;  
last publication..... **AUG 21 1986**..... ;  
and that no more than six days intervened be-  
tween publications.

*S. Hansberger*.....

Sworn to before me this ..... *22nd*.....

day of ..... *August*....., 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 IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 2nd day of September, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Edward W. Miller/Barron Miller Funeral Home, Inc. to Rezone from R - Residential District to RC - Restricted Business District on property located at 782 Losson 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.

**BY ORDER OF THE TOWN BOARD**

Supervisor Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Joworowicz

Christopher J. Kowal

Dennis H. Gabryszak

**RICHARD M. MOLESKI**

Town Clerk

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 55, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

Beginning at a point in the center line of Losson Road distant four hundred nine and twenty hundredths (409.20) feet westerly as measured along the said center line of Losson Road, from the point of intersection of the said center line of Losson Road with the easterly line of said Lot No. 55: thence northerly and parallel with the east line of said Lot No. 55, three hundred two and forty-six hundredths (302.46) feet to the southwest corner of lands conveyed to the Town of Cheektowaga by deed recorded in Erie County Clerk's Office in Liber 7519 of Deeds page 137: thence easterly parallel with the center line of Losson Road and along the south line of land so conveyed to the Town of Cheektowaga by aforesaid deed, four hundred nine and twenty hundredths (409.20) feet to the east line of said Lot No. 55: thence southerly along the east line of said Lot No. 55, three hundred two and forty-six hundredths (302.46) feet to the center line of Losson Road: thence westerly along the center line of Losson Road four hundred nine and twenty hundredths (409.20) feet to the point or place of beginning.

**PUBLISH: August 21, 1986**

MEETING NO. 16  
August 18, 1986

Item No. 5B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, B B & H Enterprises has made application and requested a rezoning from M1-Light Manufacturing to CM-General Commercial District and a Special Use Permit for auto servicing, maintenance, storage, rentals and sales on property located at 4565 Genesee Street, said applicant being the owner of the property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on September 2, 1986 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGES (2)

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

.....*S. Harsberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....**Clerk**..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....*1*..... weeks;  
first publication.....*AUG 21 1986*..... ;  
last publication.....*AUG 21 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

.....*S. Harsberger*.....

Sworn to before me this .....*22nd*.....

day of .....*August*....., 19..*86*..

.....*Cecelia Westoven*.....

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

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



**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 2nd day of September, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of B B & H Enterprises to Rezone from M1 Light Manufacturing District to CM General Commercial District on property located at 4565 Genesee Street and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga New York.

All 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. Joworowicz

Christopher J. Kowal

Dennis H. Gabryszak

**RICHARD M. MOLESKI**

Town Clerk

**LEGAL DESCRIPTION  
SCHEDULE "A"**

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Nos. 77 and 78, Township 11, Range 7 of the Holland Land Company's Survey and more particularly described as follows:

**BEGINNING** at a point on the Southerly line of Genesee Street as established by a Notice of Appropriation recorded in Liber 7800 of Deeds at page 75 (Map No. 41, Parcel No. 44) at the Northwest corner of the first parcel of land conveyed to Fred M. Calandra and Salvatore C. Calandra described in a Deed recorded in Liber 8123 of Deeds at page 450, said point being 107.75 feet distant Westerly from the East line of said Lot No. 78 as measured along said Southerly line of Genesee Street; thence Southerly at an interior angle of 103° 19' 47" and along the Westerly line of the lands so conveyed to Calandra by Deed aforesaid, 182.33 feet to an angle point; thence Southwesterly at an exterior angle of 149° 33' 54" and continuing along the Westerly line of the lands so conveyed to Calandra by Deed aforesaid, 221.30 feet to a point on a line drawn parallel with the distant 50 feet Northerly, as measured at right angles, from the center line of the main track of railroad of the West Shore Branch of Consolidated Rail Corporation, formerly Penn Central Transportation Company, said parallel line also being the Northerly line of the second parcel of land conveyed to Calandra as described in the Deed aforesaid 296.58 feet; thence Southwesterly along a curve to the right having a

radius of 11,409.16 feet and along the Northerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, an arc distance of 260.52 feet to the Northwest corner of said second parcel; thence Southerly along the Westerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, 34.08 feet to the Southwest corner of said second parcel; thence Northeasterly along a curve to the left having a radius of 11,439.16 feet and along the Southerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, an arc distance of 276.85 feet to a point; thence continuing Northeasterly along a line drawn parallel with the distant 20 feet Northerly, as measured at right angles, from the center line of the main track of railroad of the West Shore Branch of Consolidated Rail Corporation formerly Penn Central Transportation Company, and along the Southerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, 1026.74 feet to a point on the Westerly line of Sonwil Drive (60 feet wide) as established by an Easement recorded in Liber 6849 of Deeds at page 65; thence Northwesterly along said Westerly line of Sonwil Drive, 30 feet to a point on a line drawn parallel with a distant 50 feet Northerly, as measured at right angles, from the center line of the main track or railroad of the West Shore Branch of Consolidated Rail Corporation; formerly Penn Central Transportation Company; thence Southwesterly along said last described parallel line and along the Northerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, 333.47 feet to the Southeast corner of lands conveyed to Fred M. Calandra and Salvatore Calandra by Deed recorded in Liber 6965 of Deeds at page 295; thence Northerly at an exterior angle of 61° 18' 03" along a line drawn parallel with the West line of said Lot No. 77 and also along the East line of the lands conveyed to Calandra by Deed recorded in Liber 6965 of Deeds at page 295, 241.76 feet to the Southerly line of Genesee Street as established by a notice of Appropriation recorded in Liber 7470 of Deeds at page 649 (Map No. 42, Parcel No. 45); thence Westerly along the Southerly line of Genesee Street as now laid out, 244.85 feet to the point or place of beginning.

**PUBLISH:** August 21, 1986

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

.....*S. Hunsberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....Clerk..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks:  
first publication.....*AUG 21 1986*..... ;  
last publication.....*AUG 21 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

.....*S. Hunsberger*.....

Sworn to before me this .....*22nd*.....

day of .....*August*....., 19..*86*.

.....*Cecilia 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 IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 2nd day of September, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of B B & H Enterprises for a Special Permit to Use property for auto servicing, maintenance, storage, rentals and sales on property located at 4565 Genesee Street 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. Joworowicz

Christopher J. Kowal

Dennis H. Gabryszak

**RICHARD M. MOLESKI**

Town Clerk

**LEGAL DESCRIPTION**

**SCHEDULE "A"**

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Nos. 77 and 78, Township 11, Range 7 of the Holland Land Company's Survey and more particularly described as follows:

**BEGINNING** at a point on the Southerly line of Genesee Street as established by a Notice of Appropriation recorded in Liber 7800 of Deeds at page 75 (Map No. 41, Parcel No. 44) at the Northwest corner of the first parcel of land conveyed to Fred M. Calandra and Salvatore C. Calandra described in a Deed recorded in Liber 8123 of Deeds at page 450, said point being 107.75 feet distant Westerly from the East line of said Lot No. 78 as measured along said Southerly line of Genesee Street; thence Southerly at an interior angle of 103° 19' 47" and along the Westerly line of the lands so conveyed to Calandra by Deed aforesaid, 182.33 feet to an angle point; thence Southwesterly at an exterior angle of 149° 33' 54" and continuing along the Westerly line of the lands so conveyed to Calandra by Deed aforesaid, 221.30 feet to a point on a line drawn parallel with the distant 50 feet Northerly, as measured at right angles, from the center line of the main track of railroad of the West Shore Branch of Consolidated Rail Corporation, formerly Penn Central Transportation Company, said parallel line also being the Northerly line of the second parcel of land conveyed to Calandra as described in the Deed aforesaid 296.58 feet; thence Southwesterly along a curve to the right having a radius of 11,409.16 feet and along the Northerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, an arc distance of 260.52 feet to the Northwest corner of said second parcel; thence Southerly along the Westerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, 34.06 feet to the Southwest corner of said second parcel; thence Northeasterly

along a curve to the left having a radius of 11,439.16 feet and along the Southerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, an arc distance of 276.85 feet to a point; thence continuing Northeasterly along a line drawn parallel with the distant 20 feet Northerly, as measured at right angles, from the center line of the main track of railroad of the West Shore Branch of Consolidated Rail Corporation formerly Penn Central Transportation Company, and along the Southerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, 1026.74 feet to a point on the Westerly line of Sonwil Drive (60 feet wide) as established by an Easement recorded in Liber 6849 of Deeds at page 65; thence Norhtwesterly along said Westerly line of Sonwil Drive, 30 feet to a point on a line drawn parallel with a distant 50 feet Northerly, as measured at right angles, from the center line of the main track or railroad of the West Shore Branch of Consolidated Rail Corporation; formerly Penn Central Transportation Company; thence Southwesterly along said last described parallel line and along the Northerly line of said second parcel of land conveyed to Calandra by Deed aforesaid, 333.47 feet to the Southeast corner of lands conveyed to Fred M. Calandra and Salvatore Calandra by Deed recorded in Liber 6965 of Deeds at page 295; thence Northerly at an exterior angle of 61° 18' 03" along a line drawn parallel with the West line of said Lot No. 77 and also along the East line of the lands conveyed to Calandra by Deed recorded in Liber 6965 of Deeds at page 295, 241.76 feet to the Southerly line of Genesee Street as established by a notice of Appropriation recorded in Liber 7470 of Deeds at page 649 (Map No. 42, Parcel No. 45); thence Westerly along the Southerly line of Genesee Street as now laid out, 244.85 feet to the point or place of beginning.

**PUBLISH: August 21, 1986**

MEETING NO. 16  
August 18, 1986

Item No. 6A Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, bids were duly received by this Town Board at a Bid Opening held on July 21, 1986 for Two (2) Rubber Tire Loaders with optional attachments to be purchased by the Town Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to Mecca Kendall Corp. of West Falls, NY for the total purchase price of \$158,345.00 as follows:

Two (2) Coyote C62 Loaders Per Specifications	\$135,640.00
One (1) Viking 120 HSE9 Front One-Way Plow Per Specifications	4,490.00
One (1) Viking 120 HSE 9 with tennco TC110 Wing One-Way Plow and wing for loader as per specifications	<u>18,215.00</u>
TOTAL COST	\$158,345.00

being the lowest responsible bidder meeting specifications.

Upon Roll Call....

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

Item No. 6B Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the application of a chemical root control agent to sanitary sewer lines in various locations in the Town of Cheektowaga, which bids were duly opened at a public bid opening on August 4, 1986, 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 application of a chemical root control agent to sanitary sewer lines at the unit price of \$1.19 per lineal foot of 8" sewer and \$1.34 per lineal foot of 10" sewer be awarded to Duke's Sales & Service Inc., 1020 Hiawatha Boulevard West, Syracuse, New York. 13204, said 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

August 14, 1986

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

RE: Award of Bid  
Application of Chemical  
Root Control Agent to  
Sanitary SEwer Lines

Gentlemen:

At a public bid opening on August 4, 1986 bids were received and opened for the application of a chemical root control agent to sanitary sewer lines. One (1) bid was received as follows:

<u>BIDDER</u>	<u>BID PRICE</u>
Duke's Sales & Service Inc.	\$17,658.93

The bid was reviewed by the Town Engineer and upon his recommendation, the bid should be awarded to Duke's Sales & Service Inc., 1020 Hiawatha Boulevard West, Syracuse, New York 13204, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

*Henry Borkowski*

Henry Borkowski  
Engineering Aide

HB:dms

Item No. 6C Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of a pond and parking facilities in the John C. Stiglmeier Park, which bids were duly received and publicly opened on June 21, 1986, AND

WHEREAS, the bids were referred to Merriman Conservation Consultants, Inc. and the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated August 12, 1986, AND

WHEREAS, said report recommends that the bid be awarded to C.M.H. Company, Inc., 590 Cayuga Creek Road, Cheektowaga, New York 14227, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of a pond and parking facilities in John C. Stiglmeier Park be and hereby is awarded to C.M.H. Company, Inc., the lowest responsible bidder meeting the requirements of the specifications at the total bid price of \$169,519.25, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is authorized and directed to sign said agreement with C.M.H. Company, Inc.

\*\*\*\*\*

Motion by Councilman Johnson Seconded by Supervisor Weber to table the above item 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 ITEM WAS TABLED!!!!

Item No. 7A 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:

<u>Street Lighting Division - #02-905182-1-0-1492-001</u>	<u>Effective</u>
Paul Glab	8/06/86
Conrad Scharmach	8/31/86
Michael Kennuth	8/18/86
 <u>Beach &amp; Pool - #01-007110-1-0-1623-001</u>	
Walter Gardon	8/31/86
 <u>Parks Division - #01-007110-1-0-1491-001</u>	
Erich Fuerter	8/31/86
John Stefaniak	8/18/86
Paul Jelonek	8/31/86

Upon Roll Call....

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

Item No. 7B Motion by Councilman Johnson Seconded by Councilman Kowal

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

Effective

MAIN PUMP STATION

Joseph Mazur

9/01/86

SEWER MAINTENANCE DEPARTMENT

David Uhl

Immediately

ASSESSOR'S OFFICE

Judy Poules

9/01/86

Upon Roll Call....

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

Item No. 8A Motion by Councilman Jaworowicz Seconded by Councilman W. Rogowski

WHEREAS, by resolution dated July 21, 1986, this Town Board created the position of General Mechanic in the Facilities Department, AND

WHEREAS, such position was duly posted in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association and no Town Employees' Association employee bid on such job, AND

WHEREAS, such position then became open to the general public, AND

WHEREAS, Douglas Dixon of Cheektowaga, New York applied for such position and meets all of the requirements for such job, NOW, THEREFORE, BE IT

RESOLVED that Douglas Dixon of Cheektowaga, New York be and hereby is appointed to the position of General Mechanic in the Facilities Department, effective immediately, at a salary in accordance with the collective bargaining agreement between the Town and the Town 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. 8B Appointment of General Mechanic in Facilities Department.  
This item was withdrawn.

Item No. 8C Appointment of General Mechanic in Facilities Department.  
This item was withdrawn.

Item No. 9A 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:

PARKS DIVISION - #01-007110-1-0-1491-001

Bruce Blachowski  
Felix Lampke  
David Lease  
Dale Matecki  
Francis Strong  
Earl Scherer

Effective

8/15/86  
8/25/86  
8/25/86  
8/25/86  
8/25/86  
9/01/86

Item No. 9A Cont'd.

STREET LIGHTING DIVISION - #02-905182-1-0-1492-001

Joseph Coffta

8/27/86

Upon Roll Call....

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

Item No. 9B 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:

MAIN PUMP STATION - \$4.00 per hour Effective

John Johnson

9/02/86

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 W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Cheektowaga Youth Bureau is sponsoring a residential camping experience for over twenty five developmentally disabled youngsters, and

WHEREAS, this will necessitate selected staff to be transferred from an hourly pay status to a salaried classification for a one week period,

BE IT RESOLVED that the following individuals be hired at the stated salaries for the week of August 23rd thru August 30th:

RECREATION SUPERVISOR/ATTENDANT-PROGRAM COORDINATORS - \$250.00 for the week

Teresa Petroski	14225
Dorene Zak	14227
Deborah Wojtkowski	14043

RECREATION SUPERVISOR/ATTENDANT-COUNSELORS - \$175.00 for the week

Thomas Sinica	14211
Christine Phillips	14225
Amy Anderson	14227
Andrew Gorski	14206
Karen Conroy	14215
Kevin Niederpruem	14227
Denise Lechner	14225
Kerry Switalski	14225
David Imiola	14227
Paulette Mecca	14225
Jason Backes	14225
Cindy Boje	14225
Mark Phillips	14225

RECREATION SUPERVISOR/ATTENDANT-COUNSELOR - \$100.00 for the week

Jeffrey Kaczorowski	14227
---------------------	-------

BE IT FURTHER RESOLVED that the stated individuals will revert to their hourly classification effective September 1st.



MEETING NO. 16  
August 18, 1986

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. 10 Motion by Councilman Kowal Seconded by Councilman J. Rogowski

WHEREAS, by resolution dated July 21, 1986, this Town Board granted Sherry L. Witt, Senior Clerk in the Assessor's Office, a leave of absence for medical reasons from July 22, 1986 to August 21, 1986, AND

WHEREAS, Sherry L. Witt has requested an extension of her leave of absence for an additional one month, from August 22, 1986 to September 21, 1986, NOW, THEREFORE, BE IT

RESOLVED that Sherry L. Witt be and hereby is granted an additional one month unpaid leave of absence from her position as Senior Clerk in the Assessor's Office, from August 22, 1986 to September 21, 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. 11A Motion by Supervisor Weber Seconded by Councilman W. Rogowski

WHEREAS, a Bond Anticipation Note closing will take place in New York City on Friday, August 29, 1986, AND

WHEREAS, it is necessary that the Town Clerk, Richard M. Moleski, and the Supervising Accountant, William L. Wielinski attend such closing and deliver the Bond Anticipation Notes to New York City, NOW, THEREFORE, BE IT

RESOLVED that their necessary and reasonable expenses be reimbursed by the Town.

Upon Roll Call....

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

Item No. 11B Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, the New York State Chiefs of Police Association Conference will be held in Albany, New York from August 25th-28th, 1986, AND

WHEREAS, Cheektowaga Police Chief Leonard J. Smolarek has requested permission to attend such conference, NOW, THEREFORE, BE IT

RESOLVED that Chief Leonard J. Smolarek be and hereby is authorized to attend the aforementioned conference in Albany from August 25th-28th, 1986, AND, BE IT FURTHER

RESOLVED that the Chief of Police be and hereby is authorized to take the town-owned vehicle assigned to him to and from this conference, AND, BE IT FURTHER

RESOLVED that the Chief of Police be reimbursed for all necessary and reasonable expenses incurred by him in attending this conference.

MEETING NO. 16  
August 18, 1986

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 Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, special proceedings are being brought against the Town of Cheektowaga concerning assessments based on the 1986 assessment roll, AND

WHEREAS, the area of assessment challenges is a specialized field of law involving technical legalities, AND

WHEREAS, Joseph G. Sacco is a highly trained specialist in the area of assessment review proceedings and has, in fact, handled such assessment review proceedings on behalf of the Town of Cheektowaga for the past twelve years, NOW, THEREFORE, BE IT

RESOLVED that Joseph G. Sacco, Esq., Attorney at Law, be and is hereby retained to represent the Town of Cheektowaga in all assessment review proceedings based on the 1986 assessment rolls, AND, BE IT FURTHER

RESOLVED that his reasonable fees and expenses, as audited by the Town Attorney, be paid by the Town.

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 W. Rogowski Seconded by Supervisor Weber

WHEREAS, the Town of Cheektowaga has supported the Meals on Wheels Program for our elders for the last five and one-half years, AND

WHEREAS, we are presently serving 180 elderly residents daily with two home-delivered meals, AND

WHEREAS, a funding cut through the NYS Supplemental Nutrition Assistance Program for the Elderly (SNAP) as a result of the Gramm-Rudman Act will force an attrition plan, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga will present a grant of \$10,000.00 to the Meals on Wheels Program for the year 1987 to ensure the continuance of this program in our Town.

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 Kowal

WHEREAS, the Reinstein Memorial Library requires professional services to determine, cause, extent and necessary remedial maintenance to repair the wood glulamated beams, AND

WHEREAS, said inspection shall determine the extent of deterioration, the approximate amount of sound wood remaining to determine whether or not in-place preservative treatment is practical, determine the proper method of treatment to control decay and insect attack, estimate the amount of replacement, reinforcing and rebuilding work required and provide a detailed report and cost analysis, AND



MEETING NO. 16  
August 18, 1986

Item No. 14A Cont'd.

WHEREAS, the firm of Timber Consultants, Inc., 4546 Tompkins Drive, Madison, Wisconsin, has submitted a proposal dated July 31, 1986, to furnish said inspection and report at a fee not to exceed \$1,100.00 including travel expenses, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby authorizes the firm of Timber Consultants, Inc., 4546 Tompkins Drive, Madison, Wisconsin to perform the required inspections and submit a comprehensive restoration analysis of the glulam-inated wood beams at the Reinstein Memorial Library, all in accordance with the July 31, 1986 letter of Timber Consultants, Inc. at a fee not to exceed \$1,100.00.

Upon Roll Call....

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

Item No. 14B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Douglas S. Citron, Secretary of the 100 Club of Buffalo, Inc. has requested the Town's participation in the 100 Club of Buffalo, Inc. Honor Guard Procession for their "Policemen's Appreciation Baseball Eve" on August 24, 1986, AND

WHEREAS, this Town Board is proud of its police officers and desires them to receive due recognition for their dedicated law enforcement activities and wishes to allow them to participate in the aforesaid Honor Guard Procession, AND

WHEREAS, the following named officers will participate in the Honor Guard Procession for the 100 Club of Buffalo, Inc. Policemen's Appreciation Baseball Eve on Sunday, August 24, 1986:

Honor Guard: Sargeant Daniel Conley  
Patrolman Phil Williams  
Patrolman Raymond Nowicki  
Patrolman Daniel Whitehead  
Mounted: Patrolman Thomas Wentland  
Patrolman Daniel Keane  
Patrolman Carl Hendel

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes the above-named Police Officers to participate in the aforementioned Honor Guard Procession and to receive time-off if they are scheduled to work or receive compensatory time if they are not scheduled to work on August 24, 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. 14C Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, the Congress of the United States has passed, and the President of the United States has signed into law the Housing and Community Development Act of 1974, and

WHEREAS, the primary purpose of the Housing and Community Development Act is to develop better communities in the United States, AND

WHEREAS, the Town of Cheektowaga desires to cooperate with the Villages of Sloan, Depew, and Williamsville in applying for and utilizing a maximum share of any funds available under said Housing and Community Development act, AND

MEETING NO. 16  
August 18, 1986

Item No. 14C Cont'd.

WHEREAS, said Villages desire to undertake essential community development and housing assistance activities, as defined in said Act, AND

WHEREAS, the Town of Cheektowaga has been designated as a "Metropolitan City" by the United States Department of Housing and Urban Development and is thereby eligible for a formula share of program funds, provided said Town enters into cooperation agreements with the included units of general local government, AND

WHEREAS, the included Villages are authorizing their Mayors to enter into Cooperative Agreements with the Town of Cheektowaga by Resolutions dated no later than September 1, 1986 so as to receive funds available by the application of the Town of Cheektowaga under the Housing and Community Development Act, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga is hereby authorized and directed to sign said Cooperation Agreements with the Villages of Sloan, Depew, and Williamsville on behalf of the Cheektowaga 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. 14D Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, a housing rehabilitation loan was previously provided to the owners of 66 Beryl Drive for repairs on their property and is secured by a mortgage on said property, and

WHEREAS, the owners of said property have requested the Town to subordinate its mortgage on their property to Citibank to enable the owners to re-finance their primary mortgage, and

WHEREAS, the Town's Director of Community Development has recommended that the Town Board approve such a subordination, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized and directed to sign a Subordination Agreement with Citibank for the property at 66 Beryl Drive.

Upon Roll Call....

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

Item No. 14E Motion by Councilman Kowal Seconded by Councilman Jaworowicz

WHEREAS, the Town of Lancaster has asked the Town of Cheektowaga to enter into an agreement with it for the proper disposal of dead dogs for the Town of Lancaster, and

WHEREAS, Cheektowaga's Dog Control Officers have stated that such dogs could be economically disposed of by them for a cost of \$5.00 per dog, and

WHEREAS, an agreement between the Towns of Lancaster and Cheektowaga has been prepared and is acceptable to the Town Attorney's Office, and

WHEREAS, this Town Board, in an expression of intermunicipal cooperation, is willing to enter into such an agreement with the Town of Lancaster, NOW, THEREFORE, BE IT

MEETING NO. 16  
August 18, 1986

Item No. 14E Cont'd.

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Dog Disposal Agreement on behalf 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. 15A Motion by Councilman J. Rogowski Seconded by Councilman Jaworowicz

WHEREAS, as part of the acceptance of the Del Prince Estates Subdivision, Louis Del Prince & Sons, Inc. was to deed to the Town a strip of land along the south boundary of such subdivision to the north of Slate Bottom Creek, and

WHEREAS, such land was inadvertently not deeded to the Town after such subdivision was approved, and

WHEREAS, Louis Del Prince & Sons, Inc. is now willing to convey such land to the town at no cost, and

WHEREAS, the Town Engineering Department has expressed its desire in obtaining this creek for maintenance of Slate Bottom Creek and for drainage purposes, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforementioned land described in the attached deed from Louis Del Prince & Sons, Inc., and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to record the attached deed in the Erie County Clerk's Office.

\*SEE NEXT TWO (2) PAGES FOR COPY OF DEED

Upon Roll Call.....

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

# This Indenture

Made the 4th

1986 OCT -7 day of August AM 10:49 in the year One Thousand

Nine Hundred and Eighty-six.

CHEEKTOWAGA TOWN CLERK

Between LOUIS DEL PRINCE & SONS, INC.  
3463 Genesee Street  
Cheektowaga, New York 14225

a corporation organized under the Laws of the State of New York, and having its place of business in the

Town of Cheektowaga, County

of Erie, and State of New York, party of the first part, and

TOWN OF CHEEKTOWAGA  
Broadway and Union Road  
Cheektowaga, New York 14227 party of the second part,

Witnesseth, That the said party of the first part, in consideration of the sum of

-----One and No More Dollars-----

(\$ 1.00 & no more), lawful money of the United States, paid by the said party of the second

part, doth hereby grant and release unto the said party of the second part, its successors

and assigns forever, all

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 43, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

BEGINNING at a point being the southeast corner of Sublot 44, as shown on a map filed in the Erie County Clerk's Office under Map Cover 2269;

thence westerly along the south boundary lines of Sublots Nos. 44 to 75, as shown on said Map Cover 2269, a distance of One thousand eight hundred twenty-seven and eleven hundredths (1,827.11) feet to a point being the southwest corner of Sublot No. 75 of Map Cover 2269;

thence easterly along the south boundary line of said Map Cover 2269 a distance of two thousand one hundred twenty-nine and thirty-one hundredths (2,129.31) feet to a point being the southwest corner of Sublot No. 44 of Map Cover 2269;

thence northwesterly along the westerly line of Sublot No. 44-A of said Map Cover 2269, a distance of forty-five and eighty-six hundredths (45.86) feet to the point or place of beginning.

RECEIVED  
\$.....  
REAL ESTATE  
SEP 5 1986  
TRANSFER TAX  
ERIE  
3557 COUNTY 41

Together with the appurtenances; and all the estate and rights of the said party of the first part in and to said premises.

To have and to hold the above granted premises unto the said party of the second part, its successors and assigns forever.

And the said party of the first part doth covenant with the said party of the second part as follows:

That the party of the second part shall quietly enjoy the said premises.

That the grantor, in compliance with Section 13 of the Lien Law, will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

That the said party of the first part will forever warrant the title to said premises.

In Presence of

In Witness Whereof, The party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this 4th day of August

Nineteen Hundred and Eighty-six

By Paul M. Del Prince

State of New York  
County of ERIE

ss. On this 4th day of August  
Nineteen Hundred and Eighty-six

before me personally came

Paul M. Del Prince

to me personally known, who, being by me duly sworn, did depose and say that he resides in  
Williamsville, N.Y. that he is

the President of Louis Del Prince & Sons Inc. the corporation described in, and which executed, the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed name thereto by like order.

JOANNE P. MEAD  
Notary Public, State of New York  
Qualified in Erie County  
My commission expires January 31, 1989

Joanne P. Mead

1986 SEP -5 PM 3:01  
FILED  
ERIE COUNTY  
CLERK'S OFFICE  
Corporation Warranty—with lien covenant

LOUIS DEL PRINCE & SONS, INC.  
496

Co

TOWN OF CHEEKTOWAGA

Dated August 4, 1986

STATE OF NEW YORK  
ERIE COUNTY CLERK'S OFFICE

Recorded in Liber 9614 Page 468  
of Deeds  
on the 5th day of Sept  
A.D., 1986, at 3:01 o'clock P.M.  
and examined.

Joanne P. Mead  
CLERK

LIBER 9614 PAGE 469

Chg 26043  
1-1 0923

MEETING NO. 16  
August 18, 1986

Item No. 15B Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, there is need to construct a sanitary sewer in the John C. Stiglmeier Park to serve the Administration Building and other restroom facilities as requested by James Matecki, Director of the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc. as submitted to the Town Engineer and dated August 4, 1986 for the preparation of plans and specifications for a fee of \$2,500 and for the provision of general services during construction at a cost of \$500 be and hereby is accepted, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign said proposal agreement as submitted by the consulting firm of Nussbaumer & Clarke, Inc.

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 Supervisor Weber

WHEREAS, the Erie County Water Authority purchased 7.87 acres of abandoned railroad property running from Union Road to Ludwig Avenue, and

WHEREAS, the Erie County Water Authority is in need of only one (1) portion of this abandoned railroad right-of-way for their purposes and is willing to convey the remainder of approximately 5.9 acres to the Town of Cheektowaga, which property is situated north of and adjacent to the Raymond Street Park and Sandy Lane, and

WHEREAS, the acquisition of said railroad right-of-way would be beneficial to the Town for recreational purposes and for the provision of a storm water retention area which would be a benefit to the Vern Lane properties lying to the south, NOW, THEREFORE, BE IT

RESOLVED that this Town Board petitions the Erie County Water Authority to convey to the Town some 5.9 acres of abandoned railroad property at no cost to the Town, AND, BE IT FURTHER

RESOLVED that the Town Attorney is to make whatever legal arrangements that are necessary to provide for the transfer of said railroad property, AND, BE IT FURTHER

RESOLVED that a copy of this resolution and request be transmitted to Mr. Joseph Wyandez, Board of Managers of the Erie County Water Authority.

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 Supervisor Weber

WHEREAS, the British Airways Concorde will arrive at the Greater Buffalo International Airport (GBIA) on September 1, 1986, AND

WHEREAS, such jet creates excessive "ear-splitting" noise, especially when it takes off, AND

WHEREAS, the Port Authority of New York, the State of New Jersey, the Niagara Town Board, the Niagara Falls Ontario Council and other communities have voiced their opposition to the Concorde and have voted to ban it from their communities, AND

Item No. 17 Cont'd.

WHEREAS, there is high density of residences in the vicinity of the GBIA, AND

WHEREAS, the Town residents in the past have complained to the Niagara Frontier Transportation Authority (NFTA) and others about the noise levels at the GBIA and have always been assured that the NFTA would strive to reduce aircraft noise in the Town, AND

WHEREAS, the landing and take off of the Concorde will only serve to exacerbate the noise levels near the GBIA, AND

WHEREAS, such proposed use of GBIA facilities on September 1, 1986, by the Concorde would not only be stressful to our residents but would serve as a precedent for future abuses, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the NFTA and Federal Aviation Administration (FAA) to prohibit the landing of the Concorde at the GBIA on September 1, 1986, AND, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Raymond Gallagher, Chairman, NFTA; Donald Engen, Administrator, FAA; Congressman Henry Nowak; Senator Dale Volker; and Assemblyman Dennis Gorski.

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 W. Rogowski

WHEREAS, land developers must install water mains along the right-of-ways of new subdivisions, AND

WHEREAS, two (2) hydrants must be installed in the Cheektowaga portion of the Babbette Subdivision before the Erie County Water Authority accepts the water main extension as part of their water transmission system, NOW, THEREFORE, BE IT

RESOLVED that permission is hereby granted to the land developer to install two (2) hydrants in the Hy-View Fire District #8. The hydrant locations are approved by Allan B. Blachowski, Chief of Hy-View Fire Company. The approved locations are in the Babbette Subdivision to be filed with the Erie County Clerk's Office.

Two (2) on Babbette Drive (1) adjacent to Sublots #22 and #23  
(1) ten feet (10') north of the south  
south line of Sublot #15

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 Gabryszak

WHEREAS, the Public Improvement Permit Ordinance of the Town of Cheektowaga requires that all improvements that are to be dedicated to the Town and be maintained by the town, be installed under a Public Improvement Permit, AND

WHEREAS, Arthur Lewin, the Developer of the Babbette Subdivision, has submitted the required Public Improvement Permit Application, plans and specifications and permit fee for improvements to be constructed within the portion of this subdivision located in the Town of Cheektowaga, NOW, THEREFORE, BE IT

MEETING NO. 16  
August 18, 1986

Item No. 19 Cont'd.

RESOLVED that the Public Improvement Permit be approved for the portion of the Babbette Subdivision located within the Town of Cheektowaga, AND, BE IT FURTHER

RESOLVED that sanitary and storm sewer easements are to be filed for this subdivision in the Erie County Clerk's Office prior to acceptance of the related improvements to be constructed under the Public Improvement Permit.

Upon Roll Call....

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

Item No. 20 Motion by Councilman Johnson Seconded by Councilman Gabryszak

BE IT RESOLVED that the Niagara Mohawk Power Corporation be and hereby is authorized to convert five (5) existing 175 watt mercury vapor luminaires to 100 watt high pressure sodium luminaires on Ellwood Place, including the installation of one (1) additional 100 watt high pressure sodium luminaire with bracket arm on Ellwood Place, in the Town of Cheektowaga, at an annual increase to the Town's General Lighting district of \$92.14 in accordance with the attached proposal dated July 7, 1986 which is hereby made a part of this resolution.

\*SEE NEXT PAGE FOR STREET LIGHTING PROPOSAL.

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  
ELLWOOD PLACE  
STREET LIGHT PROPOSAL

GENERAL DESCRIPTION

1. Convert all existing Mercury Vapor units to High Pressure Sodium street lights.
2. Install additional street lights to light the entire length of Ellwood Place.

DETAILS

1. Conversion of existing Mercury Vapor lights - Pole Nos. 32, 46, 66, 90, and 110.
  - A. Remove 5 - 175 watt Mercury Vapor street lights
  - B. Install 5 - 100 watt High Pressure Sodium lights
2. Install one (1) new 100 watt High Pressure Sodium street light on Ellwood Place. (See attached sketch.)

BILLING

There will be an annual increase of \$92.14 in billing.

July 7, 1986

MEETING NO. 16  
August 18, 1986

Item No. 21A Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located north of 438 Kennedy Road, Cheektowaga, New York, SBL # 113.06-4-6 and according to the Assessor's Office is owned by John Ogiony, , Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 21B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 110 Brookedge Road, Cheektowaga, New York, SBL # 114.16-7-41 and according to the Assessor's Office is owned by Matthew Peters, , Buffalo, New York 14211, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 21C Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located between 2 & 6 Olcott Place, Cheektowaga, New York, SBL # 101.28-11-25 and according to the Assessor's Office is owned by , Waithollow Road, Cattaraugus, New York 14719, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Item No. 21C 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. 21D Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on the vacant lot on the south side of 7 Henry Street, Cheektowaga, New York, SBL # 113.72-2-14 and according to the Assessor's Office is owned by Thomas Kidder, Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 22 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.

GENERAL FUND

From: 7310.4675 (Youth-Library Contract)	\$200.00
7310.4261 (Youth-Postage)	83.00
7310.4261 (Youth-Postage)	500.00
9010.8111 (Employee Benefits-Police Retirement)	5,000.00
To: 7310.4431 (Youth-Equipment Repairs)	200.00
7310.4431 (Youth-Equipment Repairs)	83.00
7310.4681 (Youth-In-Service Training)	500.00
3510.4451 (Dog Control-Kennel Repairs and Maint)	5,000.00

Upon Roll Call....

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

Item No. 23 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 August 18th, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

Item No. 23 Cont'd.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$158,541.77
SPECIAL DISTRICTS FUND	11,004.16
HIGHWAY FUND	54,617.27
FEDERAL REVENUE SHARING FUND	1,851.50
CAPITAL FUND	86,067.81
TRUST AND AGENCY FUND	1,120.00
HUD-CDBG FUND	332.08
PART TOWN FUND	134.48
	<u>\$313,669.07</u>

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. 24 Create position of Fire Inspector/Full Time

Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, there are presently one full-time and one part-time Fire Inspectors in the Office of the Town Building & Plumbing Inspector, and

WHEREAS, it has been determined that there is a need to have a second full-time Fire Inspector due to the increasing number of inspections required, NOW, THEREFORE, BE IT

RESOLVED that a new position of Fire Inspector (Full-Time) be and hereby is created in the Office of the Building & Plumbing Inspector, effective immediately, and BE IT FURTHER

RESOLVED that such position be posted for a period of ten (10) work days in accordance with the 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. 25 Call for Public Hearing for acquisition of certain property as addition to Stiglmeier Park.  
THIS ITEM WAS WITHDRAWN.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Casimir A. Kozminski, Assessor: Decisions of Assessment Board of Review regarding Assessment complaints.  
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 27A Notice of Petition: Josephine Federowicz vs. Town of Cheektowaga.  
Copies of this Notice were sent to: Daniel E. Weber, Supervisor;  
James Kirisits, Town Attorney; Karen McAuley, Council Secretary.  
Received and filed.

Item No. 27B Notice of Petition: Howard Johnson Co., Inc., vs. Board of Assessment Review.  
Copies of this Notice were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Jr., Town Councilman; and Casimir Kozminski, Assessor.  
Received and filed.

Item No. 27C Notice of Petition: Sorrento Cheese Co., Inc. vs. Board of Assessment Review.  
Copies of this Notice were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Jr., Town Councilman; and Casimir Kozminski, Assessor.  
Received and filed.

\*\*\*\*\*

Motion by Councilman W. Rogowski Seconded by Councilman J. Rogowski to suspend the rules to include the following two (2) items 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

\*\*\*\*\*

V. SUSPENSION OF RULES

Item No. 28 Call for Public Hearing: Special Use Permit at 1051 Harlem Road - gasoline service station.

Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, William R. Groff, as agent for Mobil Oil Corp., has made application and requested a Special Use Permit for a gasoline service station on property located at 1051 Harlem Road, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on September 2, 1986 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, 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.

...*S. Hunsberger*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
**Clerk**  
..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks;  
first publication..... **AUG 21 1986** ..... ;  
last publication..... **AUG 21 1986** ..... ;  
and that no more than six days intervened be-  
tween publications.

.....*S. Hunsberger*.....

Sworn to before me this .....*22nd*.....

day of .....*August*....., 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 IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 2nd day of September, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of William R. Groff, Agent for Mobil Oil Corp. for a Special Permit to use property as a gasoline service station on property located at 1051 Harlem 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. Joworowicz

Christopher J. Kowal

Dennis H. Gabryszak

**RICHARD M. MOLESKI**

Town Clerk

**CLINTON STREET  
AND HARLEM ROAD**

**TOWN OF CHEEKTOWAGA**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 78, Township 10, Range 7 of the Holland Land Company's Survey also being part of Sublots 1 thru 6 as shown on subdivision map 1383 filed in the Erie County Clerk's Office and more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly highway boundary of Harlem Road with the southerly line of lands conveyed under Liber 8701 page 403 also being the northerly line of lands conveyed under Liber 7374 page 297; thence southerly along the easterly highway boundary of Harlem Road the following courses and distances; South 30°-31'-50" West a distance of 81.01 feet; thence South 03°-31'-50" West a distance of 40.46 feet; thence South 81°-33'-55" East a distance of 21.95 feet; thence South 85°-49'-17" East along the northerly highway boundary of Clinton Street a distance of 209.94 feet; thence North 05°-15'-27" East and along the easterly line of lands conveyed under Liber 7374 page 297 a distance of 118.42 feet; thence North 84°-44'-33" West and along the northerly line of lands conveyed under Liber 7347 page 297 a distance of 196.79 feet to the place or point of beginning.

Subject to any easements, right-of-ways, agreements, etc. of record.

DATED: July 17, 1986

PUBLISH: August 21, 1986

MEETING NO. 16  
August 18, 1986

Item No. 29 Authorize easement agreement with New York Telephone

Motion by Councilman J. Rogowski Seconded by Councilman Kowal

WHEREAS, Erie County has awarded the contract for the removal of the Rowley Road Bridge over the abandoned railroad, AND

WHEREAS, the New York Telephone Company has requested an easement from the Town of Cheektowaga for the burial of a telephone cable as required for this Rowley Road Bridge Removal Project, NOW, THEREFORE, BE IT

RESOLVED that this Town Board approves of the easement request as submitted to the Town Engineer by the New York Telephone Company, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to sign said Easement Agreement with the New York Telephone Company.

Upon Roll Call....

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

Item No. 30 Motion by Supervisor Weber Seconded by Councilman J. Rogowski to adjourn the meeting in memory of Bishop Pius A. Benincasa, Dr. Al Kalinowski and Victor Reinstein, Jr.

---

RICHARD M. MOLESKI  
TOWN CLERK



\*\*\*\*\*  
PUBLIC HEARINGS held at 6:30 P.M.  
\*\*\*\*\*

NO.

ITEM

Meeting No. 17 September 2, 1986

- 1 4565 Genesee Street - Rezoning from M1-Light Manufacturing to CM-General Commercial and Special Use Permit for auto servicing, maintenance, storage, rentals and sales
2. 782 Losson Road - Rezoning from R-Residential to RC-Restricted Business
3. 1051 Harlem Road - Special Use Permit for gasoline service station

NO. 19

PUBLIC HEARINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 18 September 15, 1986</u>	
2	Amendment to Traffic Ordinance - ARTicles XIX & XX regarding Airport Parking and Traffic Regulations	1
	<u>Meeting No. 19 October 6, 1986</u>	
2	Amendment to Traffic Ordinance - Art. X "Parking, Standing, Stopping" - Cloverdale, Community Drive, Colden	1-2

R E S O L U T I O N S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 17 September 2, 1986</u>		
2	Transfer of Funds	1
3	Warrant List	2
4	Allow 15-minute public comment period prior to consideration of resolutions at Town Board meetings	2
5	Decision on Special Use Permit - 1051 Harlem Road	2-3
6	Call for Public Hearing - Amendment to Traffic Ord. - Repeal Art. XIX and Art. XX Regarding Airport Parking and Traffic Regulations	4
7	Notice to Bidders - furnish equipment and operators for collection and disposal of refuse from rear load containers	5
8	AWARD OF BIDS:	
	a. Snow plow blades, shoes, etc. for Highway Department	6
	b. Electrical and mechanical work for Town Highway Garage	7
	c. Resurfacing of certain Town streets	7-8
	d. One (1) Diesel Air compressor for Sewer Maintenance	8
9	TERMINATION OF SEASONAL EMPLOYEES:	
	a. Facilities Department	9
	b. Sanitation Department	9
	c. Various Departments	9-10
10	Termination and appointment of S.E.Q.R. Advisory Committee member	10
11	HIRING OF SEASONAL EMPLOYEES:	
	a. Facilities Department	10-11
	b. Various Departments	11
12	Various changes in staffing of Youth Bureau programs	11
13	MILITARY LEAVE OF ABSENCE:	
	a. Executive Director of Youth Bureau	11-12
	b. Police Officer	12
14	AUTHORIZATION FOR:	
	a. Lieutenant to attend Sheriff's Communications Managers Meeting	12
	b. Chairman of Traffic Safety Commission to attend annual meeting	12-13
	c. Executive Director of Y.B. to attend meetings of N.Y.S. Division for Youths statewide Youth Employment Advisory Council	13
15	ACCEPT:	
	a. Drainage easements on Cayuga Creek Road	13
	b. Deed for property between Dean Road and Hyland Ave.	13-14
	c. Offer for sale of one (1) 1975 Ford Tractor/flail mower	15
	d. Preliminary site plan for Losson Park Estates	15
16	APPROVAL OF:	
	a. Community Development loan funds	15-16
	b. Ambulance Driver/Attendant renewal licenses	16
	c. New Ambulance Driver/Attendant licenses	17
	d. Ambulance (vehicle) licenses	18
17	Clean-up of property located at:	
	a. 43 Rosedale Drive	18
	b. Rear of 94 Wellworth Place	19
	c. 2115-2125 Walden Avenue	19

Meeting No. 18 September 15, 1986

3	Decision on Rezoning - 782 Losson Raod	1-2
4	Call for public hearing for amendment to T.O.-Art. X "Parking, Standing, Stopping" - Cloverdale, Community Dr., Colden	3-4
5	Proclamation of "Constitution Week"	5

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
6	Agreement to defend, indemnity and hold harmless the Cheektowaga-Maryvale School Dist. regarding use of Maryvale School District facilities	5
7	AUTHORIZATION FOR SUPERVISOR TO SIGN: a. Cultural services contract with N.Y.S. Council on the Arts b. Agreement regarding opening of roadway between Duke Road and Walden	6 7
8	Approval fo housing Rehabilitation loan funds	7
9	Acceptance of revised plans for subdivision on S.E. Corner of Como Park Blvd. and Borden Road	7-8
10	RELEASE OF SECURITY DEPOSIT TO: a. Los-Green, Inc. re: Rushford Lane, Ashleaf Dr, Hillpine Rd. b. H.O.M. Development Corp. regarding Jessica Lane	8 8
11	CLEAN-UP OF PROPERTY LOCATED AT: a. Rear of 1474 Cleveland Drive b. Rear of 1500 Cleveland Drive c. End of Redleaf Lane	9 9 9-10
12	Reappointment to Cheektowaga Air Pollution Board	10
13	Appointment to position of Real Property Appraiser in Assessor's Office	10
14	Leave of Absence for Sr. Clerk in Assessor's Office	10-11
15	Retain firm to conduct sale of surplus Town vehicles	11
16	TERMINATIONS OF SEASONAL EMPLOYEES a. Facilities b. Town Clerk's Office c. Youth Bureau d. Various Departments	12 12 13-14 14-15
17	HIRING OF SEASONAL EMPLOYEES a. Facilities b. Various Departments	15 15-16
18	Hiring of substitute crossing guards	16
19	AUTHORIZATIONS FOR SEMINARS/MEETINGS/CONFERENCES a. Housing Inspector b. Fire Inspectors c. Town Assessor d. Chief of Police e. Four representatives from Police Department	16 16-17 17 17 18
20	Transfer of Funds	18
21	Warrant List	18 19
<u>Meeting No. 19 October 6, 1987</u>		
3	Establishment of Public Comment Period at Town Board meeting	2
4	CALL FOR PUBLIC HEARINGS: a. Ad Valorem Budget b. Benefit Basis Budget c. Special Use Permit - 3706 Genesee d. Rezoning - Aero Drive, 462' East of Rein Rd. e. Amendment to T.O. - Art. VIII "Stop & Yield Intersections" - Eastland Pkwy., Central Blvd.	2-4 5-6 7 8 9
5	Decision on Special Use Permit - 3105 William Street	10-11
6	Authorize purchase of tow (2) Ford Tractors for Facilities Dept.	11
7	NOTICE TO BIDDERS: a. Storm sewer improvements on Vern Lane b. Improvements to Town Board	11-13 14-15
8	Consolidation of Election Districts for Registration Days	16
9	Establishment of Vehicle Impound Lot on Town Property	16-17
10	Approval of plans for Extension of Ely Road	17

RESOLUTIONS cont'd

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 19 October 6, 1986 cont'd</u>		
11	Designation of Fire Prevention Week	17-18
12	Designation of "Halloween Night"	18
13	Increase in Town's Money & Securities Insurance coverage	18-19
14	Designation of October as Polish-American month in Cheektowaga	19
15	AUTHORIZATION FOR TOWN CLERK TO ISSUE:	
	a. Ambulance License	19
	b. Renewal driver/attendant licenses	20-21
	c. New driver/attendant licenses	21-22
16	Authorization for Central Athletic Association for the Deaf to conduct tournament	22
17	AUTHORIZATION FOR SUPERVISOR TO:	
	a. Sign professional agreement with Tallamy, Van Kuren, Gertis and Associates	22-23
	b. Sign agreement with Nussbaumer & Clarke	23
	c. Sign agreement with Empire Soils, Inc.	23
	d. Sign loan agreement regarding Community Development Rehab loan funds	23-24
	e. Execute various documents regarding HUD Section 108 Loan to Buffalo Airport Associates	24-27
	f. Sign agreement regarding opening of roadway between Duke and Walden	27-28
18	Termination and hiring of part-time nutrition site managers	28
19	TERMINATIONS OF SEASONAL/PART-TIME EMPLOYEES:	
	a. Building Inspector's Office	28
	b. Various Departments	28-29
20	Hiring of "Temporary" laborer in Sanitation	29
21	Appointment to position of Fire Inspector (Full-Time) in Bldg. Inspector's Office	29
22	HIRING OF PART-TIME EMPLOYEES:	
	a. Building Department	29-30
	b. Payroll Department	30
23	HIRING OF SEASONAL EMPLOYEES:	
	a. Recreation Department	30-31
	b. Various Departments	31-32
24	AUTHORIZATION TO ATTEND CONFERENCE	
	a. Judge Gabryszak	32
	b. Police Officers/training session	32-33
	c. Recreation Director	33-34
25	CLEAN-UP OF PROPERTY LOCATED:	
	a. West of 1257 Walden Avenue	34
	b. North of 2804 Union Road	34
26	Change Order for Handicap Renovation for Police & Court Bldg.	34-36
27	Transfer of Funds	36
28	Warrant List	36
29	Adjournment of Town Board Meeting	36-37

DEPARTMENTAL COMMUNICATIONS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 17 September 2, 1986</u>	
19	Building Permits	20
20	Supervisor's Statement of Funds for months of January, February, March, April, May and June 1986	20
21	Cheektowaga Planning Board - minutes of July 1986 meeting	20
	<u>Meeting No. 19 October 6, 1986</u>	
30	Dennis L. Repka, Town Justice - letter of resignation	37
31	Building Permits	37
32	MINUTES OF MEETINGS:	
	a. Cheektowaga Public Library Board - September meeting	37
	b. Planning Board - August meeting	37
	c. Traffic Safety Commission - September meeting	37

FROM THE TABLE

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 17 September 2, 1986</u>	
18	Award of Bid : Construction of pond and parking facilities in Stiglmeier Park	19-20

GENERAL COMMUNICATIONS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 17 September 2, 1986</u>		
22	N.Y.S. Dept. of Trans. - Notice of Order: No Standing restriction on west side of Harlem Road from Walden to Greenleaf	20
23	State of N.Y. - Commission on Cable Television - Order approving transfer of Comax Telcom Corp. to International Cablevision Corp.	20
24	NOTICE OF PETITION:	
	a. Norbert & Lucille Pleban vs Town of Cheektowaga	20
	b. Basil Oldsmobile, Inc. vs Town of Cheektowaga	20
	c. N.Y. Telephone Co. vs Town of Cheektowaga	20
	d. ITT Corporation vs Town of Cheektowaga	21
	e. Joy Manufacturing vs Town of Cheektowaga	21
	f. Lancer Court Limited vs Town of Cheektowaga	21
	g. TransAmerican Partners III, c/o Thruway Mall vs Town of Chktg.	21
	h. National Fuel Gas vs Town of Cheektowaga	21
	i. Buffalo Perlite, Div. of Pine Hill Concrete Mix Corp. vs Town of Cheektowaga	21
	j. Nathan Benderson, et al vs Town of Chktg. (75 Benbro Dr.)	21
	k. Nathan Benderson, et al vs Town of Chktg. (85 Benbro Dr.)	21
	l. Nathan Benderson, et al vs Town of Chktg. (81 Benbro Dr.)	21
	m. Nathan Benderson, et al vs Town of Chktg. (SBL #103.10-7-15.2)	22
	n. Nathan Benderson, et al vs Town of Chktg. (3637 Union Rd.)	22
	o. Nathan Benderson, et al vs Town of Chktg. (79 Benbro Dr.)	22
	p. Benderson Dvpmt. et al vs Town of Chktg. (3825-3875 Union Rd.)	22
	q. Benderson Dvpmt. et al vs Town of Chktg. (2371 George Urban)	22
	r. Denny's, Inc. vs Town of Cheektowaga (4610 Genesee St.)	22
	s. Nathan Benderson, et al vs Town of Chktg. (88 Benbro Dr.)	22
	t. Nathan Benderson, et al vs Town of Chktg. (91 Benbro Dr.)	22
	u. Benderson Dvpmt. vs Town of Cheektowaga (2789 Union Rd.)	23
	v. Benderson Dvpmt. vs Town of Cheektowaga (385 Nagel Dr.)	23
	w. Benderson Dvpmt. vs Town of Cheektowaga (364 Nagel Dr.)	23
	x. Benderson Dvpmt. vs Town of Cheektowaga (375 Nagel Dr.)	23
	y. Benderson Dvpmt. vs Town of Cheektowaga (371 Nagel Dr.)	23
	z. Benderson Dvpmt. vs Town of Cheektowaga (387 Nagel Dr.)	23
	aa. Benderson Dvpmt. vs Town of Cheektowaga (2150 Walden)	23
	bb. Benderson Dvpmt. vs Town of Cheektowaga (2510 Walden)	23
	cc. Benderson Dvpmt. vs Town of Cheektowaga (2495-2515 Walden)	24
	dd. Benderson Dvpmt. vs Town of Cheektowaga (2410 Walden)	24
	ee. Nathan Benderson, et al vs Town of Chktg. (2640-2660 Walden)	24
	ff. Nathan Benderson, et al vs Town of Chktg. (2710 Walden Ave.)	24
	gg. Ellicott Drug Company, Inc. vs Town of Cheektowaga	24
25	NOTICE OF CLAIM:	
	a. Linda S. Rodriguez vs Town of Cheektowaga	24
	b. Lilly Esford vs Town of Cheektowaga	24
	c. Astrid Scholl vs Town of Cheektowaga	24
	d. Donald Loschiavo vs Town of Cheektowaga	24
26	NOTICE OF INTENTION TO MAKE CLAIM:	
	a. Joseph Lasota vs Town of Cheektowaga	25
	b. Victor Schuh vs Town of Cheektowaga	25
27	PETITION FROM RESIDENTS OF:	
	a. Cochrane Street regarding rates charges for water	25
	b. French Road area regarding proposed building of 4-family apt.	25
28	Mrs. A. Zimmerman - request to speak regarding quarry near Terry Ln.	25

Meeting No. 18 September 15, 1986

22	NOTICE OF ASSESSMENT PETITIONS:	
	a. Eugene Rudzinski vs Town of Chktg. and Town Assessor	19
	b. Arthur, Eva & Claudette Musarra vs Town of Chktg. and Town Assessor	19
	c. Adolph & Jane Wiercioch vs Town of Chktg. and Town Assessor	19
	d. Edward & Marie Bennett vs Town of Chktg. and Town Assessor	19
	e. Frank & Rose Nicostra vs Town of Chktg. and Town Assessor	19
	f. Grace Liechtenberger vs Town of Chktg. and Town Assessor	19



<u>NO.</u>	<u>ITEM</u>	<u>PSHR</u>
<u>Meeting No. 18 September 15, 1986 cont'd</u>		
23	NOTICE OF CLAIM: a. Joseph Lesinski for Joseph Monaco vs Town of Chktg. b. Richard Kohlbacher vs Town of Cheektowaga	20 20
24	NOTICE OF MOTION - Los-Green, Inc. vs Town Board of Town of Cheektowaga	20
<u>Meeting No. 19 October 6, 1986</u>		
33	N.Y.S. DEPT. OF TRANS. - NOTICE OF ORDER: a. Removal of stop requirement on Buell Rd. at Route 33 b. Install traffic signal at Route 33 at intersection with Buell Road	37 37
34	N.Y.S. Dept. of Trans. - Notice of Cancellation of Designation of Restricted Highway - Union and Walden	37
35	SUMMONS - Michael Filipski vs Town of Cheektowaga	37
36	SUMMONS & COMPLAINT: a. Gary & Diane Stango vs Town of Cheektowaga b. Sherwood & Elizabeth Freedman vs Town of Cheektowaga	38 38
37	NOTICES OF CLAIM: a. Alan Peters vs Town of Cheektowaga b. Eugene Wrotecki/Travelers Insurance Co. vs Town of Chktg. c. David E. Kumpf vs Town of Cheektowaga d. Eric Wamback by Richard Wamback, parent vs Town of Chktg.	38 38 38 38
38	NOTICE OF PETITION - Mr. & Mrs. Raymond J. Walkowiak vs Assessment Board of Review	38

S U S P E N S I O N O F R U L E S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 17 September 2, 1986</u>		
29	Authorize Supervisor to sign grant agreement and funding approval with Department of Housing and Urban Development	25-26
30	Authorize Nussbaumer & Clarke to provide professional services for design, survey and general services during construction of Town Park roadway and drainage system	27
31	Authorize Nussbaumer & Clarke to provide professional services for design of storm sewer system to control storm water infiltration in Vern Lane/Joanne Lane area	27
<u>Meeting No. 18 September 15, 1986</u>		
25	DECISIONS: a. Rezoning at 2285/2275 Walden Avenue b. Special Use Permit at 2285/2275 Walden Avenue	20-21 22
26	Permission for Cheektowaga Central High School to hold Homecoming parade	23
27	Authorization for Sanitation Foreman to attend seminar	23

ADJOURNED MEETINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 20 October 14, 1986</u>	
2	Appointment to position of Town Justice	2
3	Appointment to position of Town Justice	1-2
4	Authorization for Town Attorney to research authority and jurisdiction of Town Board over Assessment methods and standards	2

ADJOURNED MEETINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 20 October 14, 1986</u>	
2	Appointment to position of Town Justice	2
3	Appointment to position of Town Justice	1-2
4	Authorization for Town Attorney to research authority and jurisdiction of Town Board over Assessment methods and standards	2

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of September, 1986 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: 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: Supervisor Daniel E. Weber

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; James Kirisits, Town Attorney; Andrew Kulyk, Zoning Board Member; Sal LaGreca, Employment and Training Director II; Ronald Marten, Building Inspector; Leonard J. Smolarek, Chief of Police; Donald Wegner, Chairman of Zoning Board of Appeals; Alfred Wnek, Highway Superintendent and Pat Wojcik, Senior Citizens Coordinator.

I. RESOLUTIONS

Item No. 2 Motion by Councilman W. Rogowski Seconded by Councilman Johnson

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

HIGHWAY FUND

From: 045130.4344 (Highway-Building Rental) \$ 18,345.00  
To: 045130.2407 (Highway-Miscellaneous Equipment) \$ 18,345.00

GENERAL FUND

From: 2036.000 (Sr. Citizens-Special Events Revenue) \$ 4,032.07  
9010.8101 (Police Retirement) \$ 24,960.00  
9010.8101 (Employees Retirement) \$103,940.00  
To: 1355.1403 (Assessors-Appraisal Technician) \$ 12,500.00  
1355.1403 (Assessors-Part Time) \$ 7,500.00  
1355.4561 (Assessors-Contracted Services) \$ 10,000.00  
1420.4501 (Law-Contracted Legal Services) \$ 15,000.00  
3120.2204 (Police-Computer) \$ 4,000.00  
5132.9035 (Transfer to Capital-Highway Garage) \$ 65,000.00  
7110.4451 (Parks-Hanley Park Improvements) \$ 9,900.00  
9010.8171 (Employee Benefits-Dental Insurance) \$ 5,000.00  
7620.4491 (Sr. Citizens-Special Events Expense) \$ 4,032.07

SPECIAL DISTRICTS FUND

From: 905182.4212 (Lighting-Electric-NYSE&G) \$ 2,883.00  
To: 905182.4212 (Lighting-Other Equipment) \$ 2,883.00

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

MEETING NO. 17  
September 2, 1986

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

BE IT RESOLVED that the following vouchers and warrants received by the Town of Cheektowaga prior to September 2nd, 1986 are hereby approved and made a part hereof.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$186,458.88
SPECIAL DISTRICTS FUND	187,073.97
HIGHWAY FUND	71,267.37
FEDERAL REVENUE SHARING FUND	868.00
TRUST AND AGENCY FUND	77,995.21
PART TOWN FUND	4,162.40
HUD-CDBG FUND	5,552.00
CAPITAL PROJECTS FUND	27,348.25
HUD REHABILITATION FUND	2,975.43
	<u>\$563,701.51</u>

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,  
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

Item No. 4 Allow 15 minute public comment period prior to consideration of resolutions at Town Board meetings.  
THIS ITEM WAS WITHDRAWN.

Item No. 5 Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, William R. Groff applied for a Special Permit for a gasoline service station on property owned by Mobil Oil Corporation located at 1051 Harlem 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 2nd day of September, 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 for the gasoline service station, 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 1051 Harlem 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.

\*\*\*\*\*

LEGAL DESCRIPTION

CLINTON STREET AND HARLEM ROAD  
TOWN OF CHEEKTOWAGA

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 78, Township 10, Range 7 of the

Item No. 5 Cont'd.

Holland Land Company's Survey also being part of Sublots 1 thru 6 as shown on subdivision map 1383 filed in the Erie County Clerk's Office and more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly highway boundary of Harlem Road with the southerly line of lands conveyed under Liber 8701 page 403 also being the northerly line of lands conveyed under Liber 7374 page 297; thence southerly along the easterly highway boundary of Harlem Road the following courses and distances: South 30°-28'-20" West a distance of 81.01 feet; thence South 03°-31'-50" West a distance of 40.46 feet; thence South 61°-33'55" East a distance of 21.95 feet; thence South 85°-49'17" East along the northerly highway boundary of Clinton Street a distance of 209.94 feet; thence North 05°-15'-27" East and along the easterly line of lands conveyed under Liber 7374 page 297 a distance of 118.42 feet; thence North 84°-44'-33" West and along the northerly line of lands conveyed under Liber 7374 page 297 a distance of 196.79 feet to the place or point of beginning.

Subject to any easements, right-of-ways, agreements etc. of record.

\*\*\*\*\*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Denise Grace*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
Clerk  
..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....<sup>1</sup>..... weeks:  
first publication..... **SEP 11 1986** ..... ;  
last publication..... **SEP 11 1986** ..... ;  
and that no more than six days intervened be-  
tween publications.

*Denise Grace*.....

Sworn to before me this .....<sup>12<sup>th</sup></sup>.....

day of .....*September*....., 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..<sup>87</sup>



**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 2nd day of September, 1986 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

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

**ABSENT:**  
Supervisor Daniel E. Weber  
Motion by Councilman Jaworowicz  
Seconded by Councilman J. Rogowski

WHEREAS, William R. Groff has applied for a Special Permit for a gasoline service station on property owned by Mobil Oil Corporation located at 1051 Harlem 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 Town Board of the Town of Cheektowaga on the 2nd day of September, 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 for the gasoline service station, 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 1051 Harlem 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.

Upon roll call...  
Supervisor

Weber	Voting	ABSENT
<b>Councilmen</b>		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 6  
NAYES: 0  
ABSENT: 1

**CLINTON STREET AND  
HARLEM ROAD**

**TOWN OF CHEEKTOWAGA  
ALL THAT TRACT OR PARCEL  
OF LAND** situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot 78, Township 10, Range 7 of the Holland Land Company's Survey also being part of Sublots 1 thru 6 as shown on subdivision map 1383 filed in the Erie County Clerk's Office and more particularly bounded and described as follows:

Beginning at the intersection of the easterly highway boundary of Harlem Road with the southerly line of lands conveyed under Liber 8701 page 403 also being the northerly line of lands conveyed under Liber 7374 page 297; thence southerly along the easterly highway boundary of Harlem Road the following courses and distances; South 30°-28'-20" West a distance of 81.01 feet; thence South 03°-31'-50" West a distance of 40.46 feet; thence South 61°-33'-55" East a distance of 21.95 feet; thence South 85°-49'-17" East along the Northerly highway boundary of Clinton Street a distance of 209.94 feet; thence North 05°-15'-27" East and along the easterly line of lands conveyed under Liber 7374 page 297 a distance of 118.42 feet; thence North 84°-44'-33" West and along the northerly line of lands conveyed under Liber 7374 page 297 a distance of 196.79 feet to the place or point of beginning.

Subject to any easements, right-of-ways, agreements, etc. of record.

**STATE OF NEW YORK  
COUNTY OF ERIE**

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 2nd 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 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 2nd day of September 1986.

RICHARD M. MOLESKI  
Town Clerk

PUBLISH: September 11, 1986

Item No. 6 Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Articles 19 and 20 of Chapter 76 of the Code of the Town of Cheektowaga ("Vehicle and Traffic Ordinance") regulates parking and traffic at the Airport, and

WHEREAS, the NFTA now has its own police officers and regulations for such property, and the Town no longer has control over airport property, and

WHEREAS, the Chief of Police has recommended that this Town Board repeal Articles 19 and 20 of the Vehicle and Traffic Ordinance, NOW, THEREFORE, BE IT

RESOLVED that a public hearing on proposed amendments to the Vehicle and Traffic Ordinance be held on September 15, 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 4th day of September, 1986, said amendments being set forth in the Notice of Hearing.

\*\*\*\*\*

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on September 15, 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:

1. Repeal Article XIX. Airport Parking, Sections 76-190 through 76-198.
2. Repeal Article XX. Airport Traffic Regulations, Sections 76-200 through 76-205.

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

DATED: September 2, 1986

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

\*\*\*\*\*

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,  
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

AFFIDAVIT - NEXT PAGE

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

*Denise Grace*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....Clerk..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks:  
first publication.....SEP 4 - 1986..... ;  
last publication.....SEP 4 - 1986..... ;  
and that no more than six days intervened be-  
tween publications.

*Denise Grace*

Sworn to before me this .....5<sup>th</sup>.....

day of .....September....., 19<sup>86</sup>.....

*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<sup>87</sup>

**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 September 15, 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:

1. Repeal Article XIX. Airport Parking, Sections 76-190 through 76-198.
2. Repeal Article XX. Airport Traffic Regulations, Sections 76-200 through 76-205.

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

**Richard M. Moleski**  
Town Clerk

**Cheektowaga, New York**

**DATED: September 2, 1986**

**PUBLISH: September 4, 1986**

MEETING NO. 17  
September 2, 1986

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

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for collection and disposal of refuse from rear load containers in the Town of Cheektowaga, AND, 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 Sanitation Department function, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 15th day of September, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall, said bids to be opened and read aloud by the Town Clerk.

\*\*\*\*\*

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on September 15, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment and operators for collection and disposal of refuse from rear load containers, all located in the Town of Cheektowaga for: 1) 1987 2) 1987-1989.

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 and Operators for Collection and Disposal of Refuse from Rear Load Containers" 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: September 2, 1986

\*\*\*\*\*

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,  
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

AFFIDAVIT - NEXT PAGE

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

....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
Clerk  
..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ...../..... weeks:  
first publication.....SEP. 4 - 1986..... ;  
last publication.....SEP. 4 - 1986..... ;  
and that no more than six days intervened be-  
tween publications.

.....  
Sworn to before me this ..... 5<sup>th</sup> .....  
day of ..... September ..... , 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**

**LEGAL NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on September 15, 1986 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment and operators for collection and disposal of refuse from rear load containers, all located in the Town of Cheektowaga for : 1) 1987, 2) 1987-1989.

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 and Operators for Collection and Disposal of Refuse from Rear Load Containers" 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

**Cheektowaga, New York**  
**DATED: September 2, 1986**  
**PUBLISH: September 4, 1986**

MEETING NO. 17  
September 2, 1986

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

WHEREAS, bids were duly received by this Town Board at a public bid opening held on August 18, 1986, at the Town Hall, for the purchase of snow plow blades, shoes and nose pieces, grader blades and receiver grates, frames and boxes, manhole covers and frames, curb boxes and sanitary sewer covers for use in the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bids be awarded to those bidders stated in the tabulations from the Superintendent of Highways attached hereto and made a part thereof; said bidders being the lowest responsible bidders meeting specifications.

\*SEE NEXT SIX (6) PAGES FOR COPY OF LETTER FROM TOWN HIGHWAY SUPERINTENDENT CONTAINING ANALYSIS, TABULATION AND REPORT.

Upon Roll Call....

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



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

August 26, 1986

AUG 27 PM 3:16

SUPERVISOR DANIEL E. WEBER  
MEMBERS OF THE TOWN BOARD  
Town Hall  
Cheektowaga NY 14227

Re: Award of bids for snow plow blades, etc.

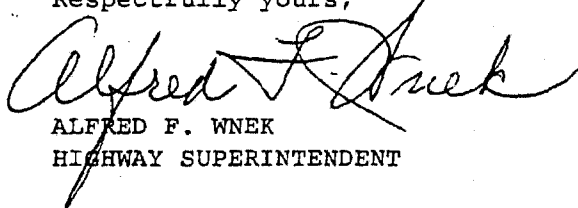
Dear Town Board Members:

On August 18th, 1986, the Town Clerk, Richard Moleski, received and opened publicly bids for snow plow blades, shoes and nose pieces, grader blades and receiver grates, frames and boxes, manhole covers and frames, curb boxes and sanitary sewer covers.

Attached hereto is a completed tabulation of bidders and prices for each item. After careful review of same, I recommend that the Honorable Body award the contracts to the lowest responsible bidders.

Trusting this will meet with your approval, I remain

Respectfully yours,

  
ALFRED F. WNEK  
HIGHWAY SUPERINTENDENT

AFW:erp

cc: Town Board  
Town Attorney  
Town Clerk  
Engineering Dept.

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



NO. 19

Bids Awarded 9/2/86 for Snow Plow  
Blades, etc. for 86/87 Season.

Bid Award 9/2/86

	648-5082 Harry T. Ruser Co. Inc. 5690 Camp Rd. Hamburg 14075	W.M. Roberts Equ 829 Sheridan Dr. Tona. 14150	877-3551 Nuttall Equip Co 525 Bullis Road West Seneca 1422 675-1775	Valk Mfg. Co., P.O. Box 218 Carlisle PA 1701 717-766-0711	Rupp Rental & Sales Corp. 101 Great Arrow Buffalo 14216 877-1992	Frontier Ind. Supply Corp. 133 Hopkins St. Buffalo 14220 826-7200
<u>STEEL SHOES AND NOSES FW3232-1A</u>						
Per Doz.	\$359.40	\$392.52		NO BID	NO BID	Standard 13/4x8x14'
Per 1/2 doz.	179.70	196.26				\$36.54 for 10,000 lb.
Per Unit	29.95	32.71	\$33.72			\$34.51 for 20,000 lb.
<u>FRINK WF3027-1A MOLD BOARD SHOE</u>						
Per Doz.	\$262.56	\$217.80	5/8" thick \$19.59	\$190.00	NO BID	\$20.13 for 10,000 lb.
Per 1/2 doz.	131.28	108.90	1 1/2" thick \$33.29	105.00		19.15 for 20,000 lb.
Per Unit	21.88	18.15		16.00		
<u>FRINK 2184 x 3 WING SHOE (STEEL)</u>						
Per Doz.	360.00	302.28		273.00	NO BID	\$27.59 for 10,000 lb.
Per 1/2 doz.	180.00	151.14		136.00		\$26.58 for 20,000 lb.
Per Unit	30.00	25.19	22.19	23.00		
<u>FRINK 541R NOSE PIECE</u>						
Per Doz.	204.00	179.88		173.00	NO BID	\$16.28 for 10,000 lb.
Per 1/2 doz.	102.00	89.94		86.00		\$15.81 for 20,000 lb.
Per Unit	17.00	14.99	15.45	13.90		
<u>CARBON SNOW PLOW BLADES</u>						
5/8"x 6" per foot	\$3.45ft	\$3.39ft	\$3.75ft	\$3.60ft	PACAL *\$4.09 ft	10M# 20M# 3.88' 3.58'
5/8"x 8" per foot	4.55ft	4.52ft	5.40ft	4.80ft	*\$5.49 ft	5.18' 4.77'
<u>FLAME HARDENED GRADER BLADES</u>						
3/4" x 8" per foot	\$9.50ft	\$9.31ft	NO BID	\$9.00ft	PACAL *\$10.10ft	10M# 10.27 20M# 9.82
<u>HEAT TREATED GRADER BLADES</u>						
3/4" x 8" per foot	\$8.75ft	\$8.59ft	NO BID	\$8.50ft	PACAL \$10.10ft.	10M# 9.50 20M# 9.06
<u>FRONT PLOW BLADE-CARBIDE EDGE 132"</u>						
Per Doz.	\$5084.64	\$3959.40		\$3300.00	PACAL or HUGHES \$4554.00**	NO BID
Per 1/2 doz.	2542.32	1979.70		1650.00	2277.00**	
Per Unit	423.72	329.95	534.60	275.00	379.50**	
<u>CARBIDE TIPPED SHOE FOR ABOVE #3232</u>						
Per Doz.	\$1464.00	NO BID	NO BID	\$955.00	NO BID	NO BID
Per 1/2 doz.	732.00			477.00		
Per Unit	122.00			79.00		

\*25,000# or  
less \$\*100ft  
or less F.O.B.  
Bulyrus, Ohio

Bids Awarded 9/2/86 for Snow Plow  
Blades, etc. for 86/87 Season.

Bids Awarded 9/2/86

716-487-0168  
Southern Tier Mun.  
Sup&Cons. Co., Inc.  
P.O. Box 0892  
Jamestown NY14702  
716-584-3425  
George & Swede  
Sales & Svc.  
7155 Big Tree Rd.  
Pavilion 14525  
Jamestown Iron Wks  
909 Allen St. Ext.  
Falconer 14733  
716-665-2818

STEEL SHOES AND NOSES FW3232-1A

Per Doz.	\$38.68dz	\$423.72	
Per 1/2 doz.	40.72 1/2	211.86	
Per Unit	42.87	35.31	*\$42.50

FRINK WF3027-1A MOLD BOARD SHOE

Per Doz.	\$21.46dz	\$235.08	NO BID
Per 1/2 doz.	22.59 1/2	117.54	
Per Unit	23.78	19.59	

FRINK 2184 x 3 WING SHOE (STEEL)

Per Doz.	\$29.79dz	\$326.28	
Per 1/2 doz.	31.35 1/2	163.14	
Per Unit	33.01	27.19	\$45.00

FRINK 541R NOSE PIECE

Per Doz.	\$17.72Dz	\$194.16	
Per 1/2 doz.	18.65 1/2	97.68	
Per Unit	19.64	16.18	\$40.00

CARBON SNOW PLOW BLADES

5/8"x 6" per foot	\$5.96ft	\$3.66 ft	
5/8"x 8" per foot	8.05ft	4.88 ft	

FLAME HARDENED GRADER BLADES

3/4" x 8" per foot	\$9.75	\$10.05ft	
--------------------	--------	-----------	--

HEAT TREATED GRADER BLADES

3/4" x 8" per foot	\$13.68ft	\$9.27ft	
--------------------	-----------	----------	--

FRONT PLOW BLADE-CARBIDE EDGE 132"

Per Doz.	\$462.ea	5198.16	
Per 1/2 doz.	489.ea	2599.08	
Per Unit	510.ea	433.18	

CARBIDE TIPPED SHOE FOR ABOVE #3232

Per Doz.	\$120.ea	1350.00	
Per 1/2 doz.	127.20ea	675.00	
Per Unit	134.83	112.50	

\*Cast Alloy  
Abrasive  
Plow Shoes

61.00

STEEL PRODUCTS DIVISION  
P. O. BOX 218  
CARLISLE, PENNSYLVANIA 17013  
PHONE: AREA CODE 717 - 766-0711

**VALK** MANUFACTURING COMPANY

August 22, 1986

Town of Cheektowaga  
Alfred R. Wnek  
Highway Superintendent  
3145 Union Road  
Cheektowaga, New York 14227

Ref: Bid for Snow Plow Blades & Shoes which  
opened on August 18, 1986 at 11:00AM

Gentlemen:

Regarding the prices on items Frink 541R Nose Piece  
and the Carbide Tipped Shoe for Above #3232, if awarded  
this bid, we will sell these items to you at the unit  
price given.

If you need any further information, please don't  
hesitate to call.

Very truly yours,

VALK MANUFACTURING COMPANY

  
John H. Hippensteel  
Vice-President

JHH/ksm



NO. 19

EXTENSION RINGS FOR MANHOLES  
(Mounted to Prevent Rocking)

22" dia. x 1"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
22" dia. x 2"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
22" dia. x 3"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
22 1/2" dia. x 2"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
23" dia. x 1"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
23" dia. x 1 1/2"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
23" dia. x 2"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
23" dia. x 3"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
24" dia. x 1"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
24" dia. x 1 1/2"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
24" dia. x 2"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
24" dia. x 3"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
25" dia. x 1"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
25" dia. x 1 1/2"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
25" dia. x 2"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>
25" dia. x 3"	Gray Iron	<u>939.00</u>	<u>493.00</u>	<u>85.00</u>

SEWER CASTINGS WITH COVERS

22"	Gray Iron	<u>1575.00</u>	<u>812.00</u>	<u>152.00</u>
23"	Gray Iron	<u>1816.00</u>	<u>933.00</u>	<u>168.00</u>
24"	Gray Iron	<u>1816.00</u>	<u>933.00</u>	<u>168.00</u>
25"	Gray Iron	<u>1816.00</u>	<u>933.00</u>	<u>168.00</u>

MANHOLE COVERS WITHOUT CASTINGS

22"	Gray Iron	<u>905.00</u>	<u>470.00</u>	<u>95.00</u>
23"	Gray Iron	<u>905.00</u>	<u>470.00</u>	<u>95.00</u>
24"	Gray Iron	<u>905.00</u>	<u>470.00</u>	<u>95.00</u>
25"	Gray Iron	<u>905.00</u>	<u>470.00</u>	<u>95.00</u>

MANHOLE FRAMES

22" Gray Iron  
 23" Gray Iron  
 24" Gray Iron  
 25" Gray Iron

Per Dozen

940.00

940.00

940.00

940.00

Per 1/4 Doz.

518.00

518.00

518.00

518.00

Per Unit

98.00

98.00

98.00

98.00

SANITARY SEWER COVER

M-122-1-ST Gray Iron

920.00

492.00

95.50

RECEIVER BOXES

Standard City of Buffalo Type-Gray Iron No Quote

No Quote

No Quote

RECEIVER GRATES - WITHOUT FRAMES

(We do have many similar styles available)

24x1 1/4 Round - Heavy Duty Gray Iron

905.00

470.00

95.00

24x1 1/4 Round - Heavy Duty Gray Iron

905.00

470.00

95.00

24 Round - Heavy Duty Gray Iron

905.00

470.00

95.00

12x12 Heavy Duty Gray Iron

445.00

230.00

42.00

12x18 Heavy Duty Gray Iron

651.00

338.00

73.00

13x18 Heavy Duty Gray Iron

651.00

338.00

73.00

HALF-RECEIVER - WITHOUT FRAME

15x29 Heavy Duty Gray Iron

1095.00

590.00

113.00

18x18 Heavy Duty Gray Iron

795.00

428.00

88.50

FULL RECEIVER GRATES - WITHOUT FRAME

22x29 Heavy Duty Gray Iron

1095.00

590.00

113.00

26x26 Heavy Duty Gray Iron

855.00

440.00

84.50

FULL RECEIVER GRATE - WITH FRAME

26x26 Heavy Duty Gray Iron

2166.00

1108.00

188.00

FRAMES FOR DARK SECTION - TOPSECTION

18x18 Gray Iron

No Quote

No Quote

No Quote

24x24 Gray Iron

" "

" "

" "

MEETING NO. 17  
September 2, 1986

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

WHEREAS, bids were received and opened as a result of advertisement for the construction of an addition to the highway garage, which bids were received and opened on March 24, 1986, AND

WHEREAS, the bid for the construction of said addition was awarded to Omer Construction Company, Inc. by resolution dated April 7, 1986, AND

WHEREAS, the award for the contracts for electrical work and mechanical work were delayed since funds were not available, AND

WHEREAS, funds have now been appropriated and budgeted for the completion of the basic needs for the highway garage, which needs are to provide for electrical work and the heating of the facility, AND

WHEREAS, it has been recommended by the Town Highway Superintendent, the Town Engineer and Donald T. Maharan Associates, P.C. that the bid for electrical work be awarded to Grand Island Electric, Inc., 2644 Baseline Road, Grand Island, New York 14072 for submission of the lowest bid meeting the requirements of the specifications and that the bid for mechanical work be awarded to Allied Mechanical, Inc., 625 Delaware Avenue, Buffalo, New York 14202 for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for electrical work for the Town highway garage be and hereby is awarded to Grand Island Electric, Inc., in the amount of \$18,807.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED that the contract for mechanical work for the Town highway garage be and hereby is awarded to Allied Mechanical, Inc. in the amount of \$36,100.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed to sign said agreements with said Grand Island Electric, Inc. and Allied Mechanical, Inc. on behalf of this Town Board.

Upon Roll Call....

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

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

WHEREAS, by resolution dated August 4, 1986, this Town Board directed the advertisement for bids for the resurfacing of 27 Town streets during 1986, and

WHEREAS, bids for such resurfacing were duly opened and read aloud on August 18, 1986 at 11:00 A.M., and

WHEREAS, the Town Superintendent of Highways has reviewed all bids submitted and has recommended that this Town Board award such bid to Custom Topsoil, Inc., the lowest responsible bidder, NOW, THEREFORE, BE IT

RESOLVED that the bid for the resurfacing of 27 town streets during 1986 be and hereby is awarded to Custom Topsoil, Inc., at a bid price of \$6.85 per ton of blacktop such bidder lays and delivers, and BE IT FURTHER

RESOLVED that the moneys needed to pay the above-mentioned successful bidder be paid out of the proceeds from the bonds approved June 16, 1986 for the Resurfacing of Various Town Streets.

MEETING NO. 17  
September 2, 1986

Item No. 8C Cont'd.

Upon Roll Call....

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

Item No. 8D Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) diesel air compressor for the Sewer Maintenance 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) diesel air compressor be awarded to Rupp Rental & Sales Corporation, 101 Great Arrow Avenue, Buffalo, New York 14216 for their bid in the amount of \$7,194.00 for one (1) diesel air compressor, 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: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,  
Kowal and Gabryszak  
NAYES: 0  
ABSENT: Supervisor Weber





## Town of Cheektowaga

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

AUG 28 AM 11: 17

CHEEKTOWAGA

TOWN ENGINEER

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

August 28, 1986

TO SUPERVISOR WEBER AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

RE: Award of Bid for One (1)  
Diesel Air Compressor for  
Sewer Maintenance Department

Gentlemen:

At a public bid opening on August 18, 1986 bids were received and opened for the furnishing of one (1) diesel air compressor for use by the Sewer Maintenance Department. Two (2) bids were received and are as follows:

<u>BIDDER</u>	<u>BID PRICE</u>
Rupp Rental & Sales Corporation	\$7,194.00
Walter M. Roberts Enterprises Inc.	\$7,953.60

The bids were reviewed with James Burst, Foreman of the Sewer Maintenance Department. It is, therefore, recommended that the bid for one (1) diesel air compressor be awarded to Rupp Rental and Sales Corporation, 101 Great Arrow Avenue, Buffalo, New York 14216 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

*Allan Blachowski, Sr.*

Allan B. Blachowski  
Sr. Engineer Assistant

ABB:dms

MEETING NO. 17  
September 2, 1986

\*\*\*\*\*

Motion by Councilman Kowal Seconded by Councilman Johnson to dispense with the reading of the names on the following resolutions and the voting was as follows:

Upon Roll Call....

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

\*\*\*\*\*

Item No. 9A 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:

PARKS DIVISION - #01-007110-1-0-1491-001

	<u>EFFECTIVE</u>
Steven Rutkowski	8/29/86
Jeffrey Kocielny	8/31/86
Kevin Kumpf	8/24/86
Kevin Ostempowski	8/31/86
William Wasierski	9/07/86
David Lacki	8/28/86
Michael Zielinski	8/31/86
David Lease	8/29/86

Upon Roll Call....

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

Item No. 9B Motion by Councilman Gabryszak Seconded by Councilman Kowal

BE IT RESOLVED that the following Seasonal Employees in the Sanitation Department be and hereby are terminated:

	<u>EFFECTIVE</u>
Jeff Bobeck	Immediately
Richard Urbanski	Immediately
Robert Kowal	Immediately
Kevin Trietly	Immediately
Leonard Szymanski	Immediately
Eric Kopacz	Immediately
David Marzak	Immediately
John Brinkworth	Immediately
Thomas Chirico	9/26/86
James Czajka	9/19/86
Fred Mueller	9/19/86
Richard Somogye	9/19/86
John Tourjie	9/19/86
Ronald Sobocinski	Immediately
Kevin Powell	9/22/86

Upon Roll Call....

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

Item No. 9C Motion by Councilman Kowal Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following individuals be and hereby are ter-

MEETING NO. 17  
September 2, 1986

Item No. 9C Cont'd.

minated as Seasonal Employees in the various Departments as listed:

	<u>EFFECTIVE</u>
<u>MAIN PUMP STATION</u>	
Chester Kensy	9/23/86
Victor Podyma	9/24/86
<u>ASSESSOR'S OFFICE</u>	
Judy Golas	9/12/86
<u>SEWER MAINTENANCE DEPARTMENT</u>	
Kevin Schmidt	9/02/86
Robert Kowalski	9/02/86
Ronald S. Lynch	9/02/86
<u>CENTRAL GARAGE</u>	
James Tokasz	9/01/86
James Charvat	9/01/86
Ronald Ruggiero	9/01/86
Lisa Pietrowski	9/01/86
<u>POLICE DEPARTMENT</u>	
Elizabeth Chirico	8/15/86
Susan Fredricks	8/15/86
Kolleen Michel	8/26/86

Upon Roll Call....

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

Item No. 10 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 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, this Town Board, by resolution dated February 3, 1986 appointed Earl Loder to fill the vacancy, AND

WHEREAS, said Earl Loder is unable to take time away from his position to attend the State Environmental Quality Review Committee meetings, AND

WHEREAS, there is need to fill the vacancy on said Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED that this Board hereby terminates the appointment of Earl Loder as a member of the S.E.Q.R. Advisory Committee and appoints Matthew Kawczynski, Fire Inspector, as a member of the committee in filling the vacancy previously held by the Town Health Officer.

Upon Roll Call....

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

Item No. 11A Motion by Councilman W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individual be and hereby is hired as a Seasonal Employee in the Facilities Department at the rate of \$3.35 per hour effective as follows:

Item No. 11A Cont'd.  
STREET LIGHTING DIVISION - #02-905182-1-0-1492-001

Conrad Scharmach

9/02/86

Upon Roll Call....

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

Item No. 11B Motion by Councilman Kowal Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Department(s) listed and at the rate specified:

	<u>EFFECTIVE</u>
<u>ASSESSOR'S OFFICE - \$4.00 per hour</u> Judy Poules	9/02/86
<u>MAIN PUMP STATION - \$3.35 per hour</u> Joseph Mazur	9/02/86
<u>POLICE DEPARTMENT - \$3.35 per hour</u> Pamela Jaworowicz	9/05/86
Jennifer Johnson	9/08/86

Upon Roll Call....

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

Item No. 12 Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Town Board previously hired staff for a residential camp for developmentally disabled youth sponsored by the Cheektowaga Youth Bureau, and

WHEREAS, some of those staff have experienced new job conflicts or became ill, BE IT

RESOLVED that the following changes be made to their weekly pay status:

- Doreen Zak removed from the weekly salary classification of \$250.00 (Because of a conflict with a new job) and remain as an hourly employee for the week of August 23rd through August 30th.
- Kerry Switalski removed from the weekly salary classification of \$175.00 (because of illness) and paid a daily rate of \$25.00 for one day's service, and BE IT FURTHER

RESOLVED that Kelly Jacks be hired at a salary classification of \$75.00 to fill the vacancy created by Kerry Switalski, and BE IT FURTHER

RESOLVED that both individuals revert back to an hourly rate of pay on September 1, 1986.

Upon Roll Call....

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

Item No. 13A Motion by Councilman W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the

MEETING NO. 17  
September 2, 1986

Item No. 13A Cont'd.

Cheektowaga Youth Bureau, be granted a leave of absence from September 29, 1986, through October 17, 1986 to attend active duty for training with the United States Army Institute of Personnel and Resource Management at Fort Benjamin Harrison, Indiana in accordance with applicable Civil Service Laws regarding military leave.

Upon Roll Call....

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

Item No. 13B Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, Richard J. Kozell has requested a military leave of absence from September 13, 1986 to September 27, 1986 from his position as police officer in order to attend military training overseas, and

WHEREAS, Police Officer Kozell is entitled to such military leave pursuant to Section 242 of the Military Law of the State of New York, NOW, THEREFORE, BE IT

RESOLVED that Richard J. Kozell be and hereby is granted a leave of absence for military reasons from his position as police officer from September 13, 1986 to September 27, 1986.

Upon Roll Call....

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

Item No. 14A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, a Sheriff's Communications Managers and Supervisors Meeting will be held in Albany on September 10, 1986, and

WHEREAS, topics of discussion at such meeting will include civilian dispatchers, communications with the State Police, and plans for the future regarding communications, and

WHEREAS, the Chief of Police has recommended that Lt. John Howlett be given permission to attend such meeting, NOW, THEREFORE, BE IT

RESOLVED that Lt. John Howlett be and hereby is authorized to attend the aforementioned Sheriff's Communications Managers and Supervisors Meeting in Albany on September 10, 1986, and BE IT FURTHER

RESOLVED that Lt. John Howlett shall be reimbursed for his registration fee, transportation costs and all other reasonable expenses associated with his attendance at such meeting.

Upon Roll Call....

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

Item No. 14B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the New York State Association of Traffic Safety Boards will be holding its annual meeting in Ellenville, New York, on September 24-26, 1986, and

WHEREAS, the Cheektowaga Traffic Safety Commission has requested that their Chairman, Mr. Carl Perlino, be allowed to attend said annual meeting, NOW, THEREFORE, BE IT

Item No. 14B Cont'd.

RESOLVED that Carl Perlino be and hereby is authorized to attend the New York State Association of Traffic Safety Boards' annual meeting in Ellenville, New York, on September 24-26, 1986, AND, BE IT FURTHER

RESOLVED that Mr. Perlino be reimbursed for all necessary and reasonable expenses, not to exceed the sum of \$350.00.

Upon Roll Call....

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

Item No. 14C Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, has been invited to become a member of the New York State Division for Youth's statewide Youth Employment Advisory Council, and

WHEREAS, said advisory board meets on the average of six times a year at various locations throughout the state, BE IT

RESOLVED that Kenneth J. Kopacz, be reimbursed necessary transportation costs and expenses to attend said meetings for the remainder of 1986.

Upon Roll Call....

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

Item No. 15A Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, as part of the approval to build houses on three vacant properties on Cayuga Creek Road, the Environmental Advisory Committee of the Town of Cheektowaga required the applicants to convey drainage easements to the Town, and

WHEREAS, Lovejoy Floor Covering, Inc.; Kenneth P. and Patricia M. Kozlowski; and Timothy R. and Karen A. Zielinski have executed the drainage easements as so requested and have delivered same to the Town, NOW, THEREFORE, BE IT

RESOLVED that the above-referenced drainage easements be and hereby are accepted by this Town Board, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to file such easements in the Erie County Clerk's Office.

Upon Roll Call....

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

Item No. 15B Motion by Councilman Johnson Seconded by Councilman Kowal

WHEREAS, in order to facilitate access for emergency vehicles, school busses, refuse pick-up and snowplowing, it was recommended that the northerly dead-end portions of Dean Road and Hyland Avenue be connected, and

WHEREAS, by resolution dated April 21, 1986, this Town Board directed the Town Attorney and Town Engineer to undertake any and all procedures necessary for the acquisition by the Town from Calspan Corporation of the land necessary to connect the northerly ends of Dean Road and Hyland Avenue, and

WHEREAS, Calspan Corporation, in a spirit of community cooperation,

MEETING NO. 17  
September 2, 1986

Item No. 15B Cont'd.

has executed the attached deed, conveying to the Town a fifty foot wide strip of land needed to connect the northerly ends of Dean Road and Hyland Avenue, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts from Calspan Corporation the fifty foot wide strip of property between Dean Road and Hyland Avenue, said property being more particularly described in the attached deed, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to file this deed in the Erie County Clerk's Office, and BE IT FURTHER

RESOLVED that this Town Board hereby also ratifies the execution of the agreement dated August 19, 1986 between the Town and Calspan Corporation.

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

Upon Roll Call.....

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

# This Indenture

made the 25th day of August, Between Nineteen Hundred and Eighty-six

1986 OCT -7 AM 10:49

CALSPAN CORPORATION CHEEKTOWAGA

a corporation organized under the laws of the State of Ohio, with its principal office and place of business located at 4455 Genesee Street Cheektowaga (County of Erie) party of the first part, and

TOWN OF CHEEKTOWAGA, New York, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road, in the Town of Cheektowaga, County of Erie and State of New York

Witnesseth that the party of the first part, in consideration of ONE AND NO MORE Dollar (\$ 1.00 & no ) lawful money of the United States, paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, its successors and assigns forever, all

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 77, Township 11, Range 7 of the Holland Land Companys survey, being more particularly described as follows:

BEGINNING at a point in the west line of Dean Street as laid out on Map Cover 1575 as filed in the Erie County Clerk's Office, said point being on the north line of Lot 74 and the south line of Lot 79 at a distance of 1061.23 feet east of the southwest corner of said Lot 77,

THENCE northerly along an extension of the westerly line of Dean Street 50.00 feet to a point,

THENCE easterly, parallel to and 50.00 feet north of the south line of Lot 77 being the north line of Lot 74 and the north line of Map Cover 1575 255.70 feet to a point,

THENCE southwesterly at an interior angle of 144°-00'-00" 46.00 feet to a point,

THENCE continuing southeasterly at an interior angle of 145°-56'-40" 24.45 feet to a point in the south line of Lot 77 where said point is intersected by the east line of Hyland Avenue as set out on Map Cover 1575,

THENCE westerly along the south line of Lot 77 302.32 feet to the point or place of beginning, containing 0.33 acres±.

RECEIVED \$... EXEMPT REAL ESTATE SEP 5 1986 TRANSFER TAX 3561 CHEEKTOWAGA COUNTY 41



Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

To have and to hold the premises herein granted unto the part y of the second part, its successors and assigns forever.

In Witness Whereof, the party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this 25th day of August Nineteen Hundred and eighty-six

By Wallace McLaugh

State of New York }  
County of Erie }  
before me personally came

ss. On this 25th day of August  
Nineteen Hundred and eighty-six

W. R. Vaughn

to me personally known, who, being by me duly sworn, did depose and say that he resides in Orchard Park (County of Erie) that he is the V.P. Finance and Admn. of Calspan Corporation the corporation described in, and which executed, the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed name thereto by like order.

Bernard J. Muszynski, Jr.

BERNARD J. MUSZYNSKI, JR.  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1988

1986 SEP -5 PM 3:01

FILED  
ERIE COUNTY  
CLERK'S OFFICE

**Red**  
CORPORATION—QUIT CLAIM

CALSPAN CORPORATION

495

TO

TOWN OF CHEEKTOWAGA

Dated, August 25, 1986

STATE OF NEW YORK  
COUNTY CLERK'S OFFICE  
Recorded in Liber. 2614 Page 466  
Filed  
5th day of Sept  
86, at 3:01 o'clock P.M.  
Witnessed

Genevieve M. ...  
CLERK

Chap 26 0.63  
1-11 02-73

No. 18

No. 19

MEETING NO. 17  
September 2, 1986

Item No. 15C Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the Hyview Fire Company, Inc. has offered \$2,500.00 for the purchase of a Town owned 1975 2000 tractor and flail mower, and

WHEREAS, the Town of Cheektowaga through the sale of said tractor, will terminate all maintenance currently being performed by its Facilities Department at the Hyview Fire Company, Inc., NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby accepts the offer submitted by Hyview Fire Company, Inc., 8 Airport Drive, Cheektowaga, New York 14043 in the amount of \$2,500.00 for one (1) 1975 Ford Tractor with flail mower, and, BE IT FURTHER

RESOLVED that the Supervisor be and he hereby is authorized to sign any and all documents necessary to effectuate the transfer of such tractor and mower.

Upon Roll Call....

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

Item No. 15D Motion by Councilman J. Rogowski Seconded by Councilman Jaworowicz

WHEREAS, Spear Realty has submitted a preliminary site plan for Losson Park Estates, a proposed subdivision composed of 30 - 8 unit apartment buildings which front on a public street, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has reviewed such preliminary site plan and has stated that the proposed development will not have a significant effect on the environment, and

WHEREAS, the Cheektowaga Planning Board has reviewed such preliminary site plan and has stated that it has no objection to the development, and

WHEREAS, the Town Superintendent of Highways has also reviewed the preliminary site plan for Losson Park Estates and has found it acceptable provided the roads are built according to Town specifications and recommends approval thereof, NOW, THEREFORE, BE IT

RESOLVED that the preliminary site plan for Losson Park Estates dated May, 1986 be and hereby is approved and accepted by this Town Board.

Upon Roll Call....

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

Item No. 16A 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 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

MEETING NO. 17  
September 2, 1986

Item No. 16A Cont'd.

funds, in the amount(s) listed below, be approved for the owner(s) of the property listed below:

72 Ledyard Avenue	-	\$2,466.00
127 Wabash Avenue	-	\$8,011.00
32 Basswood Drive	-	\$3,269.00
18 Marne Road	-	\$3,826.00
35 Gabrielle	-	increase previous loan authorization by \$979.00

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

Item No. 16B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1985, this Town Board adopted an Ambulance 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 has completed a review and evaluation of the various license renewal applications submitted for drivers/attendants, and has recommended that the Town Board renew such licenses, and

WHEREAS, this Town Board desires to renew such drivers/attendants licenses, NOW, THEREFORE, BE IT

RESOLVED that the recommendations of EMS Board concerning the renewal of licenses for drivers/attendants shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the renewal applications for drivers/attendants set forth on the annexed schedule be and hereby are approved for a period to expire upon the expiration of such driver's/attendant's Emergency Medical Technician ("EMT") card, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue renewal licenses to the drivers/attendants set forth on the annexed schedule, pursuant to the terms of this resolution.

\*SEE NEXT PAGE FOR COPY OF LICENSEE RENEWALS

Upon Roll Call....

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

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSE RENEWALS

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
Paul A. Teresi		14216 Gold	12/31/87
Lee F. Skinner		14086 Towns	12/31/88
Timothy S. Heusinger		14224 Gold	5/31/89
Michael P. Leuer		14201 Gold	12/31/87
Reginald A. Dixon		14215 Gold	5/31/87
Thomas J. Elberson		14215 Towns	3/31/89
James M. Quigley		14226 Towns	5/31/89

MEETING NO. 17  
September 2, 1986

Item No. 16C Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowasga, and for the creation of an Emergency Medical Services Board (EMS Board), and

WHEREAS, the EMS Board has completed an initial review and evaluation of the various license applications submitted for drivers/attendants, and has recommended that the Town Board license such drivers/attendants, and

WHEREAS, this Town Board desires to license such drivers/attendants, NOW, THEREFORE, BE IT

RESOLVED that the applicants for drivers/attendants licenses set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period to expire upon the expiration of such driver's/attendant's Emergency Medical Technician ("EMT") card, and BE IT FURTHTER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue drivers/attendants licenses to the applicants set forth on the annexed schedule, pursuant to the terms of this resolution.

\*SEE NEXT PAGE FOR COPY OF DRIVER/ATTENDANT LICENSEES

Upon Roll Call....

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

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
Heidi Chazen	14206	Gold	12/31/88
Melinda A. Knapp	14214	Gold	12/31/88
E. Ronald Hale	14223	Gold	12/31/86
William P. Grandits	14225	Gold	5/31/87
Kevin C. Wilson	14150	Gold	3/31/89
Ronald James Zak	14225	Gold	5/31/88

MEETING NO. 17  
September 2, 1986

Item No. 16D Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance 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 has completed a review and evaluation of five license applications submitted for ambulances, and has recommended that the Town Board license such ambulances, and

WHEREAS, the Town Board, pursuant to Section A-5 of the Ambulance Ordinance desires to license such ambulances; NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the Emergency Medical Services Board concerning the licensing of ambulances be and hereby are accepted and approved; and BE IT FURTHER

RESOLVED that the applications for ambulance licenses set forth below are hereby approved for licensing by this Town Board:

AMBULANCE LICENSES

<u>OWNER</u>	<u>VEHICLE: MAKE &amp; MODEL</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
Gold Cross Ambulance Svc.	'80 Ford (N)*	4460-AA	575
Gold Cross Ambulance Svc.	'86 Chevrolet (R)*	6270-AA	582
Town's Ambulance Service	'82 Ford (R)*	AA1201	560
Town's Ambulance Service	'85 Chevrolet (R)*	AA1202	566
Town's Ambulance Service	'82 Chevrolet (N)*	AA1205	561

(N)\* denotes new vehicle (R)\* denotes replacement vehicle

and, BE IT FURTHER

RESOLVED that the Town Clerk is hereby authorized, directed and empowered to issue ambulance licenses to the applicants set forth above, upon the receipt of a letter from the insurance consultant to the Town of Cheektowaga to the effect that each such ambulance so listed meets the insurance requirements set forth in the Ambulance Ordinance.

Upon Roll Call....

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

Item No. 17A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located 43 Rosedale Drive, Cheektowaga, New York, SBL # 91.52-5-6 and according to the Assessor's Office is owned by Roger Bjornland, Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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



MEETING NO. 17  
September 2, 1986

Item No. 17B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located to the rear of 94 Wellworth Place, Cheektowaga, New York, SBL # 91.20-1-11 and according to the Assessor's Office is owned by Kurt Wissing, , Buffalo, New York 14215, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 17C Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located 2115-2125 Walden Avenue, Cheektowaga, New York, SBL # 102.04-1-21.11 and according to the Assessor's Office is owned by Carlton W. Hasselback, , West Seneca, New York 14224, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

II. FROM THE TABLE

Item No. 18 Award of Bid: Construction of pond and parking facilities in Stiglmeier Park.

Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of a pond and parking facilities in the John C. Stiglmeier Park, which bids were duly received and publicly opened on June 21, 1986, AND

WHEREAS, the bids were referred to Merriman Conservation Consultants, Inc. and the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated August 12, 1986, AND

WHEREAS, said report recommends that the bid be awarded to C.M.H. Company, Inc., 590 Cayuga Creek Road, Cheektowaga, New York 14227, NOW, THEREFORE, BE IT



MEETING NO. 17  
September 2, 1986

Item No. 18 Cont'd.

RESOLVED that the contract for the construction of a pond and parking facilities in John C. Stiglmeier Park be and hereby is awarded to C.M.H. Company, Inc., the lowest responsible bidder meeting the requirements of the specifications at the total bid price of \$169,519.25, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is authorized and directed to sign said agreement with C.M.H. Company, Inc.

Upon Roll Call....

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

\*THE ABOVE RESOLUTION FAILED DUE TO LACK OF A MAJORITY VOTE!!!

III. DEPARTMENTAL COMMUNICATIONS

- Item No. 19 Building Permits.  
Received and filed.
- Item No. 20. Supervisors Statement of Funds for months of January, February, March, April, May and June, 1986.  
Received and filed.
- Item No. 21 Cheektowaga Planning Board: Minutes of July 1986 meeting.  
Received and filed.

IV. GENERAL COMMUNICATIONS

- Item No. 22 New York State Department of Transportation: Notice of Order: No Standing restriction on west side of Harlem Road from Walden Avenue to Greenleaf Lane.  
Copies of this Notice were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Council Secretary; Cheektowaga Traffic Safety Commission; Leonard J. Smolarek, Chief of Police and Chester Bryan, Town Engineer.  
Received and filed.
- Item No. 23 State of New York: Commission on Cable Television: Order approving transfer of Comax Telcom Corp. to International Cablevision Corp.  
Received and filed.
- Item No. 24A Notice of Petition: Norbert & Lucille Pleban vs. Town of Cheektowaga  
Copies of this Petition were sent to: Daniel E. Weber Supervisor; Thomas M. Johnson, Jr., Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24B Notice of Petition: Basil Oldsmobile Inc. vs Town of Cheektowaga  
Copies of this Petition were sent to: Daniel E. Weber Supervisor; Thomas M. Johnson, Jr., Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24C Notice of Petition: New York Telephone Co. vs Town of Cheektowaga  
Copies of this Petition were sent to: Daniel E. Weber Supervisor; Thomas M. Johnson, Jr., Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.

MEETING NO. 17  
September 2, 1986

- Item No. 24D Notice of Petition: ITT Corporation vs. Town of Cheektowaga.  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney; and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24E Notice of Petition: Joy Manufacturing vs. Town of Cheektowaga  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor,  
Thomas M. Johnson, Councilman, James Kirisits, Town Attorney; and  
Casimir Kozminski, Town Assessor  
Received and filed.
- Item No. 24F Notice of Petition: Lancer Court Limited vs. Town of Cheektowaga.  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24G Notice of Petition: TransAmerican Partners III, c/o Thruway Mall vs  
Town of Cheektowaga.  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24H Notice of Petition: National Fuel Gas vs. Town of Cheektowaga  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24I Notice of Petition: Buffalo Perlite, Division of Pine Hill Concrete  
Mix Corp. vs. Town of Cheektowaga  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24J Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga.  
(75 Benbro Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24K Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga.  
(85 Benbro Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24L Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga.  
(81 Benbro Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.

MEETING NO. 17  
September 2, 1986

- Item No. 24M Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga. (SBL #103.10-7-14.2)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24N Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga. (3637 Union Road)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24O Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga. (79 Benbro Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24P Notice of Petition: Benderson Development et al vs. Town of Cheektowaga. (3825-2875 Union Road)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24Q Notice of Petition: Benderson Development et al vs. Town of Cheektowaga (2371 George Urban Blvd.)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24R Notice of Petition: Denny's Inc. vs Town of Cheektowaga (4610 Genesee St.)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24S Notice of Petition: Nathan Benderson, et al vs Town of Cheektowaga. (88 Benbro Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24T Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga. (91 Benbro Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor; Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and Casimir Kozminski, Town Assessor.  
Received and filed.

MEETING NO. 17  
September 2, 1986

- Item No. 24U Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(2789 Union Road)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24V Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(385 Nagel Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24W Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(364 Nagel Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24X Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(375 Nagel Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24Y Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(371 Nagel Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24Z Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(387 Nagel Drive)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24AA Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(2150 Walden Avenue)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24BB Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(2510 Walden Avenue)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.

MEETING NO. 17  
September 2, 1986

- Item No. 24CC Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(2495-2515 Walden Avenue)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24DD Notice of Petition: Benderson Development vs. Town of Cheektowaga.  
(2410 Walden Avenue)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24EE Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga.  
(2640-2660 Walden Avenue)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24FF Notice of Petition: Nathan Benderson, et al vs. Town of Cheektowaga.  
(2710 Walden Avenue)  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 24GG Notice of Petition: Ellicott Drug Company, Inc. vs. Town of  
Cheektowaga.  
Copies of this Petition were sent to: Daniel E. Weber, Supervisor;  
Thomas M. Johnson, Councilman; James Kirisits, Town Attorney and  
Casimir Kozminski, Town Assessor.  
Received and filed.
- Item No. 25A Notice of Claim: Linda S. Rodriguez vs. Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,  
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,  
Acct. Dptmt.; Alfred Wnek, Hgwy. Supt. and Town's Ins. Carrier.  
Received and filed.
- Item No. 25B Notice of Claim: Lilly Esford 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  
Town's Insurance Carrier.  
Received and filed.
- Item No. 25C Notice of Claim: Astrid Scholl 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, Director, Recreation  
Department and Town's Insurance Carrier.  
Received and filed.
- Item No. 25D Notice of Claim: Donald Loschiavo 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 Town's  
Insurance Carrier.  
Received and filed.

MEETING NO. 17  
September 2, 1986

Item No. 26A Notice of Intention to make Claim: Joseph Lasota 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 Laverack & Haines, Towns Insurance Carrier.  
Received and filed.

Item No. 26B Notice of Intention to make Claim: Victor Schuh 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; Laverack & Haines, Town's Insurance Carrier and Leonard J. Smolarek, Highway Superintendent.  
Received and filed.

Item No. 27A Petition from residents of Cochrane Street regarding rates charged for water.  
Copies of this petition were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Council Secretary and Chester Bryan, Town Engineer.  
Received and filed.

Item No. 27B Petition from residents of French Road area regarding proposed building of 4-Family apartment.  
Copies of this petition were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Council Secretary; Sam LaGreca, Planning Board Chairman and Ronald Marten, Building Inspector.  
Received and filed.

Item No. 28 Mrs. A. Zimmerman: Request to speak regarding quarry near Terry Lane.  
Copies of Mrs. Zimmerman's letter were sent to: Daniel E. Weber, Supervisor; Karen McAuley, Council Secretary and Ronald Marten, Building Inspector.  
Received and filed.

\*\*\*\*\*

Motion by Councilman Johnson Seconded by Councilman Kowal to suspend the rules to include the following three (3) items, and the voting was as follows:

Upon Roll Call....

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

\*\*\*\*\*

V. SUSPENSION OF RULES

Item No. 29 Authorize Supervisor to sign grant agreement and funding approval with Department of Housing and Urban Development.

Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has been notified by the Department of Housing and Urban Development that its Community Development Block Grant entitlement amount for the 1986-87 fiscal year has been increased from \$570,000 to \$687,000, and

WHEREAS, the Town must amend its previously executed contract with HUD for the 1986-87 fiscal year to receive the additional allocation of CDBG funds, NOW, THEREFORE, BE IT

MEETING NO. 17  
September 2, 1986

Item No. 29 Cont'd.

RESOLVED that the Town Supervisor be and hereby is authorized and directed to sign the attached Grant Agreement and Funding Approval, between the Town of Cheektowaga and the Department of Housing and Urban Development, which constitutes an amendment to the Town's original contract with HUD, for the 1986-87 fiscal year.

\*SEE NEXT FOUR (4) PAGES FOR COPY OF AGREEMENT.

Upon Roll Call....

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

**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 <p style="text-align: center;">Town of Cheektowaga</p>	2. Grant No. <p style="text-align: center;">B-86-MC-36-0009</p>
3. Grantee's Address (Include Street, City, County, State and Zip Code) <p>Mr. Daniel E. Weber                  Supervisor, Town of Cheektowaga                  Broadway &amp; Union Roads                  Cheektowaga, NY 14227</p> <p style="text-align: center;">Erie County</p>	4. Date of Submission
	5. Date of HUD Receipt of Submission Date Grantee Notified: <b>AUG 07 1986</b> Start of Program Year:
	6. <input type="checkbox"/> Original Funding Approval <input checked="" type="checkbox"/> Amendment, Amendment No. <u>1</u>

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 <u>86</u>
a. Amount of CDBG Funds Currently Reserved for this Grantee	\$ _____	\$ _____	\$ <u>117,000</u>
b. Amount of CDBG Funds Now Being Approved for this Grantee	\$ _____	\$ _____	\$ <u>117,000</u>
c. Amount of Reservation to be Cancelled (Line 8a minus 8b)	\$ _____	\$ _____	\$ <u>-0-</u>

**HUD ACCOUNTING USE ONLY**

BATCH	TAC	PROGRAM	Y	A	REG	AREA	DOCUMENT NO.	PROJECT NUMBER	S	
1	1 5 3 1 7 6	9	12	13	14	16	7 0 8 2	23	30	35
38	AMOUNT 1	EFFECTIVE DATE	F	AMOUNT 2	SCHEDULE NO					
	41	45	50	54	60	61	65	70	74	79

9. Distribution of Community Development Block Grant	FY _____	FY _____	FY <u>86</u>
a. Grant amount withheld for payment of principal and interest on loans guaranteed pursuant to Sec. 108	\$ _____	\$ _____	\$ <u>-0-</u>
b. Grant amount deducted by HUD to settle outstanding Urban Renewal Loans (Sec. 112 (a)(1))	\$ _____	\$ _____	\$ <u>-0-</u>
c. Sum of lines 9a, and 9b	\$ _____	\$ _____	\$ <u>-0-</u>
d. Amount of CDBG Funds available for disbursement (Line 8b minus 9c)	\$ _____	\$ _____	\$ <u>117,000</u>

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) \$

Previous Editions are Obsolete

HUD-7082 (12-83)  
 24 CFR 570



**HUD ACCOUNTING USE ONLY**

<b>BATCH</b>	<b>TAC</b>	<b>PROGRAM</b>	<b>Y</b>	<b>A</b>	<b>REG</b>	<b>AREA</b>	<b>DOCUMENT NO.</b>	<b>PROJECT NUMBER</b>	<b>-</b>	<b>S</b>
1	1 5 3 1 7 6						7 0 8 2			
4		9	12	13	14	16	18	23	30	35
<b>CATEGORY</b>	<b>AMOUNT 1</b>	<b>EFFECTIVE DATE</b>			<b>F</b>	<b>AMOUNT 2</b>	<b>SCHEDULE NO.</b>			
38		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 — \$ \_\_\_\_\_ x 3 \$

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) \$

e. Amount of loan guarantee commitment now being approved \$

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

*Joseph B. Lynch*  
 By Joseph B. Lynch  
 Manager, 2.25

Title 8-1-86

Date

13(b) SPECIAL CONDITIONS

a. Notwithstanding any other provision of this agreement, no funds provided under this agreement may be obligated or expended for the planning or construction of water or sewer facilities until receipt of written notification from HUD of the release of funds on completion of the review procedures required under Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs, and HUD's implementing regulations at 24 CFR Part 52. The recipient shall also complete the review procedures required under E.O. 12372 and 24 CFR Part 52 and receive written notification from HUD of the release of funds before obligating or expending any funds provided under this agreement for any new or revised activity for the planning or construction of water or sewer facilities not previously reviewed under E.O. 12372 and implementing regulations.

b. Notwithstanding any other provisions of the Grant Agreement, requirements of the Amendments to Title I of the Housing and Community Development Act of 1974 which supersede or are not provided for in the HUD program regulations shall govern the use of the assistance provided until revised regulations implementing such requirements are published for effect.

c. Notwithstanding any other provision of this agreement, no funds provided under Amendment No. 1 of this agreement may be obligated or expended until the grantee meets the following public participation requirements:

1. Citizens are provided with reasonable notice of, and opportunity to comment on, the proposed use of such funds;
2. The grantee considers any such comments and, if deemed appropriate by the grantee, modifies the proposed use of such funds; and
3. The grantee submits to HUD an amendment to the final statement describing the use of such funds and makes this amendment available to the public.

**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 the 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 86 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

Richard W. Lynggold  
By Joseph B. Lynch  
Manager, 2.2S  
Title  
8-1-86  
Date

The Grantee the Town of Cheektowaga, New York

By Daniel G. DeLeon  
Title Supervisor  
Date 9/10/86

**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

No. 18

No. 19

MEETING NO. 17  
September 2, 1986

Item No. 30 Authorize Nussbaumer & Clarke to provide professional services for design, survey and general services during construction of Town Park roadway and drainage system.

Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, funds have been budgeted for the improvement of the roadway, drainage system and parking facilities in the Town Park on Harlem Road, AND

WHEREAS, it would be beneficial to bid the construction work this season with work to be completed in early spring so as to cause minimum park-use disruption, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted to the Town Engineer and dated August 29, 1986, be and hereby is accepted and approved, with the cost of professional services for design, survey and general services during construction to be charged to the Town Park road repair budget allocation, AND, BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign said proposal of Nussbaumer & Clarke, Inc. on behalf of this Town Board.

Upon Roll Call....

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

Item No. 31 Authorize Nussbaumer & Clarke to provide professional services for design of storm sewer system to control storm water infiltration in Vern Lane-Joanne Lane area.

Motion by Councilman Johnson Seconded by Councilman J. Rogowski

WHEREAS, there is need to investigate and make improvements in the Vern Lane sanitary sewer system from William Street to Joanne Lane which may require a reconstruction of the sanitary sewer and the design of a storm sewer system to control storm water infiltration, AND

WHEREAS, it is desired to make sanitary and storm sewer improvements before that part of Vern Lane is reconstructed under the road improvement bond, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted to the Town Engineer and dated August 29, 1986, be and hereby is accepted and approved with the cost for the professional services as outlined in the proposal to be charged to the Sewer District #3 budget item #308123-4821, AND, BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized and directed to sign said proposal for professional services on behalf of this Town Board.

Upon Roll Call....

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

Item No. 32 Motion by Councilman Jaworowicz Seconded by Councilman Kowal to adjourn in memory of Mrs. Theresa Lojacano, wife of retired Town Employee.

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

September 2, 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 15th day of September, 1986 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Leonard Smolarek, Chief of Police; Michael Miecznikowski, Recreation Director; Don Wegner, Chairman of Zoning Board of Appeals; Sal LaGreca, Employment and Training Director II; Ray Pugh, Planning Board Member; Pat Wojcik, Recreation Director-Senior Citizens; Julia Reinstein, Town Historian; Ron Marten, Building and Plumbing Inspector.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to Chapter 76 of the Code of the the said Town of Cheektowaga, (Vehicle and Traffic); 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. Repeal Article XIX. Airport Parking, Sections 76-190 through 76-198
2. Repeal Article XX. Airport Traffic Regulations, Sections 76-200 through 76-205.

\*\*\*\*\*

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 Jaworowicz, Seconded by Councilman Kowal

WHEREAS, Edward W. Miller has petitioned for the rezoning from R-Residential District to RC-Restricted Business District of property owned by Barron Miller Funeral Home, Inc. and located at 782 Losson Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

Item No. 3 cont'd

WHEREAS, a public hearing on such petition was held before this Town Board on the 2nd day of September, 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 denial thereof,

NOW, THEREFORE, BE IT RESOLVED that the application of Edward W. Miller for the rezoning from R-Residential District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby denied.

\* See next page for description

Upon Roll Call....

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

3

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 55, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

Beginning at a point in the center line of Losson Road distant four hundred nine and twenty hundredths (409.20) feet westerly as measured along the said center line of Losson Road, from the point of intersection of the said center line of Losson Road with the easterly line of said Lot No. 55: thence northerly and parallel with the east line of said Lot No. 55, three hundred two and forty-six hundredths (302.46) feet to the southwest corner of lands conveyed to the Town of Cheektowaga by deed recorded in Erie County Clerk's Office in Liber 7519 of Deeds page 137: thence easterly parallel with the center line of Losson Road and along the south line of land so conveyed to the Town of Cheektowaga by aforesaid deed, four hundred nine and twenty hundredths (409.20) feet to the east line of said Lot No. 55: thence southerly along the east line of said Lot No. 55, three hundred two and forty-six hundredths (302.46) feet to the center line of Losson Road: thence westerly along the center line of Losson Road four hundred nine and twenty hundredths (409.20) feet to the point or place of beginning.

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

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that the vehicle and traffic regulations of the Town be amended, 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 October 6, 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 18th day of September, 1986, said amendments being set forth in the Notice of Hearing.

\*\*\*\*\*

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on October 6, 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 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

B. No Parking Anytime

CLOVERDALE ROAD	south side	from the west curblin of Mayfair Court to a point 70+ feet west of the west curblin of Mayfair Court
COMMUNITY ROAD	south side	from the east curblin of Donlen Drive to a point 145+ feet east of the east curblin of Donlen Drive
COMMUNITY ROAD	West and North sides	from the south curblin of Maryvale Drive to the east curblin of Cedargrove Circle
COLDEN COURT	east side	from the north curblin of Genesee Street to the north property line of 157 Colden Court (a distance of 315+ feet).

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

C. No Parking Here to Corner

COLDEN COURT	east side	from the north curb of Genesee Street to No. 167 Colden Court.
--------------	-----------	--

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

Dated: September 15, 1986

RICHARD M. MOLESKI  
Town Clerk

\*\*\*\*\*



MEETING NO. 18  
September 15, 1986

Item No. 4 cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....*Denise Gracie*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
**Clerk**  
..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication.....*SEP 18 1986*..... ;  
last publication.....*SEP 18 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

.....*Denise Gracie*.....  
Sworn to before me this .....*19<sup>th</sup>*.....  
day of .....*September*....., 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*

**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 October 6, 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 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

**B. No Parking Anytime**

**CLOVERDALE ROAD** — South side — from the west curbline of Mayfair Court to a point 70± feet west of the west curbline of Mayfair Court.

**COMMUNITY ROAD** — South side — from the east curbline of Donlen Drive to a point 145± feet east of the east curbline of Donlen Drive.

**COMMUNITY ROAD** — West and North sides — from the south curbline of Maryvale Drive to the east curbline of Cedargrove Circle.

**COLDEN COURT** — East side — from the north curbline of Genesee Street to the north property line of 157 Colden Court (a distance of 315± feet).

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

**C. No Parking Here To Corner**

**COLDEN COURT** — East side — from north curb of Genesee St. to No. 167 Colden Court.

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

**RICHARD M. MOLESKI**

**Town Clerk**

**DATED: September 15, 1986**

**PUBLISH: September 18, 1986**

MEETING NO. 18  
September 15, 1986

Item No. 5 Motion by Supervisor Weber, Seconded by Unanimous

WHEREAS, the constitution of the United States was originally signed by our founding fathers on the 17th day of September 1787,

WHEREAS, said Constitution was ordained "in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity", and

WHEREAS, such Constitution has provided for the protection and preservation of our rights and liberties and has served as this country's bastion against tyranny and oppression, and

WHEREAS, in honor of the Anniversary of the Constitution of the United States of America, the President of the United States has proclaimed the dates of September 17-23, 1986, as "CONSTITUTION WEEK", and

WHEREAS, this Town Board is also desirous of proclaiming the dates of September 17-23, 1986 as "CONSTITUTION WEEK" in the Town of Cheektowaga, NOW, THEREFORE, BE IT

PROCLAIMED, that the dates of September 17-23, 1986 be and hereby shall be celebrated as "CONSTITUTION WEEK" in the Town of Cheektowaga in honor of the Anniversary of the Constitution of the United States of America.

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 Jaworowicz

WHEREAS, the Town of Cheektowaga Recreation Department, as part of its 1986-87 school year program desires to use Maryvale School District facilities to offer gymnastics, basketball and various other recreational activities to residents of the Town, and

WHEREAS, the Cheektowaga Youth Bureau also wishes to use Maryvale School District facilities for its Adaptive Recreation Program, and

WHEREAS, prior to authorizing the Town to use Maryvale School District facilities, the Cheektowaga-Maryvale School district has requested that the Town of Cheektowaga indemnify and hold harmless the School District for any damages, lawsuits, etc. which arise as a result of the Town's use of such school property, and

WHEREAS, this Town Board feels that the request of the Cheektowaga-Maryvale School District is reasonable and desires to accede to such request, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga agrees to defend, indemnify and hold harmless the Cheektowaga-Maryvale School District, its officers, agents and employees from all claims, demands, suits and judgments for bodily injury or property damage resulting out of the aforementioned Town's use of the Maryvale School District facilities for its 1986-87 school year programs.

Upon Roll Call....

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

MEETING NO. 18  
September 15, 1986

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

WHEREAS, the Town of Cheektowaga applied for and was awarded a grant of \$5,000 from the New York State Council on the Arts for the Town's 1986 Polish-American Arts Festival; and

WHEREAS, said State Agency has forwarded the Cultural Service Contract to the Town for execution, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized and directed to sign the attached Cultural Services Contract in the amount of \$5,000 with the New York State Council on the Arts for presentation during the 1986 Polish-American Arts Festival.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

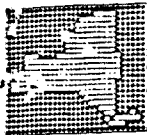
\* See next pages for Cultural Service Contract

Upon Roll Call....

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

NAYES: 0

ABSENT: 0



New York State Council on the Arts

915 Broadway  
New York, NY 10010

Cultural Services Contract

This contract made August 6, 1986, by and between the New York State Council on the Arts, whose offices are located in New York, NY (hereinafter referred to as "COUNCIL") and

NO# C870568

TOWN OF CHEEKTOWAGA  
TOWN HALL  
BROADWAY & UNION RDS  
CHEEKTOWAGA, NY 14227  
County of: ERIE  
716-686-3400

PRI:  
DGR: 8608

1986 OCT 16 PM 2:40  
TOWN CLERK

(hereinafter referred to as "CONTRACTEE").  
The COUNCIL and the CONTRACTEE agree as follows:

1. SERVICES TO BE PERFORMED AND CONTRACT PERIOD. On the basis of the application submitted to the COUNCIL by the CONTRACTEE, including all attachments and additions thereto, and upon the representations, undertakings, and agreements of the CONTRACTEE set forth herein, the COUNCIL hereby purchases from the CONTRACTEE, and the CONTRACTEE hereby agrees to perform the following described services in accordance with the terms and conditions contained in this Contract, to commence no earlier than January 1, 1986 and shall be completed no later than December 31, 1986:

FN/FLK A7171 PRESENTATION \$ 5000  
FOR: POLISH TRADITIONAL CRAFTS PRESENTATIONS AT FESTIVAL.

NOTICE  
YOUR COMPLETED FINAL REPORT FORM  
FOR THIS AWARD IS DUE NO LATER  
THAN 3-31-87.

TOTAL AMOUNT FOR THIS CONTRACT \$ 5000

PAYMENT BY COUNCIL. Providing the CONTRACTEE abides by the terms and conditions of this Contract, in consideration of the services performed, the Council agrees to pay the CONTRACTEE the sum of \$ 5000 as follows:

5000 Payable after final approval of this contract upon submission to the COUNCIL of a signed Standard New York State voucher. The balance of \$ \_\_\_\_\_, shall be payable after/before \_\_\_\_\_, 19\_\_\_\_.

**3. ABILITY OF CONTRACTEE TO PERFORM.** The CONTRACTEE acknowledges that the undertaking by the COUNCIL to purchase the services described herein is made in reliance on the application submitted by the CONTRACTEE, on all material supplied by the CONTRACTEE in connection with such application, and on a determination based upon a review of the financial information and proposed budget submitted, that the CONTRACTEE will be able to satisfactorily perform the contracted-for services described in paragraph 1) hereof. Accordingly, the CONTRACTEE agrees to notify the COUNCIL immediately in writing if there is any change in the facts, estimates, or projections contained in the application or material submitted to the COUNCIL, including, but not limited to, change in any item of receipts or expenditures, change in personnel, or change in or discontinuance of any operation or program conducted or projected to be conducted by the CONTRACTEE. The CONTRACTEE agrees that should any such change occur, and the COUNCIL in its sole discretion determines that such change will impede or impair the CONTRACTEE's ability to perform the contracted-for services or serve the interests of the people of the State of New York, the COUNCIL shall have the right to terminate this Contract.

**4. REPORTS AND RECORDS.** The CONTRACTEE agrees to submit such reports as may be requested by the COUNCIL, in such form as the COUNCIL may prescribe, relating to the CONTRACTEE's services and the performance thereof and the CONTRACTEE's ability to fulfill its obligations under this Contract. In addition, the CONTRACTEE shall supply a final report on such forms as the COUNCIL may prescribe and documentation of performance and/or exhibit within 90 days after expiration of the Contract. The CONTRACTEE shall maintain complete, accurate, and current records of all income and expenses relating to its operations and the services performed pursuant to this Contract. During the term of this Contract and at any time within six years thereafter, the CONTRACTEE shall make such records available upon request to the COUNCIL and the State of New York (hereinafter referred to as "State") for review and audit. The COUNCIL and the State shall have the right, upon reasonable notice and at reasonable times, to inspect the books and records of the CONTRACTEE, its offices and facilities, for the purpose of verifying information supplied to the COUNCIL or for any other purpose reasonably related to monitoring the services to be performed by the CONTRACTEE.

**5. OWNERSHIP OF PROPERTY.** All personal property, including equipment, purchased with funds provided by the COUNCIL under this Contract shall be held "in trust" for the COUNCIL. Upon written demand, any such property specified by the COUNCIL shall be immediately delivered to the COUNCIL. The COUNCIL reserves the right to specify the procedures to be adopted by the CONTRACTEE in acquiring personal property with funds provided by the COUNCIL.

**6. STUDY AND TRAVEL.** No funds provided under this Contract may be used for study or travel outside New York State.

**7. DISALLOWANCE OF PAYMENTS.**

A. In addition to its right to terminate this Contract as provided for in paragraph 4) above, the COUNCIL shall have the right to terminate this Contract in the event it determines that the CONTRACTEE:

- (i) has misrepresented any fact or supplied any false or misleading information to the COUNCIL in its application, supporting material or reports concerning performance of services; or
- (ii) has diverted any payments made under this Contract to a purpose other than performance of the contracted-for services in the manner the CONTRACTEE has represented; or
- (iii) has failed to maintain or provide any records or reports required to be maintained or provided; or
- (iv) has failed to abide by any other term or condition of this Contract; or if the COUNCIL determines that the CONTRACTEE will be unable to satisfactorily perform all or any part of the contracted-for services or any of the CONTRACTEE's obligations or duties under this Contract.

In addition to the COUNCIL's right to terminate as aforesaid, upon the occurrence of any of the facts enumerated in (i) through (iv), it may disallow in whole or in part any payments not yet made by it, and require the CONTRACTEE to refund any payments made by the COUNCIL under this Contract. The foregoing remedies of the COUNCIL are in addition to any other remedies provided by law, and all such remedies shall be cumulative and not exclusive.

B. In addition, if the COUNCIL determines that the termination of this Contract in whole or in part is in the best interests of the people of the State of New York, it may terminate this Contract by notice to the CONTRACTEE, which notice shall state the effective date of such termination. Upon termination of this Contract under the foregoing condition stated in this subparagraph B), the COUNCIL shall pay to the CONTRACTEE the costs actually incurred up to the date of termination, plus any costs directly resulting from such termination; provided, however, that in no event shall the aggregate of such payments, together with payments previously made to the CONTRACTEE under this Contract, exceed the value of the contracted-for services performed by the CONTRACTEE up to the date of termination plus the costs resulting from such termination, or the total amount provided to be paid to the CONTRACTEE under paragraph 3) of this Contract, whichever is less.

**8. RECOGNITION OF COUNCIL SUPPORT.** In any program or printed material advertising, announcing, or describing the services which the COUNCIL has been contracted under this Contract, or in any publication, film, videotape, exhibition, or visual material produced as a result of or in connection with the performance by the CONTRACTEE of the above-described services, the CONTRACTEE shall prominently credit the COUNCIL's assistance. Such credit shall be listed separately from any other recognition of non-governmental support. Copies of any material containing the required credit shall be submitted to the COUNCIL as soon as may be reasonably practicable.

**9. REPRODUCTION OF MATERIAL.** The COUNCIL reserves a non-exclusive license to reproduce for State purposes, without further payment, any publishable or otherwise reproducible material resulting from the performance of the contracted-for services.

**10. INDEPENDENT CONTRACTOR AND THIRD PARTIES.** The CONTRACTEE shall not represent to any person, foundation, organization, or government entity that it is acting as agency for the COUNCIL or the State or that it is entitled in any way to act on behalf of the COUNCIL or the State, or to incur obligations on behalf of the COUNCIL or the State. Nothing contained in this Contract shall create or give to third parties any claim or right of action against the COUNCIL.

**11. ADDITIONAL REGULATIONS.**

- I. This Contract may not be assigned by the CONTRACTEE or its right, title or interest therein assigned, transferred, conveyed, or disposed of without the previous consent, in writing, of the COUNCIL.
- II. This Contract shall be deemed executory only to the extent of money available to the COUNCIL for the performance of the hereof and no liability on account thereof shall be incurred by the COUNCIL beyond moneys available for the purpose thereof.
- III. The CONTRACTEE specifically agrees, as required by Labor Law, Sections 220 and 220-d, as amended, that:
  - (a) no laborer, workman or mechanic, in the employ of the CONTRACTEE, subcontractor or other person doing or contracting for the whole or any part of the services contemplated by the Contract shall be permitted or required to work more than eight hours on any one calendar day or more than five days in any one week, except in the emergencies set forth in the Labor Law.
  - (b) the wages paid for a legal day's work shall be not less than the prevailing rate of wages as defined by law.

(c) the minimum hourly rate of wages to be paid shall not be less than that stated in the specifications, and any redetermination of the prevailing rate of wages after the Contract is approved shall be deemed to be incorporated herein by reference as of the effective date of redetermination and shall form a part of these Contract documents.

(i) The Labor Law provides that the Contract may be forfeited and no sum paid for any work done thereunder on a second conviction for willfully paying less than—

(a) the stipulated wage scale as provided in Labor Law, Section 220, subdivision 3, as amended or

(b) less than the stipulated minimum hourly wage scale as provided in Labor Law, Section 220-d, as amended.

IV. The CONTRACTEE specifically agrees, as required by the provisions of the Labor Law, Section 220-e, as amended, that:

(a) in hiring of employees for the performance of work under this Contract or any subcontract hereunder, or for the manufacture, sale or distribution of materials, equipment or supplies hereunder, no CONTRACTEE subcontractor nor any person acting on behalf of such CONTRACTEE or subcontractor, shall by reason of race, creed, color, sex, or national origin discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates.

(b) no CONTRACTEE, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this Contract on account of race, creed, color, sex or national origin.

(c) there may be deducted from the amount payable to the CONTRACTEE by the COUNCIL under this Contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the Contract, and

(d) this Contract may be canceled or terminated by the COUNCIL and all moneys due or to become due hereunder may be forfeited for a second or any subsequent violation of the terms or conditions of this section of the Contract, and

(e) the aforesaid provisions of this section covering every Contract for or on behalf of the COUNCIL for the manufacture, sale or distribution of materials, equipment or supplies shall be limited to operations performed within the territorial limits of the State of New York.

V. During the performance of this contract, the CONTRACTEE agrees as follows:

(a) The CONTRACTEE will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status.

(b) If directed to do so by the Commissioner of Human Rights, the CONTRACTEE will send to each labor union or representative of workers with which the CONTRACTEE has or is bound by a collective bargaining or other agreement or understanding, a notice, to be provided by the State Commissioner of Human Rights, advising such labor union or representative of the CONTRACTEE's agreement under clauses (a) through (g) (hereinafter called "non-discrimination clauses"). If the CONTRACTEE was directed to do so by the contracting agency as part of the bid or negotiation of this contract, the CONTRACTEE shall request such labor union or representative to furnish a written statement that such labor union or representative will not discriminate because of race, creed, color, sex, national origin, age, disability or marital status, and that such labor union or representative will cooperate, within the limits of its legal and contractual authority, in the implementation of the policy and provisions of these non-discrimination clauses and that it consents and agrees that recruitment, employment and the terms and conditions of employment under this contract shall be in accordance with the purposes and provisions of these non-discrimination clauses. If such labor union or representative fails or refuses to comply with such a request that it furnish such a statement, the CONTRACTEE shall promptly notify the State Commissioner of Human Rights of such failure or refusal.

(c) If directed to do so by the Commissioner of Human Rights, the CONTRACTEE will post and keep posted in conspicuous places, available to employees and applicants for employment, notices to be provided by the State Commissioner of Human Rights setting forth the substance of the provisions of clauses (a) and (b) and such provisions of the State's laws against discrimination as the State Commissioner of Human Rights shall determine.

(d) The CONTRACTEE will state, in all solicitations or advertisements for employees placed by or on behalf of the CONTRACTEE, that all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, sex, national origin, age, disability or marital status.

(e) The CONTRACTEE will comply with the provisions of Sections 290-299 of the Executive Law and with the Civil Rights Law, will furnish all information and reports deemed necessary by the State Commissioner of Human Rights under these non-discriminatory clauses and such sections of the Executive Law, and will permit access to the CONTRACTEE's books, records and accounts by the State Commissioner for the purposes of investigation to ascertain compliance with these non-discrimination clauses and such sections of the Executive Law and Civil Rights Law.

(f) This contract may be forthwith canceled, terminated or suspended, in whole or in part, by the COUNCIL upon the basis of a finding made by the State Commissioner of Human Rights that the CONTRACTEE has not complied with these non-discrimination clauses, and the CONTRACTEE may be declared ineligible for future contracts made by or on behalf of the State or a public authority or agency of the State, until the CONTRACTEE satisfies the State Commissioner of Human Rights that the CONTRACTEE has established and is carrying out a program in conformity with the provisions of these non-discrimination clauses. Such finding shall be made by the State Commissioner of Human Rights after conciliation efforts by the Commissioner have failed to achieve compliance with these non-discrimination clauses and after a verified complaint has been filed with the Commissioner, notice thereof has been given to the CONTRACTEE and an opportunity has been afforded the CONTRACTEE to be heard publicly in accordance with the Executive Law. Such sanctions may be imposed and remedies invoked independently of or in addition to sanctions and remedies otherwise provided by law.

(g) The CONTRACTEE will include the provisions of clauses (a) through (f) in every subcontract or purchase order in such a manner that such provisions will be binding upon each subcontractor or vendor as to operations to be performed within the State of New York. The CONTRACTEE will take such action in enforcing such provisions of such subcontract or purchase order as the State Commissioner of Human Rights or the COUNCIL may direct, including sanctions or remedies for non-compliance. If the CONTRACTEE becomes involved in or is threatened with litigation with a subcontractor or vendor as a result of such direction by the State Commissioner of Human Rights or the contracting agency, the CONTRACTEE shall promptly so notify the Attorney General, requesting the Attorney General to intervene and protect the interests of the State of New York.

VI. The agreement shall be void and of no force and effect unless the CONTRACTEE shall provide coverage for the benefit of, and keep covered during the life of this agreement, such employees as are required to be covered by the provisions of the Worker's Compensation Law.

VII. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law and the regulations of the Comptroller of the State of New York promulgated thereunder, the CONTRACTEE agrees, as a material condition of the contract.

(a) That neither the contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the provisions of the United States Export Administra-



tion Act of 1969, as amended, or the Export Administration Act of 1979, as amended, or the regulations of the United States Department of Commerce promulgated thereunder;

(b) That if the CONTRACTEE or any substantially owned or affiliated person, firm, partnership or corporation has been convicted or subjected to a final determination by the United States Department of Commerce or any other appropriate agency of the United States of a violation of the United States Export Administration Act of 1969, as amended, or the Export Administration Act of 1979, as amended, or the regulations of the United States Department of Commerce promulgated thereunder, the CONTRACTEE shall notify the Comptroller of such conviction or determination in the manner prescribed by the Comptroller's regulations.

12. ENTIRE CONTRACT. This Contract, together with the Application Form, including submitted budgets, as modified or revised with the approval of the COUNCIL and any other approved supplements to any of the above, constitutes the entire Contract between the parties hereto. No statement, promise, condition, understanding, inducement, or representation, oral or written, express or implied, which is not contained herein shall be binding or valid, and this Contract shall not be changed, modified, or altered in any manner except by an instrument in writing executed by the parties hereto.

13. VALIDITY OF CONTRACT. This Contract shall not be deemed executed, valid, or binding unless and until it has been properly signed on behalf of the parties hereto and duly approved by the Attorney General and the Comptroller of the State of New York.

IN WITNESS WHEREOF, the parties have executed the above instrument, as of the date and year first above written.

For the CONTRACTEE

By: *David G. DeLuca*  
Title: *Supervisor*  
Date: *9/16/86*

NEW YORK STATE COUNCIL ON THE ARTS

By: *K. T. O'Connor*  
Title: Director, Arts Contracts Administration  
Date: *10/1/86*

ACKNOWLEDGEMENT

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known, who being duly sworn, did depose and say that he/she resides in \_\_\_\_\_ and is \_\_\_\_\_ of the \_\_\_\_\_, the organization described in and which executed the foregoing instrument; that he/she knew the seal of said organization; that the seal affixed to said instrument was such organization seal; that it was so affixed by the order of the organization's board and that he/she signed his/her name thereto by like order.

\_\_\_\_\_  
Notary Public

MEETING NO. 18  
September 15, 1986

Item No. 7b Authorization for Supervisor to sign agreement regarding opening of roadway between Duke & Walden  
This item was withdrawn.

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 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:

112 Medina St.	\$5,557.00
46 Dartmouth Dr.	\$6,011.00
92 Jeffrey	\$5,246.00

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. 9 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated July 21, 1986, this Town Board approved a ten lot subdivision on the southeast corner of Como Park Boulevard and Borden Road, and

WHEREAS, the developer of this subdivision has decided to revise his subdivision plans and now proposes a seven lot subdivision known as Bormac Estates, said subdivision to utilize only the existing public roadways, and

WHEREAS, said revised subdivision plans have been reviewed and approved by the Planning Board, the Town Engineer, the Town Superintendent of Highways and the Town Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED that the revised plans for the seven lot subdivision known as Bormac Estates, located on the southeast corner of Como Park Boulevard and Borden Road, as prepared by Pratt & Huth Associates (Job No. 86010) and dated June 2, 1986 be and hereby are accepted and approved by this Town Board.

MEETING NO. 18  
September 15, 1986

Item No. 7b Authorization for Supervisor to sign agreement regarding opening of roadway between Duke & Walden  
This item was withdrawn.

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 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:

112 Medina St.	\$5,557.00
46 Dartmouth Dr.	\$6,011.00
92 Jeffrey	\$5,246.00

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. 9 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated July 21, 1986, this Town Board approved a ten lot subdivision on the southeast corner of Como Park Boulevard and Borden Road, and

WHEREAS, the developer of this subdivision has decided to revise his subdivision plans and now proposes a seven lot subdivision known as Bormac Estates, said subdivision to utilize only the existing public roadways, and

WHEREAS, said revised subdivision plans have been reviewed and approved by the Planning Board, the Town Engineer, the Town Superintendent of Highways and the Town Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED that the revised plans for the seven lot subdivision known as Bormac Estates, located on the southeast corner of Como Park Boulevard and Borden Road, as prepared by Pratt & Huth Associates (Job No. 86010) and dated June 2, 1986 be and hereby are accepted and approved by this Town Board.

Item No. 9 cont'd

Upon Roll Call....

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

Item No. 10a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, Los-Green, Inc., developer of the Losson Green Estates Subdivision, has completed street lighting improvements in Phase IA of the subdivision on Rushford Lane, Ashleaf Drive, and Hillpine Road consisting of ten (10) 5200 lumen high pressure sodium luminaires and related equipment, and

WHEREAS, said lighting system has been energized by the New York State Electric and Gas Corporation and is functioning properly, NOW, THEREFORE, BE IT

RESOLVED that the escrow deposit currently amounting to \$8,000.00 being held by the Town as security for the completion of the street lighting system be released to Los-Green, Inc., and BE IT FURTHER

RESOLVED that the lighting system consisting of luminaires, standards and conductors furnished and installed by the developer are to be owned and maintained by the Town of Cheektowaga, and the connections, energy and lamp replacements are to be supplied and maintained by the New York State Electric and Gas Corporation.

Upon Roll Call....

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

Item No. 10b Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, H.O.M. Development Corporation, developer of the Greenwood Village Subdivision, has completed the installation of the street lighting system on Jessica Lane, consisting of seven (7) 5200 lumen high pressure sodium luminaires and related equipment, and

WHEREAS, said lighting system has been energized by the New York State Electric and Gas Corporation and is functioning properly, NOW, THEREFORE, BE IT

RESOLVED that the escrow deposit currently amounting to \$2,800.00 being held by the Town as security for the completion of the street lighting system be released to H.O.M. Development Corporation, and BE IT FURTHER

RESOLVED that the lighting system consisting of luminaires, standards and conductors furnished and installed by the developer are to be owned and maintained by the Town of Cheketowaga, and the connections, energy and lamp replacements are to be supplied and maintained by the New York State Electric and Gas Corporation.

Upon Roll Call....

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

MEETING NO. 18  
September 15, 1986

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located to the rear of 1474 Cleveland Drive, Cheektowaga, New York, SBL #92.05-1-13 and according to the Assessors' Office is owned by Brian L. Nelson, Williamsville, New York 14221, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 11b Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located to the rear of 1500 Cleveland Drive, Cheektowaga, New York, SBL #92.05-1-14 and according to the Assessor's Office is owned by David Glain, Kenmore, New York 14217, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris 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. 11c Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at the end of Redleaf Lane, Cheektowaga, New York, SBL # 81.17-2-27.3 and according to the Assessor's Office is owned by Castine and Etal, Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Item No. 11c 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 Kowal

WHEREAS, the Town Air Pollution Board was headed by our past Town Health Officer and consisted of Town personnel and Thaddeus Klosko, a residential member whose four (4) year appointment has recently expired, and

WHEREAS, it is advisable to maintain Town involvement in the air pollution control field, NOW, THEREFORE, BE IT

RESOLVED that Thaddeus Klosko of Cheektowaga, is hereby reappointed to the Cheektowaga Air Pollution Board for a term of four (4) years, effective this date, and BE IT FURTHER

RESOLVED that Chester L. Bryan, Town Engineer, and William Pugh, Junior Engineer, shall continue as members of the Town Air Pollution 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. 13 Motion by Councilman Kowal, Seconded by Councilman W. Rogowski

WHEREAS, by resolution dated March 4, 1985, this Town Board provisionally appointed William R. Conway to the position of Real Property Appraiser in the Assessor's Office, effective April 1, 1985, and until such time as a certified civil service list for such position is available, and

WHEREAS, this Town is now in receipt of a certified civil service list for the position of Real Property Appraiser, and

WHEREAS, William R. Conway appears first on such eligible list, NOW, THEREFORE, BE IT

RESOLVED that William R. Conway of Depew, New York be and hereby is permanently appointed to the position of Real Property Appraiser in the Assessor's Office, 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. 14 Motion by Councilman Kowal, Seconded by Councilman J. Rogowski

WHEREAS, by resolution dated August 18, 1986, this Town Board granted Sherry L. Witt, Senior Clerk in the Assessor's Office, a leave of absence for medical reasons from August 21, 1986 to September 21, 1986, and

WHEREAS, Sherry L. Witt has requested an extension of her leave of absence for an additional two months, from September 21, 1986 to November 21, 1986, NOW, THEREFORE, BE IT

RESOLVED that Sherry L. Witt be and hereby is granted an additional two months unpaid leave of absence from her position as Senior Clerk in the Assessor's Office, from September 21, 1986 to November 21, 1986.

Item No. 14 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. 15 Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, the Town wishes to dispose of a number of surplus vehicles no longer needed for Town use, and

WHEREAS, of such surplus property by the Town is authorized by Section 64 of the Town Law of the State of New York, and

WHEREAS, Buffalo Thruway Auto Auction, Inc. has submitted a proposal for disposing of said vehicles, at the cost of twenty-five dollars (\$25.00) per vehicle sold, NOW, THEREFORE, BE IT

RESOLVED that the Town hereby retains Buffalo Thruway Auto Auction, Inc., 2727 Broadway, Cheektowaga, New York, as per the attached proposal, to conduct a sale of surplus Town vehicles listed on the attached list, at a public sale to the highest responsible bidder, on Tuesday, September 23, 1986, at 2727 Broadway, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute any and all documents that may be required to effectuate the sale and transfer of all said vehicles.

\* See next three (3) pages

Upon Roll Call....

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



# Buffalo Thruway



## Auto Auction, Inc.

(716) 892-2111

2727 BROADWAY  
P.O. BOX 25  
BUFFALO, NEW YORK 14225

September 4, 1986

Dear Sirs:

The Buffalo Thruway Auto Auction is located at 2727 Broadway, about one mile west of the Cheektowaga Town Garage. We conduct a Auto Auction every Tuesday which attracts about three hundred qualified buyers. We are prepared to sell any vehicles the Town of Cheektowaga has, and will provide the following a secured fenced in lot to display the vehicles all advertising, both in local papers, and by way of slingers which are sent to all of our qualified buyers, an auctioneer, all necessary paperwork. These vehicles will be offered at an auction which is open to the public. We will be able to provide all of the above for the cost to the Town of Twenty Five dollars, ( \$25.00 ) per vehicle sold. Our past record should indicate to the Town we are able to sell these vehicles with the highest return to the Town.

Respectfully Yours,

Thomas W. Hammar



RICHARD KOSZUTA  
General Foreman  
JAMES JANKOWIAK  
Foreman  
PHONE: 686-3439



*Town of Cheektowaga*  
CENTRAL GARAGE

TOWN HALL  
CHEEKTOWAGA, N. Y. 14227



VEHICLES AUCTIONED DURING 1986

AUCTION #	YEAR	MAKE/MODEL	V.I.N. #
1	1984	Plymouth/Gran Fury	1P3BB2643EX581694
2	1984	Plymouth/Gran Fury	1P3BB2648EX581688
3	1984	Plymouth/Gran Fury	1P3BB2647EX581696
4	1984	Plymouth/Gran Fury	1P3BB2641EX581693
5	1984	Plymouth/Gran Fury	1P3BB2648EX581691
6	1984	Plymouth/Gran Fury	1P3BB2645EX581695
7	1984	Plymouth/Gran Fury	1P3BB2646EX581690
8	1978	Dodge/Pick Up	D14AB8S207694
9	1978	GMC/Van	TGT368U511895
10	1978	Chevrolet/Pickup	CCL2381171003
11	1977	Jacob-Tractor	18078
12	1975	Dodge/Pickup	D26BE5S123232

**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

VEHICLES TO BE AUCTIONED - 1986

<u>AUCTION #</u>	<u>YEAR</u>	<u>MAKE &amp; MODEL</u>	<u>VIN #</u>
1	1970	Wayne Sweeper	984940
2	1972	Central Engineering Super Vac Leaf Loader	129
3	1952	Sicard Tank Flusher	2021695
4	1967	Vermeer Stump Grinder	1560359
5	1969	Wayne Sweeper	984680
6	1974	Wayne Sweeper	9842732
7		Hand Roller (gas powered), Plate #11575F	

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



MEETING NO. 18  
September 15, 1986

Motion by Councilman Kowal, Seconded by Councilman Johnson to dispense with the reading of names in Items 16A, 16B, 16C and 16D.

Upon Roll Call....

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

Item No. 16a 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:

	<u>Effective</u>
<u>Parks Division - #01-007110-1-0-1491-001</u>	
Anderson, Brian	9/29/86
Anderson, Norman	9/29/86
Dauer, Mark	8/23/86
Dominczak, Leo	9/29/86
Dranger, Steven	9/29/86
Felder, Raymond	9/29/86
Havernick, Donald	9/29/86
Hunneshagen, Matthew	9/29/86
Kochel, John	9/29/86
Lenartowicz, Joseph	9/15/86
Morris, Ralph	9/29/86
Mueller, John	9/29/86
Palmisano, Randy	9/29/86
Sopczyk, Mark	9/29/86
Stewart, David	9/29/86
Viverto, Cam	9/29/86
Wardzinski, David	9/29/86
Wertz, Thomas	9/20/86
Williams, Lawrence	9/29/86

Street Lighting Division - #02-905182-1-0-1492-001

Emply, John	9/29/86
Lenartowicz, Kevin	9/29/86
Dunkowski, Steven	9/17/86

Upon Roll Call....

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

Item No. 16b Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following be terminated as Seasonal Employees from the Town Clerk's Office effective immediately:

Ann Marie Wojciechowski  
Deborah Przepiora  
Jacqueline T. Lukowski  
Valerie A. Kaminski  
Kelly Beth Jeffords  
Maureen V. Corkins  
Paula Marie Ciminelli  
Lisa Maria Ciepiela  
Lou Ann Aepelbacher

Upon Roll Call....

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

MEETING NO. 18  
September 15, 1986

Item No. 16c Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following listed individuals be terminated from the Cheektowaga Youth Bureau effective immediately:

SUMMER TRAINEES Line Item 7310.1812

Lisa Amadora	14043
Dennis Braniecki	14206
Jeffrey Calo	14227
Kenneth Creola	14043
Paul Czaja	14227
James Czarnecki	14227
Eric Guy	14227
Jeffrey Hall	14225
Debra Helminiak	14227
Michael Herlan	14225
Kenneth Kaczanowski	14225
Kevin Kindzierski	14227
James Kosinski	14043
Jeff Kowalewski	14043
Gerry Kubiak	14206
Paul Kumpf	14215
Brian Melber	14043
Douglas Mol	14206
Dennis Mrugalski	14225
Brian Niedzielski	14043
Kimberly Obringer	14227
James O'Rawe	14227
Glenn Osswald	14225
Michael Ostempowski	14227
Paul Rizzo	14227
Robert Rusinski	14225
Gerald Sienkiewicz	14227
Mike Sklener	14227
Jeffrey Stefaniak	14227
Bruce Stutz	14206
Jason Tambe	14206
Michael Wojtkowiak	14227
Kathleen Kwandrans	14227
Paul Norman, Jr.	14043

CREW SUPERVISORS 7310.1811

Paul Damian	14227
Lawrence Osswald	14225
Martin Surowiecz, Jr.	14043
Paul Sutton	14225

YOUTH LEADERS 7310.1812

Shawn Dibble	14043
Timothy Dusza	14227
Kelly Ejnik	14043
Richard Musielak, Jr.	14043
Doreen Skowron	14212

SENIOR YOUTH LEADER 7310.1812

Brian Mikler	14227
--------------	-------

and BE IT FURTHER

RESOLVED that the below listed individuals be terminated from the Youth Bureau's Summer Day Camp Program 7310.1802 effective immediately:

RECREATION SUPERVISOR - (Activity Director)

Andrea Zieger	14225
---------------	-------

MEETING NO. 18  
September 15, 1986

Item No. 16c cont'd

RECREATION ATTENDANT - (Senior Counselor)

Jeffrey Kaczorowski	14227
Linda Wopperer	14227
Sherry Streicher	14215

RECREATION ATTENDANTS - (Counselors)

Kerry Rustowicz	14225
Paula Konczak	14212
Michelle Cook	14211
Denise Lechner	14225
Kevin Neiderpruem	14227
Susan Switalski	14225

RECREATION ATTENDANT - (Jr. Counselor)

Tina Kaczorowski	14227
Maria Sikora	14212
Janine Yeostros	14225

RECREATION ATTENDANT - (Counselor Aide)

Lisa Abbott	14225
-------------	-------

Upon Roll Call....

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

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

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

	<u>EFFECTIVE</u>
<u>SANITATION DEPARTMENT</u>	
Brudz, Thaddeus F.	8/29/86
Gawron, Mark D.	8/15/86
Macris, Karen M.	8/1/86
Szymanski, Brian	9/1/86
<u>ASSESSORS OFFICE</u>	
Ann Marie Drennen	8/30/86
Michael Domagala	8/30/86
Kimberly Nowakowski	8/30/86
<u>SEWER MAINTENANCE DEPARTMENT</u>	
Jeff Mrugalski	9/22/86
John Pollino	9/22/86
Robert Fissler	9/22/86
Floyd Zgoda	9/22/86
Raymond Nowak	9/22/86
James Kosobucki	10/6/86
<u>JUSTICE COURT</u>	
Jacqueline Decker	8/28/86
Deanna McGuire	8/27/86
Jennifer Tokasz	8/22/86

Item No. 16d 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. 17a 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 effective as follows:

Parks Division - #01-007110-1-0-1491-001

Lenartowicz, Joseph 9/16/86

Street Lighting Division - #02-905182-1-0-1492-001

Dunkowski 9/19/86  
Kochel, John 9/30/86

and BE IT FURTHER

RESOLVED that the following individuals be transferred from the Facilities Parks Division to the Street Lighting Division as Seasonal Employees at the rate of \$3.35 per hour effective 9/29/86:

Strong, Francis  
Trzaska, Joseph

Upon Roll Call....

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

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

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

	<u>EFFECTIVE</u>
<u>MAIN PUMP STATION - \$3.35 per hour</u>	
Victor Podyma	9/25/86
Chester Kensy	9/24/86
<u>POLICE DEPARTMENT - Clerical - \$3.35 per hour</u>	
Kathleen Dillemoth	Immediately
<u>ASSESSOR'S OFFICE - \$4.00 per hour</u>	
Judy Golas	9/15/86
<u>CENTRAL GARAGE - \$3.35 per hour</u>	
Kevin Powell	9/23/86
<u>SEWER MAINTENANCE DEPARTMENT - \$3.35 per hour</u>	
Ronald F. Lynch	Immediately
Alex Pajak	Immediately

Item No. 17b 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. 18 Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as Substitute Crossing Guards in the Cheektowaga Police Department on an "as needed" basis, at a rate of \$4.50 per hour, effective immediately:

Marsha E. Kistowski  
Dorothy A. Komisarek  
Doris M. North  
Nancy L. Zielinski

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 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 J. Kensy, Town Housing Inspector, has completed the first four of a series of five such courses, and

WHEREAS, the fifty course series, entitled "Code Administration and Enforcement" will be offered during the month of October, and

WHEREAS, these courses are offered at no cost to the Town, NOW,  
THEREFORE, BE IT

RESOLVED that Lawrence J. Kensy, Housing Inspector, be and hereby is authorized to attend the "Code Administration and Enforcement" 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:

October 27, 28, 29, 30: 9:00 A.M. to 4:00 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. 19b Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, the New York State Office of Fire Prevention and Control will be conducting a "Fire Marshals and Inspectors Seminar" in Montour Falls, New York, on October 15-17, 1986, and

WHEREAS, Matthew D. Kawczynski and Edward J. Saturnus, Fire Inspectors, for the Town of Cheektowaga, have requested permission to attend such seminar, and

WHEREAS, such seminar will provide the Town's Fire Inspectors with up-to-date information and legislation on fire prevention and control, NOW,  
THEREFORE, BE IT

Item No. 19b cont'd

RESOLVED that Matthew D. Kawczynski and Edward J. Saturnus be and hereby are authorized to attend the "Fire Marshals and Inspectors Seminar" On October 15-17, 1986, and BE IT FURTHER

RESOLVED that Matthew D. Kawczynski and Edward J. Saturnus be and hereby are authorized to use a Town vehicle for transportation to and from such seminar, and BE IT FURTHER

RESOLVED that the Town pay Mr. Kawczynski's and Mr. Saturnus's registration fee of \$5.00; lodging costs of \$40.00; and all other reasonable and necessary expenses incurred in attending such 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. 19c Motion by Councilman Kowal, Seconded by Councilman J. Rogowski

WHEREAS, the New York State Division of Equalization and Assessment is conducting a Conference on Assessment Administration in Monticello, New York on September 30th thru October 3, 1986, and

WHEREAS, said Conference is administered 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 Casimir A. Kozminski, Assessor, be and hereby is authorized to attend said Conference on Sepember 30th thru October 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. 19d Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, the National Association of Chiefs of Police will be holding its annual meeting in Nashville, Tennessee from October 6-10, 1986, and

WHEREAS, the Chief of Police of the Town of Cheektowaga has requested permission to attend such meeting, NOW, THEREFORE, BE It

RESOLVED that the Chief of Police be and hereby is authorized to attend the aforementioned meeting, and BE IT FURTHER

RESOLVED that the Town shall pay the Chief's \$100.00 registration fee and all other reasonable and necessary expenses associated with his attendance at such meeting.

Upon Roll Call....

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



Item No. 19e Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, the National Neighborhood Foot Patrol Center is offering a three day seminar on all facets of police foot patrols at Michigan State University from September 29 - October 1, 1986, and

WHEREAS, the Chief of Police has requested the four Town representatives be allowed to attend such seminar, and

WHEREAS, such seminar will explain what modern foot patrol is, what its benefits are, and how it can be financed, planned and implemented, NOW, THEREFORE, BE IT

RESOLVED that the following named Town representatives be and hereby are authorized to attend the aforementioned seminar:

Captain Bruce C. Chamberlin  
Captain John F. Schaller  
Captain Henry Kempinski  
Captain Charles V. Switalski

and BE IT FURTHER

RESOLVED that the Town shall pay the \$35.00 per person registration fee for such Town representatives and shall reimburse them for all reasonable and necessary costs associated with their attendance at such 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. 20 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:

GENERAL FUND

From:	001450.4551 (Moving Machines-Elections)	\$ 500.00
To:	001410.4051 (Microfilming-Town Clerk)	500.00

SPECIAL DISTRICT FUND

From:	858160.4161 (Gasoline-Sanitation)	\$5,000.00
	858160.4211 (Electric-Sanitation)	2,000.00
	858160.4221 (Gas-Sanitation)	7,000.00
To:	858160.4089 (Recycling-Sanitation)	\$5,000.00
	858160.4071 (Uniform Replacements-Sanitation)	2,000.00
	858160.4021 (Maintenance Supplies-Sanitaiton)	7,000.00

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.  
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. 21 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 September 15th, 1986 are hereby approved and made a part hereof.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 89,342.15
SPECIAL DISTRICTS FUND	406,272.85
HIGHWAY FUND	42,015.41
FEDERAL REVENUE SHARING FUND	952.00
CAPITAL FUND	118,999.41
TRUST AND AGENCY FUND	10,218.16
COMMUNITY DEVELOPMENT FUND	608.63
PART TOWN FUND	244.43
	<u>\$668,653.04</u>

Upon Roll Call....

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

III. GENERAL COMMUNICATIONS

Item No. 22a NOTICE OF ASSESSMENT PETITION: Eugene Rudzinski vs Town of Cheektowaga and Town Assessor.  
Copies were sent to: Casey Kozminski, Town Assessor; James Kirisits, Town Attorney.  
Received and Filed.

Item No. 22b NOTICE OF ASSESSMENT PETITION: Arthur, Eva and Claudette Musarra vs Town of Cheektowaga and Town Assessor.  
Copies were sent to: Casey Kozminski, Town Assessor; James Kirisits, Town Attorney.  
Received and Filed.

Item No. 22c NOTICE OF ASSESSMENT PETITION: Adolph & Jane Wiercioch vs Town of Cheektowaga and Town Assessor.  
Copies were sent to: Casey Kozminski, Town Assessor; James Kirisits, Town Attorney.  
Received and Filed.

Item No. 22d NOTICE OF ASSESSMENT PETITION: Edward & Marie Bennett vs Town of Cheektowaga and Town Assessor.  
Copies were sent to: Daniel E. Weber, Supervisor; Casey Kozminski, Town Assessor; James Kirisits, Town Attorney.  
Received and Filed.

Item No. 22e NOTICE OF ASSESSMENT PETITION: Frank & Rose Nicostra vs Town of Cheektowaga and Town Assessor.  
Copies were sent to; Daniel E. Weber, Supervisor; Casey Kozminski, Town Assessor; James Kirisits, Town Attorney.  
Received and Filed.

Item No. 22f NOTICE OF ASSESSMENT PETITION: Grace Lichtenberger vs Town of Cheektowaga and Town Assessor.  
Copies were sent to: Daniel E. Weber, Supervisor; Casey Kozminski, Town Assessor; James Kirisits, Town Attorney.  
Received and Filed.

Item No. 23a NOTICE OF CLAIM - Joseph Lesinski for Joseph Monaco 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, Working Foreman in Sanitation Department; Laverack & Haines, Insurance Company.  
Received and Filed.

Item No. 23b NOTICE OF CLAIM - Richard Kohlbacher 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; Laverack & Haines, Insurance Company.  
Received and Filed.

Item No. 24 NOTICE OF MOTION - Los-Green, Inc. vs Town Board of Town of Cheektowaga.  
Copies were sent to: Ron Marten, Building and Plumbing Inspector; (Town Attorney had copy).  
Received and Filed.

#### IV. SUSPENSION OF RULES

Motion by Supervisor Weber, Seconded by Councilman Johnson 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

Item No. 25a DECISION - Rezoning at 2285/2275 Walden Avenue

Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Robert D. Alonzo has petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by Delta-Sonic Carwash and located at 2285/2275 Walden Avenue, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of July, 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 stated that it has no objection to the rezoning, 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 Robert D. Alonzo 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 following conditions:

1. Drainage plans for the development of such property must be approved by the Town Engineer prior to the issuance of any building permits;

MEETING NO. 18  
September 15, 1986

Item No. 25a cont'd

2. Applicant or its successors shall at no time close any ditch on its property which may adversely affect Schlenker Avenue residents;
3. Applicant shall not use the former Galaxy Restaurant building for any type of operation normally associated with a collision or paint shop, such as car repairs, car painting, use of fiberglass, sandings, etc.; hand waxing of cars and the interior cleaning of cars will be allowed
4. Applicant's operations shall be totally enclosed inside the building so as to not affect the welfare of the neighbors;
5. Applicant shall not cut or remove any existing trees at the rear or its property, but shall keep such trees there to serve as a screen for the residents.
6. Applicant shall at no time provide for or allow ingress to and egress from its property on Schlenker Avenue; and;
7. Applicant shall comply with its redrawn site plan (Drawing No. WAL-03-85A.)

and BE IT FURTHER

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

\* See next page two (2) pages 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

COMPLETE RECORD SEARCH

Search No. 616659.

PARCEL  
"A"

Certificate of Complete Record Search, County of ERIE  
against all that plot of land situated in the Town of Cheektowaga, County of Erie  
and State of New York, being part of Lot Number eleven (11),  
Township eleven (11), Range seven (7) of the Holland Land Company's  
Survey and further distinguished as Subdivision Lots Numbers  
ninety-four (94), ninety-five (95) and one hundred twenty (120)  
to one hundred twenty-three (123) inclusive, that part of Subdivi-  
sion Lot Number eighty-six (86) lying southeasterly of the south-  
easterly line of Walden Avenue Extension and that part of Finley  
Avenue lying between Subdivision Lots Numbers eighty-six (86) and  
ninety-five (95), all as shown on a map filed in the Erie County  
Clerk's Office under Cover Number 293 and all bounded and des-  
cribed as follows:-

BEGINNING at a point in the north line of Kausel Avenue as  
shown on said map cover, being the southwest corner of Subdivision  
Lot Number one hundred twenty (120); thence north along the west  
line of Subdivision Lot Number one hundred twenty (120), one  
hundred sixteen (116) feet to the northwest corner thereof;  
thence east along the north line of Subdivision Lots Numbers one  
hundred twenty (120) and one hundred twenty-one (121), sixty (60)  
feet to the southwest corner of Subdivision Lot Number ninety-five  
(95); thence north along the west line of Subdivision Lot Number  
ninety-five (95) and said west line extended northerly one hundred  
fifty-six and ninety-six hundredths (156.96) feet to a point in  
the southeasterly line of the Walden Avenue Extension; thence  
northeasterly along said southeasterly line of Walden Avenue  
Extension, thirty and forty-five hundredths (30.45) feet to a  
point in the east line of Subdivision Lot Number eighty-six (86);  
thence south along the east line of Subdivision Lot Number eighty-  
six (86) and said east line extended southerly forty-five and  
twenty-one hundredths (45.21) feet to the northwest corner of  
Subdivision Lot Number ninety-four (94); thence east along the  
north line of Subdivision Lot Number ninety-four (94), thirty  
(30) feet to the northeast corner of Subdivision Lot Number

ninety-four (94); thence south along the east line of said Subdivision Lots Numbers ninety-four (94) and one hundred twenty-three (123), two hundred thirty-two (232) feet to the southeast corner of said Subdivision Lot Number one hundred twenty-three (123) and the north line of Kausel Avenue; thence west along the north line of Kausel Avenue, one hundred twenty (120) feet to the point or place of beginning.

PARCEL  
"B"

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as <sup>that part of</sup> Subdivision Lot Number eighty-seven (87), lying southeasterly <sup>to</sup> on the southeasterly line of Walden Avenue Extension and also that part of Finley Avenue lying between Subdivision Lots Numbers eighty-seven (87) and ninety-four (94), as shown on a map filed in the Erie County Clerk's Office under Cover Number 293.

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

.....*Denise Gracie*..... of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....**Clerk**..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ...../..... weeks;  
first publication.....**SEP 18 1986**..... ;  
last publication.....**SEP 18 1986**..... ;  
and that no more than six days intervened be-  
tween publications.

.....*Denise Gracie*.....

Sworn to before me this .....*19<sup>th</sup>*.....

day of .....**September**....., 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 15th day of September, 1986 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

**PRESENT:**

Supervisor Daniel E. Weber  
Councilmen:

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

**ABSENT: 0**

Motion by Councilman J.V. Rogowski

Seconded by Councilman Jaworowicz

WHEREAS, Robert D. Alonzo has petitioned for the rezoning from M-1 Light Manufacturing District to CM-General Commercial District of property owned by Delta Sonic Carwash and located at 2285/2275 Walden Avenue, 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 the Town Board on the 7th day of July, 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 stated that it has no objection to the rezoning, 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 Robert D. Alonzo 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 following conditions:

1. Drainage plans for the development of such property must be approved by the Town Engineer prior to the issuance of any building permits;

2. Applicant or its successors shall at no time close any ditch on its property which may adversely affect Schlenker Ave. residents;

3. Applicant shall not use the former Galaxy Restaurant building for any type of operation normally associated with a collision or paint shop, such as car repairs, car painting, use of fiberglass, sanding, etc.; hand waxing of cars and the interior cleaning of cars will be allowed;

4. Applicant's operations shall be totally enclosed inside the building so as to not affect the welfare of the neighbors;

5. Applicant shall not cut or remove any existing trees at the rear of its property, but shall keep such trees to serve as a screen for the residents.

6. Applicant shall at no time provide for or allow ingress to and egress from its property on Schlenker Avenue; and

7. Applicant shall comply with its redrawn site plan (Drawing No. WAL-03-85A.

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

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

**COMPLETE RECORD  
SEARCH**

Search No. 816859

**PARCEL "A"**

Certificate of Complete Record Search against all that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers ninety-four (94), ninety-five (95) and one hundred twenty (120) to one hundred twenty-three (123) inclusive, that part of Subdivision Lot Number eighty-six (86) lying southeasterly of the southeasterly line of Walden Avenue Extension and that part of Finley Ave. lying between Subdivision Lots Numbers eighty-six (86) and ninety-five (95) all as shown on a map filed in the Erie County Clerk's Office under Cover Number 293 and all bounded and described as follows:

BEGINNING at a point in the north line of Kausel Ave. as shown on said map cover, being the southwest corner of Subdivision Lot Number one hundred twenty (120); thence north along the west line of Subdivision Lot Number one hundred twenty (120), one hundred sixteen (116) feet to the northwest corner thereof; thence east along the north line of Subdivision Lots Numbers one hundred twenty (120) and one hundred twenty-one (121), ~~sixty (60) feet to the southwest corner~~ of Subdivision Lot Number ninety-five (95); thence north along the west line of Subdivision Lot Number ninety-five (95) and said west line extended northerly one hundred fifty-six and ninety-six hundredths (156.96) feet to a point in the south easterly line of the Walden Avenue Extension; thence northeasterly along said southeasterly line of Walden Avenue Extension, thirty and forty-five (30.45) feet to a point in the east line of Subdivision Lot Number eighty-six (86); thence south along the east line of Subdivision Lot Number (86) and said east line extended southerly forty-five and twenty one hundredths (45.21) feet to the northwest corner of Subdivision Lot Number ninety-four (94); thence east along the north line of Subdivision Lot Number ninety-four (94), thirty (30) feet to the northeast corner of Subdivision Lots Numbers ninety-four (94) and one hundred twenty-three (123), two hundred thirty-two (232) feet to the southeast corner of said Subdivision Lot Number one hundred twenty-three (123) and the north line of Kausel Ave.; thence west along the north line of Kausel Ave., one hundred twenty (120) feet to

**PARCEL "B"**

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as that part of Subdivision Lot Number eighty-seven (87), lying southeasterly of the southeasterly line of Walden Avenue Extension and also that part of Finley Ave. lying between Subdivision Lots Numbers eighty-seven (87) and ninety-four (94), as shown on a map filed in the Erie County Clerk's Office under Cover Number 293.

**STATE OF NEW YORK  
COUNTY OF ERIE**

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 15, 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 25a, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1986.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: September 18, 1986



Item No. 25b DECISION - Special Use Permit - 2285/2275 Walden Avenue

Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Robert D. Alonzo has applied for a Special Permit for a car-wash and gasoline dispensing facility on property owned by Delta-Sonic Carwash and located at 2285/2275 Walden Avenue, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being furth described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 7th day of July, 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 Town Board has stated that it has no objection to the Special Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 2285/2275 Walden Avenue, 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 following conditions:

1. Drainage plans for the development of such property must be approved by the Town Engineer prior to the issuance of any building permits;
2. Applicant or its successors shall at no time close any ditch on its property which may adversely affect Schlenker Avenue residents;
3. Applicant shall not use the former Galaxy Restaurant building for any type of operation normally associated with a collission or paint shop, such as car repairs, car painting, use of fiberglass, sandings, etc.; hand waxing of cars and the interior cleaning of cars will be allowed.
4. Applicant's operations shall be totally enclosed inside the building so as to not affect the welfare of the neighbors;
5. Applicant shall not cut or remove any existing trees at the rear of its property, but shall keep such trees there to serve as a screen for the residents.
6. Applicant shall at no time provide for or allow ingress to and egress from its property on Schlenker Avenue; and,
7. Applicant shall comply with its redrawn site plan (Drawing No. WAL-03-85A).

\* See next two (2) pages 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

COMPLETE RECORD SEARCH

Search No. 616659.

PARCEL  
"A"

Certificate of Complete Record Search, County of ERIE  
against all that plot of land situated in the Town of Cheektowaga, County of Erie  
and State of New York, being part of Lot Number eleven (11),  
Township eleven (11), Range seven (7) of the Holland Land Company's  
Survey and further distinguished as Subdivision Lots Numbers  
ninety-four (94), ninety-five (95) and one hundred twenty (120)  
to one hundred twenty-three (123) inclusive, that part of Subdivi-  
sion Lot Number eighty-six (86) lying southeasterly of the south-  
easterly line of Walden Avenue Extension and that part of Finley  
Avenue lying between Subdivision Lots Numbers eighty-six (86) and  
ninety-five (95), all as shown on a map filed in the Erie County  
Clerk's Office under Cover Number 293 and all bounded and des-  
cribed as follows:-

BEGINNING at a point in the north line of Kausel Avenue as  
shown on said map cover, being the southwest corner of Subdivision  
Lot Number one hundred twenty (120); thence north along the west  
line of Subdivision Lot Number one hundred twenty (120), one  
hundred sixteen (116) feet to the northwest corner thereof;  
thence east along the north line of Subdivision Lots Numbers one  
hundred twenty (120) and one hundred twenty-one (121), sixty (60)  
feet to the southwest corner of Subdivision Lot Number ninety-five  
(95); thence north along the west line of Subdivision Lot Number  
ninety-five (95) and said west line extended northerly one hundred  
fifty-six and ninety-six hundredths (156.96) feet to a point in  
the southeasterly line of the Walden Avenue Extension; thence  
northeasterly along said southeasterly line of Walden Avenue  
Extension, thirty and forty-five hundredths (30.45) feet to a  
point in the east line of Subdivision Lot Number eighty-six (86);  
thence south along the east line of Subdivision Lot Number eighty-  
six (86) and said east line extended southerly forty-five and  
twenty-one hundredths (45.21) feet to the northwest corner of  
Subdivision Lot Number ninety-four (94); thence east along the  
north line of Subdivision Lot Number ninety-four (94), thirty  
(30) feet to the northeast corner of Subdivision Lot Number

ninety-four (94); thence south along the east line of said Subdivision Lots Numbers ninety-four (94) and one hundred twenty-three (123), two hundred thirty-two (232) feet to the southeast corner of said Subdivision Lot Number one hundred twenty-three (123) and the north line of Kausel Avenue; thence west along the north line of Kausel Avenue, one hundred twenty (120) feet to the point or place of beginning.

PARCEL  
"B"

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as ~~that part of~~ Subdivision Lot Number eighty-seven (87), lying southeasterly <sup>to</sup> on the southeasterly line of Walden Avenue Extension and also that part of Finley Avenue lying between Subdivision Lots Numbers eighty-seven (87) and ninety-four (94), as shown on a map filed in the Erie County Clerk's Office under Cover Number 293.

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

...*Dennis Gracie*... of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....*Clerk*..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....*1*..... weeks:  
first publication.....*SEP 18 1986*..... ;  
last publication.....*SEP 18 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

...*Dennis Gracie*.....

Sworn to before me this .....*19<sup>th</sup>*.....

day of .....*September*....., 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*

**PARCEL "B"**

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven(11), Range seven (7) of the Holland Land Company's Survey and further distinguished as that part of Subdivision Lot Number eighty-seven (87), lying southeasterly of the southeasterly line of Walden Avenue Extension and also that part of Finley Ave. lying between Subdivision Lots Numbers eighty-seven (87) and ninety-four (94), as shown on a map filed in the Erie County Clerk's Office under Cover Number 293.

**STATE OF NEW YORK  
COUNTY OF ERIE**

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 15, 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 25b, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1986.

RICHARD M. MOLESKI  
Town Clerk

PUBLISH: September 18, 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 15th day of September, 1986 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

**PRESENT:**

Supervisor Daniel E. Weber  
Councilmen:

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

**ABSENT: 0**

Motion by Councilman J.V. Rogowski

Seconded by Councilman Jaworowicz

WHEREAS, Robert D. Alonzo has applied for a Special Permit for a carwash and gasoline dispensing facility on property owned by Delta-Sonic Carwash and located at 2285/2275 Walden Avenue, 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 7th day of July, 1986 at 8:30 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 stated that it has no objection to the Special Permit and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 2285/2275 Walden Ave., 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 following conditions:

be and hereby is granted subject to the following conditions:

1. Drainage plans for the development of such property must be approved by the Town Engineer prior to the issuance of any building permits;

2. Applicant or its successors shall at no time close any ditch on its property which may adversely affect Schlenker Ave. residents;

3. Applicant shall not use the former Galaxy Restaurant building for any type of operation normally associated with a collision or paint shop, such as car repairs, car painting, use of fiberglass, sandings, etc.; hand waxing of cars and the interior cleaning of cars will be allowed;

4. Applicant's operations shall be totally enclosed inside the building so as to not affect the welfare of the neighbors;

5. Applicant shall not cut or remove any existing trees at the rear of its property, but shall keep such trees to serve as a screen for the residents.

6. Applicant shall at no time provide for or allow ingress to and egress from its property on Schlenker Ave.; and

7. Applicant shall comply with its redrawn site plan (Drawing No. WAL-03-85A.

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

**COMPLETE RECORD  
SEARCH**

Search No.616659

**PARCEL "A"**

Certificate of Complete Record Search against all that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers ninety-four (94), ninety-five (95) and one hundred twenty (120) to one hundred twenty-three (123) inclusive, that part of Subdivision Lot Number eighty-six (86) lying southeasterly of the southeasterly line of Walden Avenue Extension and that part of Finley Ave. lying between Subdivision Lots Numbers eighty-six (86) and ninety-five (95) all as shown on a map filed in the Erie County Clerk's Office under Cover Number 293 and all bounded and described as follows:

BEGINNING at a point in the north line of Kausel Ave. as shown on said map cover, being the southwest corner of Subdivision Lot Number one hundred twenty (120); thence north along the west line of Subdivision Lot Number one hundred twenty (120), one hundred sixteen (116) feet to the northwest corner thereof; thence east along the north line of Subdivision Lots Numbers one hundred twenty (120) and one hundred twenty-one (121), sixty (60) feet to the southwest corner of Subdivision Lot Number ninety-five (95); thence north along the west line of Subdivision Lot Number ninety-five (95) and said west line extended northerly one hundred fifty-six and ninety-six hundredths (156.96) feet to a point in the south easterly line of the Walden Avenue Extension; thence northeasterly along said southeasterly line of Walden Avenue Extension, thirty and forty-five (30.45) feet to a point in the east line of Subdivision Lot Number eighty-six (86); thence south along the east line of Subdivision Lot Number (86) and said east line extended southerly forty-five and twenty one hundredths (45.21) feet to the northwest corner of Subdivision Lot Number ninety-four (94); thence east along the north line of Subdivision Lot Number ninety-four (94), thirty (30) feet to the northeast corner of Subdivision Lots Numbers ninety-four (94) and one hundred twenty-three (123), two hundred thirty-two (232) feet to the southeast corner of said Subdivision Lot Number one hundred twenty-three (123) and the north line of Kausel Ave.; thence west along the north line of Kausel Ave., one hundred twenty (120) feet to the point or place of beginning.

MEETING NO. 18  
September 15, 1986

Item No. 26 Permission for Cheektowaga Central High School to hold Homecoming Parade

Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Cheektowaga Central High School desires to have a Homecoming Parade on Friday, October 17, 1986 starting at 6:00 P.M., and

WHEREAS, the Homecoming Parade Route will be as follows: Beginning at the Key Industry parking lot on the north side of South Creek Drive; thence proceeding westbound on Southcreek Drive to Nagel Drive, thence westbound on Zoerb Avenue to Union Road; thence westbound across Union Road at the traffic signal to the Cheektowaga Central High School parking lot and track field, and

WHEREAS, the Cheektowaga Central High School has requested permission from this Town Board to have its Homecoming Parade and desires to have a police escort therefor, and

WHEREAS, this Town Board desires to approve the Homecoming Parade for Cheektowaga Central High School, NOW, THEREFORE, BE IT

RESOLVED that Cheektowaga Central High School be and hereby is authorized to conduct its Homecoming Parade along the above mentioned route, and BE IT FURTHER

RESOLVED that the Chief of Police be and hereby is directed to provide traffic safety and escort arrangements for such Homecoming Parade and to ensure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law of the State of New York, and BE IT FURTHER

RESOLVED that this Town Board hereby also encourages Forks Hose Company No. 2 to supervise and extinguish the Bon Fire planned by Cheektowaga Central High School for its Homecoming Pep-Rally.

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 Authorization for Sanitation Foreman to attend seminar

Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, the New York State Association for Solid Waste Management will be holding a seminar on solid waste in the Thousand Islands, New York on October 6-7, 1986, and

WHEREAS, Ronald C. Zoeller, General Foreman of the Sanitation Department, has requested permission to attend such seminar, NOW, THEREFORE, BE IT

RESOLVED that Ronald C. Zoeller be and hereby is authorized to attend the aforementioned seminar and to use a Town vehicle to travel to and from such seminar, and BE IT FURTHER

RESOLVED that Ronald C. Zoeller shall be reimbursed for his registration fee and for all reasonable expenses associated with his attendance at such seminar.

Upon Roll Call....

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

MEETING NO. 18  
September 15, 1986

Item No. 28 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz  
to adjourn the meeting in memory of Peter Karagiones.

RICHARD M. MOLESKI  
Town Clerk