

PUBLIC HEARINGS held at 6:30 P.M.

NO.

ITEM

Meeting No. 1 January 4, 1988

- 1 Special Use Permit for proeprty located at 2631 Broadway for used car sales

Meeting No. 3 February 1, 1988

- 1 Special Use Permit - 159 Grunner Road for towing service and auto storage facility
- 2 Special Use Permit - 899 French Road for on premise use of beer and wine in Restaurant

NO. 2

NO. 3

PUBLIC HEARING

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RESOLUTIONS

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PROCLAMATION HONORING FORMER TOWN OF CHEEKTOWAGA SUPERVISOR
DANIEL E. WEBER

PROCLAMATION HONORING EDWARD TOKASZ FOR 50 YEARS OF SERVICE
TO DOYLE FIRE COMPANY.

MEETING NO. 1
January 4, 1988

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 January, 1988 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Bruce Chamberlin, Assistant Chief of Police; James Kirisits, Town Attorney; Kenneth Kopacz, Executive Director of Youth Bureau; Christopher Kowal, Highway Superintendent; Sal LaGreca, Employment and Training Director II; Robert Lis, Chief of Police; Ronald Marten, Building Inspector; Michael Miecznikowski, Recreation Director; Raymond Pugh, Member of Planning Board; Donald Wegner, Chairman of Zoning Board of Appeals; Patricia Wojcik, Coordinator of Senior Services; Bernard Wojtkowiak, Mayor of Sloan.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

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

1. All resolutions and other items of business must be filed in writing with the Town Clerk no later than noon of each Thursday preceding the regular Town Board meetings which are to be held on the first and third Mondays of the month.

2. Each resolution must contain the name of a sponsor at the time of filing. Prior to a resolution being considered by the Board it must be moved and seconded. The sponsor of the resolution shall have the privilege of speaking first upon the subject matter, the Councilman who seconds the resolution shall have the privilege of speaking on the subject matter immediately after the sponsor. After the sponsor and the person who seconds the resolution have been given the privilege of speaking thereon, any other member of the Board who is on the committee relating to the topic of the resolution who so desires will be recognized and allowed to speak prior to the vote being taken on said resolution. After these members have spoken, any other member of the Town Board may be allowed to speak concerning such resolution.

3. Two votes are needed for the first tabling of a resolution which may then be acted upon at the next regular Town Board meeting. Any further tabling of a resolution after a first tabling must have a majority vote of all the Town Board members present. A motion to suspend the rules for considering a resolution may be defeated by a single nay vote. In addition to the foregoing, Roberts Rules of Order shall be used to govern the procedures of the Town Board.

4. This Town Board hereby establishes the following described public comment period be placed on the agenda of regularly scheduled Town Board meetings:

MEETING NO. 1
January 4, 1988

Item No. 2 Cont'd.

- public comment period shall begin at 6:45 P.M. (Except when public hearings go beyond such time, in which case public comment period shall begin at the end of the public hearings.
- public comment period shall last 15 minutes maximum
- each speaker may speak only once
- each speaker shall be limited to a maximum of 3 minutes speaking time.

5. The following shall be time limit guidelines for Town Board members wishing to speak concerning resolutions on the agenda for Town Board meetings:

- | | | |
|--|---|-------------|
| a. Sponsor of resolution | - | 3 minutes |
| b. Member seconding resolution | - | 1.5 minutes |
| c. Member on committee relating to topic of resolution | - | 1 minute |
| d. Other Town Board members | - | 1 minute |

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 3A Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED that the regular Town Board meetings of the Town of Cheektowaga for the calendar year 1988 shall be held at 6:45 P.M. in the Council Chamber of the Town Hall, at Broadway and Union Road, Cheektowaga, New York on the following referenced dates:

- First and Third Mondays of January, March, April, May
June, August, October, November and December
- February 1st and 22nd, 1988
- July 5th and 18th, 1988
- September 6th and 19th, 1988

and BE IT FURTHER

RESOLVED that such meetings shall begin with the public comment period of 15 minutes duration maximum, and the meetings proper will begin immediately thereafter.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justice Dembik....., 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 for1..... weeks;
first publication.....JAN 07 1988.....;
last publication.....JAN 07 1988.....;
and that no more than six days intervened be-
tween publications.

Justice Dembik.....

Sworn to before me this7.....

day of January....., 1988.....

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

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 January, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilmen -

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard B. Solecki

ABSENT: 0

Motion by Councilman Gabryszak
Seconded by Councilman Jaworowicz

BE IT RESOLVED that the regular Town Board meetings of the Town of Cheektowaga for the calendar year 1988 shall be held at 6:45 P.M. in the Council Chamber of the Town Hall, at Broadway and Union Road, Cheektowaga, New York on the following referenced dates:

- First and Third Mondays of January, March, April, May, June, August, October, November and December
- February 1st and 22nd, 1988
- July 5th and 18th, 1988
- September 6th and 19th, 1988

and BE IT FURTHER

RESOLVED, that such meetings shall begin with the public comment period of 15 minutes duration maximum, and the meetings proper will begin immediately thereafter.

Upon roll call...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE

AYES: 7

NAYES: 0

ABSENT: 0

RICHARD M. MOLESKI

Town Clerk

PUBLISH: January 7, 1988

FILED
JAN 10 1988
CLERK OF THE COUNTY OF ERIE
AT CHEEKTOWAGA, NEW YORK

MEETING NO. 1
January 4, 1988

Item No. 3B Motion by Councilman Kulyk Seconded by Councilman Kazukiewicz

BE IT RESOLVED that the Town Board shall hold work sessions in the calendar year 1988 as follows:

January, February,
March, April, May
October, November
December

Second Saturday of the
month at 10:00 a.m.

June, July,
August, September

Fourth Monday of the
month at 6:00 p.m.

said work sessions to be held in the Council Office, Town Hall, Cheektowaga, New York.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin Demers....., 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..... JAN 07 1988 ;
last publication..... JAN 07 1988 ;
and that no more than six days intervened be-
tween publications.

Justin Demers.....

Sworn to before me this 7.....

day of January....., 1988

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

**Extracts from Minutes of
Cheektowaga Town Board**

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PRESENT:

Supervisor Frank E. Swiatek
Councilmen -

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard B. Solecki

ABSENT: 0

Motion by Councilman Kulyk

Seconded by

Councilman Kazukiewicz

BE IT RESOVLED, that the Town Board shall hold work sessions in the calendar year 1988 as follows:

January, February, March, April,
May, October, November, December -
Second Saturday of the month at 10:00
a.m.; June, July, August, September -
Fourth Monday of the month at 6:00
p.m.

said work sessions to be held in the
Council Office, Town Hall - Cheek-
towaga, New York.

Upon roll call...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE

AYES: 7

NAYES: 0

ABSENT: 0

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 7, 1988

MEETING NO. 1
January 4, 1988

Item No. 3C Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

BE IT RESOLVED that the following Holidays shall be observed by the Town of Cheektowaga in 1988:

New Year's Day	January 1, 1988 (Friday)
Day After New Year's	January 2, 1988 (Saturday)
Washington's Birthday	February 15, 1988 (Monday)
Good Friday	April 1, 1988 (Friday)
Memorial Day	May 30, 1988 (Monday)
Independence Day	July 4, 1988 (Monday)
Labor Day	September 5, 1988 (Monday)
Columbus Day	October 10, 1988 (Monday)
Election Day	November 8, 1988 (Tuesday)
Veteran's Day	November 11, 1988 (Friday)
Thanksgiving Day	November 24, 1988 (Thursday)
Day After Thanksgiving	November 25, 1988 (Friday)
Christmas Eve	December 24, 1988 (Saturday)
Christmas Day	December 25, 1988 (Sunday)

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 3D Motion by Supervisor Swiatek Seconded by Councilman Johnson

BE IT RESOLVED that the following banking institutions be named official Town Depositors for the year 1988:

Marine Midland Bank N.A. (Cheektowaga Office)
Manufacturers and Traders Trust Company (Airport Plaza)
Keybank (Como Mall & Union Road)
Norstar Bank, N.A. (Harlem Road Office)
Chase Lincoln First (Depew Office)
Citibank (Airport Plaza)

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Kazukiewicz,
and Solecki
ABSTAINED: Councilmen Gabryszak and Kulyk
NAYES: 0
ABSENT: 0

Item No. 4 Motion by Councilman Jaworowicz Seconded by Supervisor Swiatek

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

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

MEETING NO. 1
January 4, 1988

Item No. 4 Cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilman Gabryszak Seconded by Councilman Johnson

BE IT RESOLVED that the salaries of the following Town officials be and hereby are established and set forth as follows, effective January 1, 1988:

Supervisor	\$47,054
Councilman (6)	\$15,266
Receiver of Taxes	\$33,469
Town Clerk	\$37,275
Highway Superintendent	\$42,873
Town Justices (2)	\$33,810
Budget Director	\$ 5,000

* * * * *

Motion by Councilman Kulyk Seconded by Councilman Kazukiewicz to table the above item.

* * * * *

Item No. 6A Motion by Councilman Kazukiewicz Seconded by Councilman Gabryszak

BE IT RESOLVED that James J. Kirisits, , Cheektowaga, New York be and hereby is reappointed Town Attorney, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6B Motion by Councilman Johnson Seconded by Councilman Jaworowicz

BE IT RESOLVED that Kevin G. Schenk, Cheektowaga, New York be and hereby is reappointed Deputy Town Attorney, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6C Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the term of office of the registrar of vital statistics for the Town of Cheektowaga has expired, and

WHEREAS, pursuant to Section 4121 of the Public Health Law of the State of New York, a town clerk is eligible for appointment as a registrar for his town, and

WHEREAS, the Town Clerk of the Town of Cheektowaga has traditionally acted as the registrar of vital statistics for the Town of Cheektowaga and all such records are maintained in his office, NOW, THEREFORE, BE IT

RESOLVED that Town Clerk Richard M. Moleski be and hereby is reappointed as the registrar of vital statistics for the Town of Cheektowaga for the remainder of his current term as Town Clerk.

MEETING NO. 1
January 4, 1988

Item No. 6C Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6D Motion by Councilman Kazukiewicz Seconded by Councilman Kulyk

BE IT RESOLVED that Michael J. Stachowski,
Cheektowaga, New York be and hereby is reappointed as Prosecuting Attorney to the
Justice Court, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6E Motion by Councilman Johnson Seconded by Councilman Jaworowicz

BE IT RESOLVED that Chester L. Bryan, Cheektowaga,
New York be and hereby is reappointed Town Engineer, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6F Motion by Councilman Johnson Seconded by Councilman Kulyk

BE IT RESOLVED that William Pugh, Cheektowaga, New
York be and hereby is reappointed Assistant Town Engineer, effective January 1,
1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6G Motion by Supervisor Swiatek Seconded by Councilman Solecki

BE IT RESOLVED that William L. Wielinski,
Cheektowaga, New York, be and hereby is reappointed Supervising Accountant, effec-
tive January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that Jerome J. Gabryszak, residing at
Cheektowaga, New York, be and hereby is appointed Community Development
Director for the Town of Cheektowaga, effective as of January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 1
January 4, 1988

Item No. 7B Motion by Councilman Solecki Seconded by Councilman Gabryszak

BE IT RESOLVED that James Matecki, , Cheektowaga, New York, be and hereby is appointed as General Foreman of the Facilities Department for the Town of Cheektowaga, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 7C Motion by Councilman Kazukiewicz Seconded by Councilman Gabryszak

BE IT RESOLVED that Julia B. Reinstein residing at Cheektowaga, New York be and hereby is appointed Town Historian effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 7D Motion by Supervisor Swiatek Seconded by Councilman Jaworowicz

BE IT RESOLVED that Thomas Kolbert, residing at Cheektowaga, New York, be and hereby is appointed Clerk of the Justice Court, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 7E Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED that Robert Kapron, residing at Cheektowaga, New York, be and hereby is appointed Clerk to the Town Justice, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 7F Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

BE IT RESOLVED that Michael Miecznikowski, residing at Depew, New York, be and hereby is appointed as Director of Recreation for the Town of Cheektowaga, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
and Solecki

ABSTAINED: Councilman Kazukiewicz

NAYES: 0

ABSENT: 0

Item No. 7G Motion by Councilman Gabryszak Seconded by Councilman Kulyk

BE IT RESOLVED that Ronald Zoeller, residing at Cheektowaga, New York, be and hereby is appointed to the position of Working Crew

MEETING NO. 1
January 4, 1988

Item No. 7G Cont'd.

Chief in the Sanitation Department, effective as of January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 7H Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals be and hereby are reappointed as Town Bingo Inspectors, effective January 1, 1988:

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

and, BE IT FURTHER

RESOLVED that Alexander Mazgajewski of Cheektowaga, N.Y. be and hereby is appointed Bingo Inspector Chairman, effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 7I Motion by Councilman Johnson Seconded by Councilman Kazukiewicz

BE IT RESOLVED that Earl Loder, of , Cheektowaga, New York, be and hereby is appointed to the Part-time position of "Natural Disaster Services Coordinator", effective January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED that Doris Yea and Robert Taber be terminated as employees in the Department of Senior Services.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Jaworowicz Seconded by Supervisor Swiatek

WHEREAS, the Chief of Police has recommended that two Sergeant positions be created and filled in his Department, and

WHEREAS, there is a need for such Sergeants positions, NOW, THEREFORE, BE IT

RESOLVED that two Sergeant positions be and hereby are created in the Police Department, effective immediately, and BE IT FURTHER

RESOLVED that the following named individuals be and hereby are

MEETING NO. 1
January 4, 1988

Item No. 9 Cont'd.

appointed to such Sergeant positions, effective immediately, at a salary in accordance with the collective bargaining agreement between the Town and the Town Police Club:

Kenneth K. Hycner

Garv J. Grieco

Cheektowaga, New York 14227

Cheektowaga, New York 14227

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Motion by Councilman Kazukiewicz Seconded by Councilman Johnson to dispense with the reading of the names on the following resolution, and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 10 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED that the seasonal and part-time employees in the various Town departments, as listed on the attached sheets, be and hereby are reappointed to their positions in their respective departments, at the salaries listed on such sheets.

SEE NEXT TWENTY-ONE (21) PAGES FOR LISTS OF SEASONAL AND PART-TIME EMPLOYEES

Office of
BUILDING and PLUMBING INSPECTIONS

RONALD MARTEN
Building and Plumbing Inspector



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

Town Hall, Broadway and Union Road
Cheektowaga, New York 14227
686-3470

M E M O

TO: Supervisor-Elect Frank E. Swiatek
FROM: Ronald Marten
Building & Plumbing Inspector
DATE: December 14, 1987
RE: Part-Time Employees

Pursuant to your request of December 11, 1987 I am providing the following information on part-time employees:

Number: 1
Name: Carol K. Lonczak
Hours: 20 per week
Salary: \$3.75 per hour*

RICHARD KOSZUTA
General Foreman
JAMES JANKOWIAK
Foreman
PHONE: 686-3439



Town of Cheektowaga
CENTRAL GARAGE

TOWN HALL
CHEEKTOWAGA, N. Y. 14227



TO: Supervisor-Elect Frank Swiatek
FROM: Richard Koszuta
DATE: December 18, 1987
RE: Part-Time Employees

Carol M. Chandler

40 hrs. @ \$5.00

ASIMIR A. KOZMINSKI
ASSESSOR



TOWN OF CHEEKTOWAGA

ERIE COUNTY, NEW YORK

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

686-3440

December 15, 1987

Mr. Frank E. Swiatek
Supervisor-Elect
Town of Cheektowaga
Broadway & Union Rd.
Cheektowaga, New York 14227

Dear Mr. Swiatek:

The following is a list of all our part-time employees
in my department:

Dorothy C. Glowacki	- 32½ hours	- \$3.75 per hr.
Jeanette F. McGuire	- 32½ hours	- \$3.75 per hr.
Judy Golas	- Maternity Leave-	\$5.00 per hr.

Sincerely,

Casimir A. Kozminski
Assessor

CAK/js

OFFICE OF THE
TOWN COUNCIL



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

TOWN HALL, BROADWAY AND UNION ROAD
CHEEKTOWAGA, NEW YORK 14227
716-686-3445

MEMORANDUM

TO: Supervisor-Elect Frank Swiatek
FROM: Karen McAuley
Council Secretary
DATE: December 15, 1987
RE: Part-Time Employees - Council Office

The Council Office presently employs one part-time clerical worker. Listed below is the information you requested:

Name:	Ann Marie Wojciechowski
Address:	Sloan, NY 14212
Hours Worked:	Approx. 10 hours/week
Rate of Pay:	\$3.35/hour

\$3.35 per hour

FACILITIES/PARKS DEPARTMENT
ACCT. # 01-7110-1-0-1491-001

NAME	TELE. #	ADDRESS
TOWN PARK GARAGE		
RL SCHERER		
RICHARD COFFTA		
JOHN BRATEK		
LARRY WILLIAMS		
RANDY PALMISANO		
Town Park Garage J. Koscielny		
JOHN TRZASKA, JR.		
POSSON GARAGE		
RL SPRADLIN		
FELIX LAMPKE		
GORDON HAGMIER		
JOHN MUELLER		
JOE LENARTOWICZ		
BILLY ROGOWSKI, JR.		
DALE MATECKI		
STEVE RUTKOWSKI		
ED ROLL		
SCOTT KOWAL		

\$3.35 per hour

FACILITIES/PARKS DEPARTMENT
ACCT. # 01-7110-1-0-1491-001

NAME	TELE. #	ADDRESS
TOWN PARK REC CENTER		
JOHN KOCHER		
STAN SIEJAK		
TONY BELCER		
BRUCE BLACHOWSKI		
MARYVALE CENTER		
RIE BRUTCHER		
PO. STATION		
HARRY ROGALSKI		
CAM VIVERTO		
DARTWOOD CENTER		
JOSEPH DOLECKI		

\$3.35 per hour

FACILITIES/PARKS DEPARTMENT
ACCT. # 1625.1491

Maintenance/Street Lighting Div.

NAME	TELE. #	ADDRESS
JOSEPH COFFTA		
STEVE DUNKOWSKI		
DONALD HAVERNICK		
FRANCIS STRONG		
LEONARD STACHOWIAK		
DONALD NOWICKI		
Bldg. Mtce. Div. Clerical - \$3.75 per hour Acct. #1625.1391		
JOANNE KRAJEWSKI		
Losson Rd. - Clerical \$4.50 per hour Acct. #7110.1391		
Carol Brinkworth		



TOWN OF CHEEKTOWAGA

JUSTICE COURT

3223 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

686-3435



HON. HENRY R. GABRYSAK
TOWN JUSTICE

HON. JOHN V. ROGOWSKI
TOWN JUSTICE

TO: Supervisor-Elect Frank E. Swiatek

FROM: Judge John V. Rogowski
Judge Henry R. Gabryszak

DATE: December 16, 1987

RE: Part-Time Employees

The following are part-time employees that should be listed on the payroll as of January 1, 1988 in the Justice Department:-

Kim Fenske	Depew, NY 14043	\$3.75 per hr.
Deanna McGuire	Cheektowaga, NY 14227	\$3.75 per hr.
Theresa Majchrzak	Depew, NY 14043	\$3.75 per hr.



Town of Cheektowaga

MAIN PUMP STATION NO. 5 - 171 CENTRAL BLVD. - CHEEKTOWAGA, N.Y. 14225

THADDEUS P. BRUDZ
SUPERINTENDENT
896-1777

LAWRENCE E. GOLAS
ASST. SUPERINTENDENT
896-1777

PART TIME EMPLOYEES ON PAYROLL AS OF JANUARY 1, 1988

Anderson, Norman	37½ Hours per week	\$3.35 Hr.
Johnson, John	37½ Hours per week	4.00 Hr.
Kensy, Chet	37½ Hours per week	3.35 Hr.
Linkner, Leroy	37½ Hours per week	4.00 Hr.
Mazur, Joseph	37½ Hours per week	3.35 Hr.
Falkiewicz, Florence	20 Hours per week	5.00 Hr.



Cheektowaga Police Department

3223 Union Road, Cheektowaga, New York 14227-1099

Robert M. Lis
Chief of Police

Bruce D. Chamberlin
Assistant Chief

TO: Frank E. Swiatek, Supervisor-Elect
FROM: Robert M. Lis, Chief of Police
DATE: December 16, 1987
SUBJECT: Part-Time Employees

As per your memorandum dated December 11, 1987
below listed are all the part-time employees who will be on
our payroll as of January 1, 1988:

Colleen Burke	20 hours per week	\$3.35 rate of pay
Cathleen Chojnacki	15 hours per week	\$3.35 rate of pay
Kerry Ann Ertel	32½ hours per week	\$3.35 rate of pay
Traci E. Howlett	25 hours per week	\$3.35 rate of pay
Timothy Jaworowicz	20 hours per week	\$3.35 rate of pay
Jennifer Johnson	18 hours per week	\$3.35 rate of pay
Pamela Kazmierczak	25 hours per week	\$3.35 rate of pay
Lynda Twardowski	20 hours per week	\$3.35 rate of pay

RML/dvh

(716) 686-3500

TOWN OF CHEEKTOWAGA

Michael J. Miecznikowski
Recreation Director

RECREATION DEPARTMENT
2600 HARLEM ROAD
CHEEKTOWAGA, N.Y. 14225
Phone 831-8011

Lawrence T. Brownell
Senior Recreation Supervisor

Barbara Kornecki
Secretary

Bonnie Platt
Recreation Instructor

MEMO

TO: Superivosr-Elect Frank E. Swiatek
FROM: Michael J. Miecznikowski, Recreation Director
DATE: December 16, 1987
RE: Part-Time Employees

As per your memo dated December 11, 1987 the following is a list of part-time employees who will be on the Recreation Department payroll as of January 1, 1988.

PERMANENT PART-TIME - \$6.98 per hour

Leonard Kosobucki	20 hours per week
Maureen Schneider	20 hours per week

SUPERVISORS - \$5.00 per hour

Michael Bogdan	average 20 hours per week	Travel Hockey
Dean Lach	average 15 hours per week	House League Hockey
Norm Rzeski	average 20 hours per week	Novice Hockey League
Colleen Tonsoline	average 19 hours per week	Gymnastics
Laila Desjardins	average 7 hours per week	Areobics
Beverly Nowicki	average 7 hours per week	Areobics
Lynn Peters	average 4 hours per week	Areobics
Nancy Szymkowiak	average 4 hours per week	Areobics
Richard Binner	average 8 hours per week	High School Basketball
Michelle Kunkel	average 8 hours per week	Synchronized Swimming

COMMUNITY CENTERS SUPERVISORS - \$4.50 per hour

Samuel Burgio	17 hours per week	Community Centers
Susan Ciezak	17 hours per week	Community Centers
Mary Lou Czajka	15 hours per week	Community Centers
Mary Beth Hopkins	10 hours per week	Community Centers
Thomas Kazmierczak	15 hours per week	Community Centers



TOWN OF CHEEKTOWAGA

Michael J. Miecznikowski
Recreation Director

RECREATION DEPARTMENT
2600 HARLEM ROAD
CHEEKTOWAGA, N.Y. 14225
Phone 891-8011

Lawrence T. Brownell
Senior Recreation Supervisor

Barbara Kornecki
Secretary

Bonnie Platt
Recreation Instructor

Part-time employees, continued. . .

ASSISTANT INSTRUCTORS - \$4.25 per hour

Jeffrey Schneider	14 hours per week
Lisa Miranda	8 hours per week
Matthew Haberl	8 hours per week

Gymnastics
Synchronized Swimming
Wrestling

SUPERVISORS - \$4.00 per hour

Robert Kowalewski	10 hours per week
Brian Hickson	4 hours per week

Rink Guard Supervisor
Wrestling Supervisor

ASSISTANT SUPERVISORS - \$3.75 per hour

Barbara Coia	15 hours per week
Gregory Florczak	10 hours per week
Cynthia Gehl	3 hours per week
Sharon Jester	20 hours per week
Lisa Kostelny	6 hours per week
Mark Kryszczak	8 hours per week
Elaine Mysza	average 23 hours per week
Bernard Ruda	15 hours per week
Michele Kaczmarek	0 hours per week
Richard Musielak	0 hours per week
Jenny Krier	average 5 hours per week

Community Centers
Community Centers
Community Centers
Community Centers
Community Centers
Community Centers
Community Centers
Community Centers
High School Programs
High School Programs
Gymnastics

ATTENDANTS - \$3.35 per hour

Michael Arber	2 hours per week
Maurice Desjardins	13 hours per week
Paul Dennis	14 hours per week
John Flynn	8 hours per week
Barbara Gemerek	3 hours per week
Remy Jakson	9 hours per week
David Weber	4 hours per week
Colleen Witucki	24 hours per week
Roy Schneiderman	4 hours per week
Jay Meyers	4 hours per week
Gregory Kiel	4 hours per week

Rink Guard
Rink Guard
Rink Guard
Rink Guard
Rink Guard
Rink Guard
Rink Guard
Rink Guard
Rink Guard
Rink Guard
Rink Guard



TOWN OF CREEKTOWAGA

Michael J. Miecznikowski
Recreation Director

RECREATION DEPARTMENT
2600 HARTLEY ROAD
CREEKTOWAGA, N.Y. 14275
Phone: 831-8011

Lawrence T. Brownell
Senior Recreation Supervisor

Barbara Kornecki
Secretary

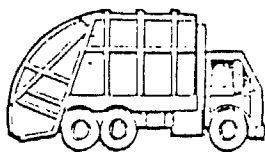
Bonnie Platt
Recreation Instructor

Part-time employees, continued. . .

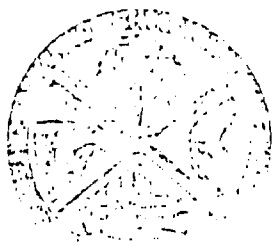
ATTENDANTS - \$3.35 per hour

Kevin Kowalewski	3 hours per week	Maryvale H.S. Basketball
Joseph Nowak	5 hours per week	Maryvale H.S. Basketball
Anthony Orzel	5 hours per week	Maryvale H.S. Basketball
Richard Brecker	average 2 hours per week	J.F.K. Basketball
Ronald Cyrankowski, Jr.	average 2 hours per week	J.F.K. Basketball
David Fitch	average 2 hours per week	J.F.K. Basketball
Jomark Garbotowicz	average 2 hours per week	J.F.K. Basketball
Kevin Jajkowski	average 2 hours per week	J.F.K. Basketball
Mark Jajkowski	average 2 hours per week	J.F.K. Basketball
Douglas Konczal	average 2 hours per week	J.F.K. Basketball
Rohan Miller	average 2 hours per week	J.F.K. Basketball
Thomas Minorczyk	average 2 hours per week	J.F.K. Basketball
Michael Ostempowski	average 2 hours per week	J.F.K. Basketball
Jerome Pazderski	average 2 hours per week	J.F.K. Basketball
David Wojciechowski	average 2 hours per week	J.F.K. Basketball
Ann Marie Jakubowski	0 hours per week	Community Centers
Kevin Mc Hale	average 3 hours per week	Rink Guard
Amy Prindeville	0 hours per week	Office
Jeffrey Strusienski	0 hours per week	Community Centers
Mary White	13 hours per week	Community Centers
Timothy Wrotny	12 hours per week	Community Centers and Rink Guard
Richard Guizzotto	average 2 hours per week	Wrestling
Brian Mc Gill	average 2 hours per week	Wrestling





Ronald C. Zoeller
General Foreman
Phone: 686-3427



Town of Cheektowaga
SANITATION DEPT.

TOWN HALL
CHEEKTOWAGA, N. Y. 14227

December 17, 1987

TO: Supervisor-Elect Frank E. Swiatek
FROM: R. C. Zoeller
RE: Part Time Employees

In reply to your memo dated December 11th, the following employees will be on our payroll as of January 1, 1988. These employees are paid \$5.00 per hour (with exceptions as noted) and because of the nature of this department, the hours worked vary but range between 12 and 28 hours average weekly.

Bienko, Daniel
Bobeck, Jeffrey
Bratek, Michael
Cavanaugh, David
Champagne, Douglas
Champagne, Robert
Cycon, Richard
Cywinski, Mark
Daminski, Jerry
DeStefano, John
Gallmeyer, David
Jaroszewski, Robert
Jasinski, Leonard

Kazmierczak, Bryan
Klenk, Lawrence
Krzeminski, Joseph
Krzywowiaza, Stanley
McCloskey, James
Myhalenko, Peter
Orlikowski, David
Parisien, Ted
Pietrowski, Lisa *
Prell, Scott
Sliwinski, Ray
Sobocinski, Donald

Sobocinski, Ronald
Stevenson, Scott
Strelczyk, Paul
Szymanski, Brian
Tomasello, David
Tourjie, John
Trzaska, Joseph
Viau, Monty
Wasmer, Ronald
Wdowik, Richard Jr.
Wieberg, John
Wisniewski, Matthew

* college student, works in the office but only when school is in recess.

** Due to conditions, additional clerical help is necessary.

RCZ/sm

TOWN OF CHEEKTOWAGA DEPARTMENT OF SENIOR SERVICES

Patricia L. Wojcik
DIRECTOR

PART-TIME EMPLOYEES

Virginia Carlin	20 Hrs.	Rec Attendant	\$4.50 per hr.
Mary Jane Chirico	20 "	Ceramic Teacher	4.00 "
Winifred Mongiovi	20 "	Senior Aide	6.65 "
Geraldine Kempton	10 "	Exercise Teacher	6.50 "
Carol Malkiewicz	4 "	Rec Attendant	4.25 "
William Boye	12 "	Van Driver	4.25 "
Casimer Dukat	16 "	"	" "
Irene Bolszio	16 "	"	" "
Richard Majchrzak	16 "	"	" "
Henry Szczepaniak	16 "	"	" "
Robert Taber	16 "	"	" "
Mildred Fournier	20 "	Site Manager	4.25 "
Patricia Hamme	20 "	"	" "
Linda Kolb	20 "	"	" "
Adele Makowski	20 "	"	" "
Dorothy McManus	20 "	"	" "
Dorothy Shea		Sub Site Manager	" "
Laura Kubik		"	" "
Sally Citta	10	Group Leader	3.00 "
Marie Fredericks	10	Group Leader	" "
Valerie Irmeler	20	"	" "
Sonia Przybysz	10	"	" "
Joan Wisniewski	10	"	" "
Irene Zyglis	10	"	" "



Town of Cheektowaga

SEWER MAINTENANCE DEPARTMENT - BROADWAY AND UNION ROAD - CHEEKTOWAGA, NEW YORK 14227

GENERAL FOREMAN
JAMES R. BURST
716-686-3455

FOREMAN
THADDEUS P. BRUDZ
716-686-3479

FOREMAN
ROBERT OSUCH
716-686-3455

To: Supervisor-Elect Frank E. Swiatek

From: James R. Burst

Date: December 16, 1987

Re: Seasonal & Part-Time Employees

The following individuals are presently employed
by the Sewer Maintenance Dept. I would appreciate having
them rehired for 1988:

SEASONAL

Kimberly Burst	\$3.35	Summer Clerical	20 Hours a Week
Jim Ferdinand	3.35	Sewer Maintenance	37.5 Hours a Week
Bob Fissler	3.35	Sewer Maintenance	37.5 Hours a Week
James Kosobucki	3.35	Sewer Maintenance	37.5 Hours a Week
Jeff Mrugalski	3.35	Sewer Maintenance	37.5 Hours a Week
Raymond Nowak	3.35	Sewer Maintenance	37.5 Hours a Week
Alex Pajak	3.35	Sewer Maintenance	37.5 Hours a Week
James McElligott	3.35	Sewer Maintenance	37.5 Hours a Week

PART-TIME

Rose Paa	\$5.00	Clerical	30 Hours a Week
Leo Dominczak	3.35	Cleaner	20 Hours a Week
William Chruscicki	3.35	Cleaner	12 Hours a Week

Hiring Resolution

Seasonal - Part-Time Clerks

At the rate of \$3.60 per hr. or \$28.80 per day

Carol Filippi

Depew, NY 14043

Arlene C. Jankowski

Depew, NY 14043

Patricia Jaroszewski

Sloan, NY 14212

Alice Nowicki

Cheektowaga, NY 14227

Waltraud Piffl

Cheektowaga, NY 14225

Sandra Marie Ross

Cheektowaga, NY 14211

Margaret Trautmann

Cheektowaga, NY 14227

At the rate of \$3.35 per hr. or \$26.80 per day

Beatrice Clark

Cheektowaga, NY 14215

Patricia Cosimano

Cheektowaga, NY 14225

Linda Dietl

Cheektowaga, NY 14225

Dorothea Gielinski

Cheektowaga, NY 14227

Geraldine Glascott

Depew, NY 14043

Dawn Hanna

Sloan, NY 14212

Eleanor Kantowski

Cheektowaga, NY 14227

Mary Kwiek

Cheektowaga, NY 14211

Joanne Ludka

Depew, NY 14043

Florence Maqiera

Cheektowaga, NY 14225

Carol Malkiewicz

Buffalo, NY 14211

Ann McGuire

Cheektowaga, NY 14227

Susan Melber

Depew, NY 14043

Patricia Miller

Cheektowaga, NY 14227

Emilie Ring

Depew, NY 14043

Mary Urbanski

Buffalo, NY 14212

Elizabeth Marie Wichlacz

Cheektowaga, NY 14227

Rita Wick

Cheektowaga, NY 14225

Joan Wojtkowski

Cheektowaga, NY 14225

The
Town of
Cheektowaga



OFFICE OF THE TOWN CLERK

TOWN HALL BROADWAY AND UNION ROAD

CHEEKTOWAGA NEW YORK 14227

RICHARD M. MOLESKI

TOWN CLERK

686-3434

MARY F. HOLTZ

1st Deputy

686-3433

VICKIE L. DANKOWSKI

2nd Deputy

686-3430

MEMORANDUM

TO: Supervisor-Elect Frank E. Swiatek
FROM: Richard M. Moleski, Town Clerk
DATE: December 15, 1987
RE: Part-Time Employees

The following are part time employees in my
office, working 40 hours per week at the rate of \$5.00
per hour:

Sophie Sunday

Julie Miller

YOUTH BUREAU PART-TIME EMPLOYEES 1988

<u>Name</u>	<u>Rate</u>	<u>Hours Per Week</u>
ADAPTED RECREATION:		
Wojtkowski, Deborah	6.50	15 - 40
Phillips, Christine	5.75	15 - 40
Imiola, David	5.25	15 - 40
Lynch, Bonnie	5.25	15 - 40
Mecca, Paulette	5.25	15 - 40
Zielinski, Barbara	4.00	15 - 40
Anderson, Amy	3.50	15 - 40
Male, Christy	3.50	15 - 40
Diemert, Lynda	3.35	15 - 40
Marchewka, Paul	3.35	15 - 40
Priester, Anne	3.35	15 - 40
Principato, Cindy	3.35	15 - 40
Straker, Robin	3.35	15 - 40
Switalski, Kerry	4.00	5 - 20
CONSERVATION CORPS:		
Off, Robert	7.25	15 - 40
Newhouse, Roger	7.25	20 - 40*
Hornung, Jack	7.25	20 - 40*
ADMINISTRATIVE STAFF:		
CLERICAL		
Kuerzdoerfer, Beth	4.65	15 - 40
INTERN		
Getz, Jon	4.00	15 - 40*
Kuerzdoerfer, Karen	3.75	15 - 40
Ryan, Deborah	3.75	15 - 40

* seasonal employees - Christmas break, Easter break, and full-time summer

ACCOUNTING AND PAYROLL DEPARTMENT

Part-time - \$5.00 per hour

Sue Ozolins

Cheektowaga, New York

SUPERVISOR'S OFFICE - Part-time (\$5.00 per hour)

Joan Meyers

Cheektowaga, New York

Item No. 10 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Supervisor Swiatek Seconded by Councilman Kulyk

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

- A. Annual Audit - A complete certified audit of the Town's records will be performed to include:
 - a. Preparation of the Annual Financial Report to the New York Department of Audit and Control.
 - b. Preparation of audit report on regular Town Audit.
 - c. Preparation of management letter relative to regular audit.
 - d. Newly required compliance audit of major Federal programs in conformity with "Single Audit Act".
- B. Consultive Services - Periodic consultation will be provided to the Supervisor, and the Town Accountant on areas such as: Federal Revenue Sharing, State Revenue Sharing, borrowings, legislative developments and other areas as requested.
- C. Benefit Basis Budget Preparation - Assistance will be provided to the Supervisor, Town Board and Town Accountant in various phases of the preparation of the 1989 benefit basis budget.
- D. Mid-Year Review and Forecast - The firm will provide reviewed financial statements of the Town operating funds as of June 30, 1988 and also a compilation forecast for those funds through December 31, 1988.
- E. Ad Valorem Budget Consultation - Additionally, the firm will review the 1989 tentative Ad Valorem budget and meet with the Town Board to report as to our observations and recommendations on that document. They will provide any additional budgetary consulting services as requested at that time.
- F. Audit of Town Clerk, Tax Receiver and Town Justice Budgets.
- G. Preparation of the Comprehensive Annual Financial Report to be Submitted to the Government Finance Officers' Association.

and

WHEREAS, the Town Board desires to retain the services of Deloitte, Haskins & Sells, CPA's, for those services, NOW, THEREFORE, BE IT

RESOLVED that Deloitte, Haskins & Sells be retained to perform the services listed above for the year 1988 according to the following fee schedule:

\$25,000.00	General Fund
\$21,000.00	Special District Fund
\$ 6,750.00	Capital Project No. 037
\$ 5,000.00	Capital Project No. 622
\$ 5,000.00	Capital Project No. 629

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 1
January 4, 1988

Item No. 12A Motion by Supervisor Swiatek Seconded by Councilman Johnson

WHEREAS, Ernest A. Holfoth has submitted a proposal to the Town for the provision of risk management and insurance-related services for 1988 and

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

WHEREAS, this Board desires to continue to retain Mr. Holfoth's services in 1988, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Consulting Agreement with Ernest A. Holfoth for the calendar year 1988.

SEE NEXT PAGES FOR COPY OF AGREEMENT.

MEETING NO. 1
January 4, 1988

Item No. 12A Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 12B Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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

WHEREAS, an agreement between the Town of Cheektowaga and the above facilities has been drafted relative to the operation of the said nutrition program for the year 1988, AND

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for the year 1988, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all the said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 12C Motion by Councilman Kazukiewicz Seconded by Councilman Solecki

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

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

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

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

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

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

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

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 1
January 4, 1988

Item No. 12D Motion by Councilman Jaworowicz Seconded by Supervisor Swiatek

WHEREAS, Norfolk and Western Railroad company has invited the Town Chief of Police to a seminar meeting in South Carolina from January 8th-11th, 1988, and

WHEREAS, such seminar will cover topics such as operation lifesaver, hazardous materials and school bus crossing programs, etc., and

WHEREAS, costs for transportation, seminar, meals and lodging will be paid for by Norfolk and Western Railroad Company and there will be no cost to the Town for the attendance at such seminar by the Chief of Police, and

WHEREAS, such seminar would be beneficial to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED THAT Chief of Police Robert M. Lis be and hereby is authorized to attend the aforementioned seminar in South Carolina from January 8th-11th, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 12E Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, one of the objectives of the Northeast Communities Solid Waste Management Board (Northeast Board) is to find environmentally sound and cost efficient alternatives for the management and disposal of solid wastes, and

WHEREAS, by resolution dated November 18, 1985, this Town Board authorized the Town to act as the lead agency for all activities involved in the preparation of a final feasibility study and preliminary engineering work concerning the development of a waste-to-energy facility at Wende and

WHEREAS, all of the municipalities comprising the Northeast Board, including the Town of Cheektowaga, have appropriated sufficient funds for the preparation of such feasibility study engineering work, including a \$200,000.00 aid to municipalities grant in contract then, the Northeast Communities Solid Waste Management Board (Represented by Elma, New York) and N.Y.S.D.E.C., and

WHEREAS, the firm of Barton and Loguidice, P.E., consulting engineers and land surveyors, were retained to do the necessary feasibility study within budgeted funding therefore, and

WHEREAS, Barton and Loguidice, P.E., have submitted bills to the Northeast Board for their services, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga, as lead agency and chairman for the Northeast Communities Solid Waste Management Board, hereby authorizes the chief fiscal officer of the Town of Elma, being the Treasurer of the Northeast communities Solid Waste Management Board, to withdraw the sum of \$3,264.46 for services for the period 11/1/1987 through 11/28/1987, from the Northeast Board's checking account and to pay said sums to Barton and Loguidice, P.E., for services rendered by such engineers for solid waste management planning and project development to date.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 13 Motion by Supervisor Swiatek Seconded by Councilman Jaworowicz

WHEREAS, Laverack & Haines, Inc. has submitted a proposal for the re-

MEETING NO. 1
January 4, 1988

Item No. 13 Cont'd.

newal of their contract for claims administration under the Town's established self-insurance worker's compensation program, and

WHEREAS, Laverack & Haines, Inc. will provide such claims administrative services for a flat fee of \$16,000.00 for one year, commencing January 1, 1988, and

WHEREAS, the Town's Insurance Consultant has evaluated the proposed continuation of the aforementioned contract with Laverack & Haines, Inc., and has recommended that same be accepted by the Town,

NOW, THEREFORE, BE IT RESOLVED that the Town hereby accepts the aforementioned proposal made by Laverack & Haines, Inc., and BE IT FURTHER

RESOLVED that the Supervisor be and he hereby is authorized and directed to execute a workers' compensation self-insurance claims administration services contract with Laverack & Haines.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

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

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

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

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

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 15 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 January 18, 1988 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 7th day of January, 1988, said amendments being set forth in the Notice of Hearing.

SEE NEXT TWO (2) PAGES FOR NOTICE OF HEARING

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on January 18, 1988 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 IV

Traffic Control Signals

Section 76.40. Installation, maintenance and operation of traffic control devices shall be amended by deleting therefrom the following:

- A. Traffic control signals shall be installed, maintained and operated as follows:
- (39) Cleveland Drive at Charnwood Drive and Cleveland Hill Church walk.
 - (a) Variable automatic: 3 sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.
 - (b) Push buttons.
 - (c) Normal operation: flashing signal, flashing yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Charnwood Drive and south on church walk.
 - (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Charnwood Drive and facing south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Charnwood Drive and south on church walk. Short interval reverts to operation in (c).
 - (40) Cleveland Drive at Mt. Vernon Road and Temple Baptist Church Walk.
 - (a) Variable automatic: 3 sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.
 - (b) Push buttons.
 - (c) Normal operation: flashing signal, yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Mt. Vernon Road and south on church walk.
 - (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Mt. Vernon Road and south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Mt. Vernon Road and south on church walk. Short intervals reverts to operation in (c).

ARTICLE VIII

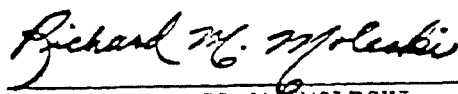
Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Charnwood Drive	North-south	Cleveland Dr.	Southbound	N.W. Corner
Mt. Vernon Road	North-south	Cleveland Dr.	Southbound	N.W. Corner

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

Dated: January 4, 1988



RICHARD M. MOLESKI
Town Clerk

MEETING NO. 1
January 4, 1988

Item No. 15 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin D. Drobik....., 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..... JAN 07 1988 ;
last publication..... JAN 07 1988 ;
and that no more than six days intervened be-
tween publications.

Justin D. Drobik.....

Sworn to before me this 7.....

day of January....., 1988...

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

Notice of Public Hearing

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on January 18, 1988 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 IV

Traffic Control Signals

Section 76.40. Installation, maintenance and operation of traffic control devices shall be amended by deleting therefrom the following:

A. Traffic control signals shall be installed, maintained and operated as follows:

(39) Cleveland Drive at Charnwood Drive and Cleveland Hill Church walk.

(a) Variable automatic: 3

sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.

(b) Push buttons.

(c) Normal operation: flashing signal, flashing yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Charnwood Drive and south on church walk.

(d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Charnwood Drive and facing south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Charnwood Drive and south on church walk. Short interval reverts to operation in (c).

(40) Cleveland Drive at Mt. Vernon Road and Temple Baptist Church Walk.

(a) Variable automatic: 3 sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.

(b) Push buttons.

(c) Normal operation: flashing signal, yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Mt. Vernon Road and south on church walk.

(d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Mt. Vernon Road and south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Mt. Vernon Road and south on church walk. Short intervals reverts to operation in (c).

ARTICLE VIII

Stop and Yield Intersections

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

Street
Charnwood Drive
Direction
North-South
Entrance/Street
Cleveland Drive
Traffic Stops
Southbound
Sign Location
N.W. Corner

Street
Mt. Vernon Road
Direction
North-South
Entrance/Street
Cleveland Drive
Traffic Stops
Southbound
Sign Location
N.W. Corner

By order of the
Town Board of the
Town of Cheektowaga,
Erie County, New York
RICHARD M. MOLESKI
Town Clerk
PUBLISH: January 7, 1988

MEETING NO. 1
January 4, 1988

Item No. 16 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on December 21, 1987 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, ~~BE~~ IT RESOLVED as follows:

Section 1.

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

ARTICLE X

Parking, Standing and Stopping

Section 76-103. Parking time limited in designated locations; standing prohibitions, shall be amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations as specified.

A. Parking signs: restricted and time limit

(11) Two Hour parking 7:00 a.m. to 7:00 p.m.

PEACH TREE ROAD	North side	from east curbline of Pine Ridge Road to No. 8 Peach Tree Road
-----------------	------------	--

Section 76.102. Parking prohibited in designated locations shall be amended by adding thereto the following:

B. No parking anytime

PEACH TREE ROAD	North side	from east curbline of Pine Ridge Road easterly 110 feet to a point
HEATHER ROAD	South and east side	from the southeast curbline of Danbury Drive to the east curbline of Rosary Blvd.

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 publica-

MEETING NO. 1
January 4, 1988

Item No. 16 Cont'd.

tion 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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin D. Deneke, 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..... JAN. 07 1988 ;
last publication..... JAN. 07 1988 ;
and that no more than six days intervened be-
tween publications.

Justin D. Deneke

Sworn to before me this 7th

day of January, 1988.

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified in Erie County
My commission expires March 30, 1989

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 January, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:
 Supervisor Frank E. Swiatek
 Councilmen -
 Thomas M. Johnson, Jr.
 Patricia A. Jaworowicz
 Dennis H. Gabryszak
 Andrew A. Kulyk
 Leo T. Kazukiewicz
 Richard B. Solecki

ABSENT: 0

*Motion by Councilman Johnson
 Seconded by Councilman Gabryszak*

WHEREAS, this Town Board held a public hearing on December 21, 1987 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 published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE X

Parking, Standing and Stopping

Section 76-103. Parking time limited in designated locations; standing prohibitions, shall be amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations as specified.

A. Parking signs: restricted and time limit

(1) Two Hour parking 7:00 a.m. to 7:00 p.m.

PEACH TREE ROAD, north side: from east curb line of Pine Ridge Road to No. 8 Peach Tree Road

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

B. No parking anytime
 PEACH TREE ROAD, north side: from the east curb line of Pine Ridge Road easterly 110 feet to a point

HEATHER ROAD, south and east side: from the southeast curb line of Danbury Drive to the east curbline of Rosary Blvd.

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...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE
AYES:	7
NA YES:	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:

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.

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on January 4, 1988 and minutes of said meeting have 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 16, inclusive, of said book.

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.

January 7, 1988

IN WITNESS/WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of January 1988.

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: January 7, 1988

MEETING NO. 1
January 4, 1988

Item No. 17 Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 1988 for the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of work uniforms for the Town of Cheektowaga for the year of 1988, 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 January, 1988 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on January 18, 1988 at 11:00 A.M., Eastern Standard Time, at the town Hall, corner of Broadway and Union Roads, for the furnishing of work uniforms for the year of 1988.

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 and all bids.

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

Richard M. Moleski
Town Clerk

DATED: January 4, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin Dombik....., 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..... JAN 07 1988 ;
last publication..... JAN 07 1988 ;
and that no more than six days intervened be-
tween publications.

Justin Dombik.....

Sworn to before me this 7

day of January....., 1988..

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE
Notice to Bidders

Sealed proposals will be received and considered by the Town of Cheektowaga on January 18, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of work uniforms for the year of 1988.

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 and all bids.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 7, 1988

2111A 1 3V3
noted to state of the
county of Erie
of the county of Erie

MEETING NO. 1
January 4, 1988

Item No. 18 Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, pursuant to the Environmental Advisory Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee reviews various applications for building permits, rezonings, special permits, etc. and renders its determination of environmental significance of such applications, and

WHEREAS, the Town Board, pursuant to the Environmental Advisory Review Ordinance of the Town of Cheektowaga, is designated the lead agency in most instances, and

WHEREAS, since the Town Board is the lead agency, it must affirm or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, the Advisory Committee, at its meeting held on December 18, 1987, rendered the determinations shown on the attached memo dated December 18, 1987, and

WHEREAS, this Town Board has reviewed the applications and the recommendations made by the Environmental Advisory Committee for the items listed below, NOW, THEREFORE, ~~BE~~ IT

RESOLVED that this Town Board hereby affirms the recommendations made by the Advisory Committee with respect to the following referenced items which appear on the December 18, 1987 memo attached hereto:

Item III
Item IV

Walden Avenue, East of Nagel
Walden & Nagel (Northeast Corner)

SEE NEXT FOUR (4) PAGES FOR MEMO.

Office of
BUILDING and PLUMBING INSPECTIONS

RONALD MARTEN
Building and Plumbing Inspector



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

Town Hall, Broadway and Union Road
Cheektowaga, New York 14227
686-3470

M E M O

TO: Supervisor Daniel Weber
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: Thomas Adamczak
Assistant Building Inspector

DATE: December 18, 1987

The following is a summary of the proposals which have been reviewed by the Town Environmental Quality Review Advisory Committee at a meeting held on December 18, 1987, in the Town Hall Council Chambers.

ITEM I 2657 Harlem Road - Proposed Rezoning For
 Doctor's Office

Applicant: Dr. Paul Lee

Determination: Tabled - This stretch of Harlem Road at this point is a combination of offices and residences. It is on the East side of Harlem Road directly across from the Town Park. The proposal to rezone from Residential to Restricted Business-"RC" was found to be a appropriate rezoning for the area. The site parking plans submitted by the Doctor did not appear to be accurate in that he shows parking for 14 vehicles not including 2 in the existing garage. The parking spaces appear to be undersized and leave no maneuvering room for entering or exiting the property. It is therefore the consensus of the Committee that the applicant resubmit a new site plan possibly eliminating the garage to provide parking for the required ten (10) cars.

ITEM II 159 Grunner Road

- Special Permit For
Automobile Storage

Applicant: John & Kevin Drysdale

Determination: Non-Significant - With stipulations -
The area is properly zoned and surrounded totally by commercial development. The applicant had previously approached the Planning Board with the landscaping plan and it was suggested to them that the landscaping be expanded to the front property line to better define boundaries and to provide a more pleasing appearance to the area which they agreed to. Considerable discussion ensued regarding the parking lot remaining stone and the leaking of various hydrocarbon fluids from the vehicles into the ground with the possibility of them leaching to the existing drainage ditch to the South end of the property. This ditch goes to the Village of Sloan and there was considerable concern about oils or gasoline flowing through the Village. After this discussion it was determined that the best way to handle the situation was to grade the lot to a point near the ditch and at this point and have the owner place and maintain an intercepting boom. This boom would be similar to those used by the NYSDEC, Erie County and the Town in controlling oil spills. The Highway Department in its normal maintenance of the ditch would notify the owner when replacement of the boom is necessary. The stipulation mentioned is that the owner place and maintain this oil intercepting boom.

ITEM III Walden Avenue
East of Nagel

- Proposed Two (2) Story
Office/Warehouse

Applicant: Marc Joseffer

Determination: Non-Significant - The applicant had been before the Committee previously and as a result of discussion with this Committee and the Town Planning Board downsized the building and submitted a new site plan which showed

1

1

Abstract

Multiple Choice



Determination: Non-Significant - With Stipulations
This item has been before the Committee a number of times and the Developer has redesigned the site to accomodate nine (9) apartment buildings. The Traffic Safety Commission has reviewed and commented on this project and the EQR Committee has concurred that all these recommendations must be followed. The Town Engineering Department has contracted with Nussbaumer & Clarke Engineering



MEETING NO. 1
January 4, 1988

Item No. 18 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Jaworowicz Seconded by Councilman Solecki

WHEREAS, as part of the development of property east of Union Road and north of French Road in the Town, Robert E. Mariacher and others have submitted to the town for its acceptance a warranty deed for a portion of a highway known as Innsbruck Drive, and

WHEREAS, the Town Superintendent of Highways in the attached letter dated January 4, 1988, has recommended that such deed be accepted by the town, and

WHEREAS, such developers have also submitted a storm drainage easement to the Town, as requested by the Town Engineer, and

WHEREAS, such developers have submitted a maintenance bond for said deeded areas and a performance bond and street lighting agreement to guarantee street lighting for this area of Town, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned deed, easement, maintenance bond, performance bond and street lighting agreement be and hereby are accepted by this Town Board contingent upon the approval of the form thereof by the town Attorney, 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 and easement in the Erie County Clerk's Office.

SEE NEXT PAGES FOR LETTER FROM TOWN HIGHWAY SUPERINTENDENT AND SCHEDULE "A" TO DEED FOR DEDICATION OF ROAD

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

HIGHWAY DEPARTMENT
3145 UNION ROAD
CHEEKTOWAGA, N.Y. 14227
(716) 686-3450



CHRISTOPHER J. KOWAL
SUPERINTENDENT OF HIGHWAYS

61 ST. FELIX AVENUE
CHEEKTOWAGA, N.Y. 14227

(716) 895-8184

January 4, 1988

Honorable Frank Swiatek, Supervisor
Honorable Town Board Members
Town of Cheektowaga, NY 14227

Dear Councillors:

RE: INNSBRUCK DRIVE ACCEPTANCE (PARTIAL)

Please be advised that timely and effective inspections, during all phases of construction, have been performed by my Engineer, T. Skowron and myself; and we find that this ±985' long phase of Innsbruck Drive, as herein described, does conform to the current specifications of the Town of Cheektowaga and is recommended for acceptance into our system of highways.

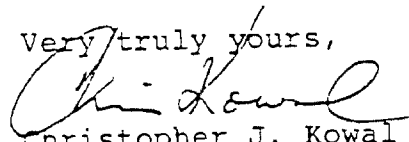
This part of Innsbruck Drive is more particularly described as follows:

See Schedule "A"

The deed is in the office of the Town Attorney for approval and filing. The maintenance bond is in an amount commensurate with the Town's P.I.P. Ordinance. This bond is in the Town Attorney's office for approval. A street lighting agreement is provided.

Trusting that this meets with your approval, I remain,

Very truly yours,


Christopher J. Kowal
Superintendent of Highways

ji

cc: Town Clerk
Town Attorney
Building Inspector
Town Engineer

SCHEDULE "A" TO DEED FOR DEDICATION OF ROAD

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York and being part of Lots 87, 88 and 89, Township 11, Range 7 of the Holland Land Company Survey (so-called), bounded and described as follows:

BEGINNING AT A POINT on the easterly line of Union Road, 1526.10 feet northerly of the intersection of the east line of Union Road and the south line of a 100.00 foot wide easement granted to New York State Electric & Gas Corporation by instrument recorded in Liber 7433 of Deeds at Page 267 on December 21, 1967, said south line also being the monumented centerline of the Gardenville Branch of Penn Central Railroad Company;

RUNNING THENCE: S-76°-13'-04"-E, a distance of 403.32 feet to a point of curvature;

RUNNING THENCE: Easterly and northeasterly, on a curve to the left having a radius of 354.31 feet, a distance of 389.32 feet to a point of tangency;

RUNNING THENCE: N-40°-49'-28"-E, a distance of 192.65 feet to a point;

RUNNING THENCE: N-49°-10'-32"-W, a distance of 72.0 feet to a point;

RUNNING THENCE: S-40°-49'-28"-W, a distance of 192.65 feet to a point of curvature;

RUNNING THENCE: Southeasterly and easterly, on a curve to the right having a radius of 282.31 feet, a distance of 310.21 feet to a point of tangency;

RUNNING THENCE: N-76°-13'-04"-W, a distance of 397.26 feet to a point on the easterly line of Union Road;

RUNNING THENCE: S-06°-36'-36"-W, along the east line of Union Road, a distance of 51.48 feet to an angle point in Union Road;

RUNNING THENCE: N-83°-23'-24"-W, along Union Road a distance of 15.0 feet to an angle point in Union Road;

RUNNING THENCE: S-06°-36'-36"-W, along the east line of Union Road, a distance of 19.20 feet to the POINT OR PLACE OF BEGINNING.

MEETING NO. 1
January 4, 1988

Item No. 19 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

WHEREAS, this Town Board awarded a contract for the reconstruction of the Rein Road Bridge to Omer Construction Company, Inc., AND

WHEREAS, additional stone fill was required, NOW, THEREFORE, BE IT

RESOLVED that this Town Board approves Change Order #2 at an additional cost of \$1,914.25 as an addition to the contract of Omer Construction Company, Inc., 621 Aero Drive, Cheektowaga, New York 14225, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said Change Order #2 on behalf of this Town Board.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Johnson Seconded by Councilman Gabryszak

BE IT RESOLVED that Niagara Mohawk Power Corporation be and hereby is authorized to remove an existing 70-watt High Pressure Sodium street light on Eggert Road in the Town of Cheektowaga, Pole No. 335, and to replace said installation with a 100-watt High Pressure Sodium luminaire at an annual cost increase to the General Lighting District of \$12.94 in accordance with the attached proposal dated November 13, 1987, which is hereby made a part of this resolution.

SEE NEXT PAGE FOR STREET LIGHTING PROPOSAL

TOWN OF CHEEKTOWAGA
STREET LIGHT PROPOSAL
EGGERT ROAD AT TUDOR ROAD
ADDITIONAL DETAILS

- C. Headchange Only - Pole No. 335
Remove 70 watt High Pressure Sodium standard enclosed luminaire

Install 100 watt High Pressure Sodium standard enclosed luminaire

Additional Lumens - 3,700 Lumens

Cost - \$12.94 annual increase

Spacing - No change for the present

NOTE: Please refer to new spacing sketch which is enclosed.

November 13, 1987

MEETING NO. 1
January 4, 1988

Item No. 21 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Gabryszak Seconded by Councilman Johnson

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

GENERAL FUND

FROM:	1220.4506	Accounting & Auditing	\$ 830.00
	1440.1406	Junior Engineer	36,081.00
	1910.4711	Contingency	7,170.00
TO:	1220.1310	Budget Director	\$ 5,000.00
	1440.1406	Assistant Town Engineer	39,081.00

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.

Motion by Councilman Kulyk Seconded by Councilman Kazukiewicz to table the above resolution.

Item No. 23 Motion by Supervisor Swiatek Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to January 4, 1988 are hereby approved and made a part hereof.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$136,493.92
SPECIAL DISTRICT FUND	38,604.38
HIGHWAY FUND	6,052.29
TRUST & AGENCY FUND	643.42
PART TOWN FUND	534.00
COMMUNITY DEVELOPMENT FUND	45,501.90
CAPITAL FUND	25,557.21
	<u>\$253,387.12</u>

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 24 Building Permits
Received and filed.

Item No. 25 Christopher J. Kowal, Highway Superintendent: Letter appointing
Deputy Highway Superintendent.
Received and filed.

III. GENERAL COMMUNICATIONS

Item No. 26 Cheektowaga Task Force: Letter requesting to speak regarding:
Proposed Walden Galleria Mall.
Copies of this letter were sent to: Frank E. Swiatek, Supervisor;
Chester Bryan, Town Engineer; Karen McAuley, Council Secretary; James
Kirisits, Town Attorney; Sam LaGreca, Chairman of Planning Board; and
Tom Adamczak, Building Inspector.
Received and filed.

* * * * *

Motion by Councilman Johnson Seconded by Councilman Kulyk to suspend
the rules to include the following item, and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

* * * * *

IV. SUSPENSION OF RULES

Item No. 27 Affirm recommendation of Town Environmental Quality Advisory Review
Committee regarding Dick-Urban Plaza

Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, Dick-Urban Plaza Associates have proposed certain additions
to the North and South ends of the Dick-Urban Plaza, and

WHEREAS, the Town Environmental Quality Review Committee has made a
determination of non-significance with respect to the subject proposal, and

WHEREAS, the Dick-Urban Plaza is continuous with other commercial
development, and

WHEREAS, it is desirable to adopt a unified traffic management plan
to govern internal vehicular movements, egress and ingress for the total complex,
and

WHEREAS, David J. Thielman, P.E., has submitted the attached
"Coordinated Traffic Plan for the Dick-Urban Plaza and Bell's Super Store Complex in
the Town of Cheektowaga", NOW, THEREFORE, BE IT

RESOLVED that the findings of the Environmental Quality Review
Advisory Committee as reflected in the attached minutes of the Committee's November
20, 1987, be and hereby is confirmed, subject to acceptance of the Coordinated
Traffic Plan by the Traffic Safety Commission, and BE IT FURTHER

RESOLVED that the amended Dick-Urban Plaza site plan be and it hereby
is also approved as same is supplemented by the aforesaid traffic plan.

SEE NEXT SEVERAL PAGES FOR "COORDINATED TRAFFIC PLAN FOR THE DICK-URBAN PLAZA AND
BELL'S SUPER STORE COMPLEX IN THE TOWN OF CHEEKTOWAGA"

DICK URBAN PLAZA ASSOCIATES

January 4, 1988

Councilman Thomas Johnson
Town of Cheektowaga
Town Hall
Cheektowaga, NY 14227

RE: Dick Urban Plaza
Expansion & Remodeling

Dear Mr. Johnson:

As I understand it my proposed application for building additional space to the Dick Urban Plaza which was previously approved by your SEQR board will be brought up at tonights Town Board meeting for ratification.

I am in receipt of a plan drawn by David J. Thielman, P.E. showing the commercial properties at the south west corner of George Urban Blvd. and Dick Road. This drawing reflects my understanding of how the traffic and parking will be laid out on the parcel owned by us after our additions are completed.


I would like to say that the ~~motion~~ should stipulate that we are able to go forward with our construction and remodeling as soon as your building department approves our plans and that it does not have to wait the actual installation of the signal.

As I have not been able to contact you, I hope the above reflects our mutual understanding by our previous meeting.

Very truly yours,

DICK URBAN PLAZA ASSOCIATES

By Roxie Gian Properties, Inc.
(A General Partner)


Ned J. Gian
President

NJG:dsm

RECEIVED

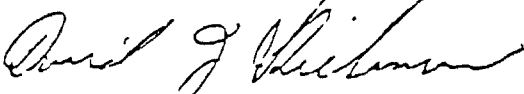
HAND DELIVERED

JAN 04 1988 @ 11:15 a.m.
TOWN COUNCIL *JS*

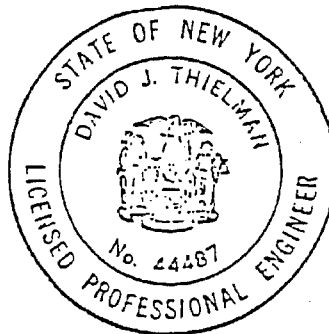
In conclusion, my recommendations are to execute an improved traffic coordination system by incorporating the proposed traffic plan between the Plaza and Bells and installation of a traffic signal at the Bells driveway and Dick Road.

Adherence to these recommendations will result in a significant improvement to the traffic flow at the referenced site.

Respectfully submitted,



David J. Thielman, P. E.



ATTACHMENT

Office of
BUILDING and PLUMBING INSPECTIONS

RONALD MARTEN
Building and Plumbing Inspector



M E M O

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

Town Hall, Broadway and Union Road
Cheektowaga, New York 14227
686-3470

RECEIVED

NOV 25 1987

TOWN COUNCIL

TO: Supervisor Daniel Weber
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: Thomas Adamczak
Assistant Building Inspector

DATE: November 24, 1987

The following is a summary of the proposals which have been reviewed by the Town Environmental Quality Review Advisory Committee at a meeting held on November 20, 1987, in the Town Hall Council Chambers.

ITEM I 3764 Harlem Road - Rezoning From "CM" To "M1"
For Food Processing

Applicant: Uniland Development Company

Determination: Non-Significant - The applicant has indicated the proposed use of the property would be for a chocolate storage and processing plant. The processing involves packaging and finishing of specialized chocolate products.

There will be no outside storage and no retail sales on the premises. All deliveries will be made with mini-vans, no semi trailers will be used. The applicant has approached the Planning Board and has been given preliminary approval of their landscape plan which called for some landscaping to be located along the South property line at Harlem Road.

The area is presently comprised of retail sales, offices, and wholesaler businesses. The proposed zoning restricts all uses to the interior of the building and from that standpoint is a more restrictive and more desirable use.

The area is presently zoned "M2" - General Manufacturing which allows this type of use and would be consistent with the Town of Cheektowaga Master Plan. The determination of non-significance was subject to a drainage plan being submitted to the Town Engineer, Planning Board approval of the landscaping plan, and also the restrictions that no collision or repair work be performed on the premises. The lot would be used only for sales display.

ITEM V Nagel & Walden - Proposed VFW Post

Applicant: Lancer Development & Construction Co.

Determination: Tabled - The applicant, as part of the agreements for the construction of the Walden Galleria Mall, is acting on behalf of the Leonard VFW Post to obtain approvals for the construction of the new Post facility. In reviewing the application it was determined that additional landscaping must be provided along Walden Avenue. It does not meet the requirements of the Zoning Ordinance. A site drainage plan would be provided to the Town Engineering Department for drainage of the building and the site including on-site detention. The applicant indicated they will approach the Planning Board for relief or other modifications to the landscaping of the site and it was also determined that the Traffic Safety Commission must review the plan for ingress, egress of traffic which is designed to utilize only Nagel Drive.

The area now is basically retail sales, offices, warehousing with several restaurants or nightclubs. The use is consistent with Town planning and no anticipated adverse impacts could be found.

ITEM VI Dick-Urban Plaza - Proposed Additions To The North And South Ends Of The Existing Plaza

Applicant: Dick-Urban Plaza Associates

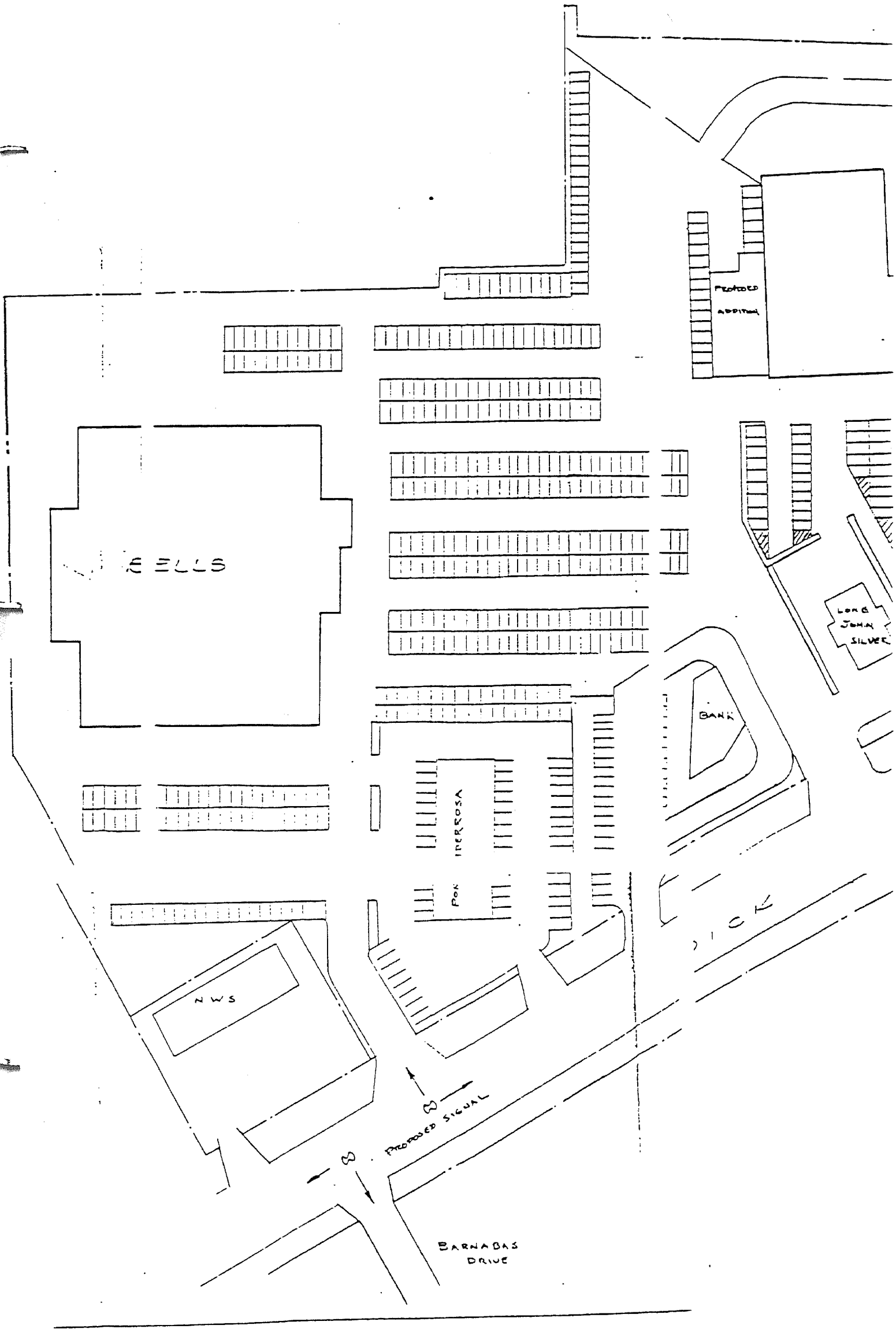
Determination: Non-Significant - This item had been previously before the Committee and the concept had been accepted as a use consistent with the area. The Committee had found that with the additional store space and parking, additional curbing must be provided to better control on-site traffic.

The new plan reflects this request. The Planning Board had reviewed the landscaping plan and as a result the developer will include additional trees and shrubs throughout the site. The question was raised as to fire protection and distance to a hydrant and this item the developer said will be addressed either through the installation of a new hydrant or water lines if the present hydrant and water line lay-out do not comply with the Code.

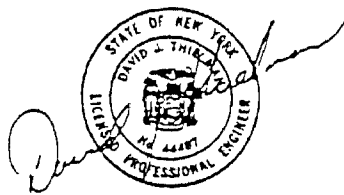
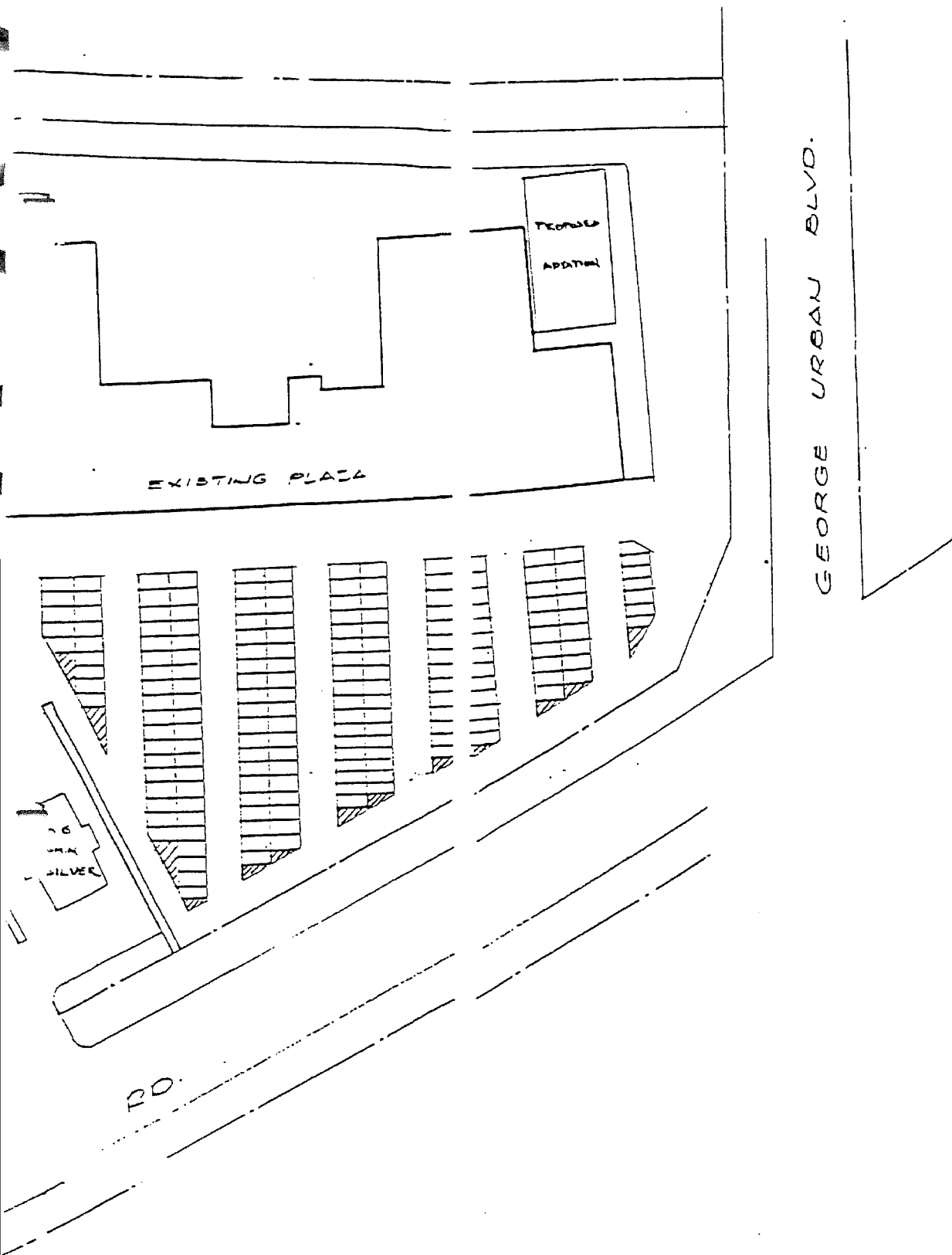
ITEM VII 1249 Walden Avenue - Proposed Self-Service Car Wash

Applicant: John Valenti

Determination: Non-Significant With Stipulations - This item had been before the Committee previously and referred to the Traffic Safety Commission for their review. Additional time was also needed to allow for public comments, none received. The building will be a 4-bay self-service carwash with vacuum units closest to Walden Avenue. The use of the property is one which is consistent with the zoning on that stretch of Walden Avenue but some concern was raised regarding the times of operation and potential noise. Therefore the Committee is recommending that the Town Board limit the times of operation from morning to some part of the evening to eliminate the possibility of radios and other noise emanating in early morning hours. The Planning Board has not yet made a decision and a new landscape plan will be submitted to them for review. The Committee's representative who also sits on the Traffic Safety Commission has said that it was their determination that stacking was not a problem as is found with automatic carwashes. As part of the recommendation of non-significance the Committee is of the opinion that a solid fence must be erected along the East property line, a guard rail erected along the West property line and that an adequate grease/oil separator be installed per the State Plumbing Code.



— 6 — Z



TRAFFIC CONTROL PLAN

DICK - URBAN PLAZA - BELLS SUPER STORE COMPLEX

OF CHEEKTOWAGA - ERIE CO., N.Y.

DAVID J. THIELMAN, P.E.
CONSULTING ENGINEER
4281 FIRESIDE DRIVE
WILLIAMSVILLE N.Y. 14221

MEETING NO. 1
January 4, 1988

Item No. 27 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 28 Motion by Councilman Kazukiewicz Seconded by Councilman Kulyk to
adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of January, 1988 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Donald Wegner, Chairman of Zoning Board of Appeals; Ron Marten, Building and Plumbing Inspector; Robert Lis, Chief of Police; Casey Kozminski, Town Assessor; Chester Bryan, Town Engineer; Chris Kowal, Superintendent of Highways; Sal LaGreca, Employment and Training Director II; Ken Kopacz, Executive Director of the Youth Bureau.

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 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:

ARTICLE IV

Traffic Control Signals

Section 76.40. Installation, maintenance and operation of traffic control devices shall be amended by deleting therefrom the following:

A. Traffic control signals shall be installed, maintained and operated as follows:

- (39) Cleveland Drive at Charnwood Drive and Cleveland Hill Church walk:
- (a) Variable automatic: 3 sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.
 - (b) Push Buttons
 - (c) Normal operation: flashing signal, flashing yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Charnwood Drive and south on church walk.
 - (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Charnwood Drive and facing south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Charnwood Drive and south on church walk. Short interval reverts to operation in (c).
- (40) Cleveland Drive at Mt. Vernon Road and Temple Baptist Church Walk.
- (a) Variable automatic: 3 Sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.

Item No. 2 cont'd

- (b) Push buttons
- (c) Normal operation: flashing signal, yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Mt. Vernon Road and south on church walk.
- (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Mt. Vernon Road and south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Mt. Vernon Road and south on church walk. Short intervals reverts to operation in (c).

ARTICLE VIII

Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Charnwood Drive	North-south	Cleveland Dr.	Southbound	N.W. Corner
Mt. Vernon Road	North-south	Cleveland Dr.	Southbound	N.W. Corner

* * * * *

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. 3a Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, Uniland Development Company has petitioned for the rezoning from CM-General Commercial District to M1-Light Manufacturing District of property owned by it and located at 3764 Harlem 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 21st day of December 1987 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, and

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

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED that the application of Uniland Development Company for the rezoning from CM-General Commercial District to M1-Light Manufacturing District of the property specified in the attached legal description be and the same is hereby granted, and BE IT FURTHER

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

* See next page for legal description

BEGINNING at a point in the westerly line of Harlem Avenue four hundred fifty (450) feet northerly of the intersection of the said westerly line of Harlem Avenue with the northerly line of Cleveland Drive (formerly Kensington Avenue) as a forty-nine and fifty hundredths (49.50) foot street; thence westerly and parallel with the said northerly line of Cleveland Drive one hundred seventy (170) feet; thence northerly and parallel with said westerly line of Harlem Avenue fifty (50) feet; thence easterly and parallel with said northerly line of Cleveland Drive one hundred seventy (170) feet to the westerly line of Harlem Avenue; thence southerly along said west line of Harlem Avenue fifty (50) feet to the point or place of beginning.

MEETING NO. 2
January 18, 1988

Item No. 3a cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine Desbik, 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..... JAN 21 1988 ;
last publication..... JAN 21 1988 ;
and that no more than six days intervened be-
tween publications.

Justine Desbik

Sworn to before me this 21

day of January, 1988....

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

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

Upon roll call...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE

AYES: 7

NAYES: 0

ABSENT: 0

BEGINNING at a point in the westerly line of Harlem Avenue four hundred fifty (450) feet northerly of the intersection of the said westerly line of Harlem Avenue with the northerly line of Cleveland Drive (formerly Kensington Avenue) as a forty-nine and fifty hundredths (49.50) foot street thence westerly and parallel with the said northerly line of Cleveland Drive one hundred seventy (170) feet; thence northerly and parallel with said westerly line of Harlem Avenue fifty (50) feet; thence easterly and parallel with said northerly line of Cleveland Drive one hundred seventy (170) feet to the westerly line of Harlem Avenue; thence southerly along said west line of Harlem Avenue fifty (50) feet to the point or place of beginning.

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on January 18, 1988 and minutes of said meeting have 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. 3a, 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 January 1988.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: January 21, 1988

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 January, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

MEETING NO. 2
January 18, 1988

Item No. 3b Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, Kevin and John Drysdale have made application and requested a Special Use Permit for Towing Service and auto storage facility on property located at 159 Grunner Road, with the permission of the owner of the property, namely; D.R. & K.W. Davies, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 1, 1988 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin DeBich....., 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 2..... weeks:
first publication..... JAN 21 1988..... ;
last publication..... JAN 28 1988..... ;
and that no more than six days intervened be-
tween publications.

Justin DeBich.....

Sworn to before me this 21.....

day of January....., 1988.....

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

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 1st day of February 1988 at 6:30 o'clock, P.M., Eastern Standard Time of said day for the purpose of considering the application of Kevin & John Drysdale/D.R. & K.W. Davies for a Special Permit to use property for automotive storage, office facility on property located at 159 Gruner 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.

ALL THAT TRACT OR PARCEL OF LAND, situated in Town of Cheektowaga, County of Erie and State of New York, being part of Lot number twenty-three (23), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, and further distinguished as Sub-division Lots Numbers seventy-two (72), seventy-three (73), seventy-four (74) and seventy-five (75) as shown on a map filed in Erie County Clerk's Office under Cover Number 337.

By order of the Town Board
Supervisor Frank E. Swiatek

Councilmen:

Thomas M. Johnson, Jr.

Patricia A. Jaworowicz

Dennis H. Gabryszak

Andrew A. Kulyk

Leo T. Kazukiewicz

Richard B. Solecki

RICHARD M. MOLESKI

Town Clerk

PUBLISH: January 21, 1988

FILED
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
JAN 21 1988
TOWN CLERK

MEETING NO. 2
January 18, 1988

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of baseball equipment for use in the Cheektowaga Recreation Department, as a result of advertisement thereof 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 bidders, meeting specifications as follows: (see attached)

Laux Sporting Goods
441 Broadway
Buffalo, New York 14212

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

See next eleven (11) pages for report

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

BID ITEMSITEM 1 BATTERS HELMETS

- A) Rawlings NOCSAE PL 95 and L.L. approved youth helmet equipped for chin straps. High impact shell, single density foam padding.

Amount ordered S M L XL
Color

Bid price each 7.90
Total price

Laux

- B) RCS chin straps.

Amount ordered

Bid price each 1.33
Total price

Laux

- C) ABC-YBH Little League approved batters helmets. High impact shell.

Amount ordered S M L XL
Color

Bid price each 10.50
Total price

Ludtka

- D) Cooper BC 5 L.L. and NOCSAE approved helmet. Chin strap included.

Amount ordered S M L
Color

Bid price each 8.95
Total price

Laux

ITEM 2 CATCHERS HELMETS

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

Amount ordered S M L XL
Color

Bid price each 13.70
Total price

Ludtka

- B) Cooper CL 87 catchers helmet. High impact ABS shell, replaceable liner, L.L. approved.

Amount ordered S M L
Color

Bid price each 12.95
Total price

Laux

- C) Cooper RL 87 replacement liner.

Amount ordered

Bid price each 6.15
Total price

Laux

- D) Cooper RS 87 replacement sweatband.

Amount ordered

Bid price each 1.85
Total price

Laux

- E) Macgregor B18 adult catchers helmet, polycarbonate, fully foam padded in dark blue and red.

Amount ordered S M L XL
Color

Bid price each 11.25
Total price

Laux

- F) Rawlings LLCH Little League approved. Cycloc ABS shell, Single foam padding. Adjustable, replaceable harness straps.

Amount ordered S M L XL
Color

Bid price each 10.95
Total price

Laux

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

ITEM 3 MASKS

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

Amount ordered

Bid price each 7.50
Total price

Laux

Replacement pad B26P	Bid price each	5.75	Laux
Amount ordered _____	Total price	_____	
Replacement harness B26H	Bid price each	5.25	Laux
Amount ordered _____	Total price	_____	
B) Macgregor B24 Little League approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.			
Amount ordered _____	Bid price each	9.75	Laux
	Total price	_____	
Replacement pad Macgregor B24P	Bid price each	6.25	Laux
Amount ordered _____	Total price	_____	
Replacement harness Macgregor M24H	Bid price each	4.95	Laux
Amount ordered _____	Total price	_____	
C) Rawlings PWM-1, pro use, nylon coated wire frame snap on padding, vinyl covering, harness with triple adjustment.			
Amount ordered _____	Bid price each	12.75	Laux
	Total price	_____	
Replacement pad, Rawlings PWM-1	Bid price each	5.95	Laux
Amount ordered _____	Total price	_____	
Replacement harness, Rawlings PWMH-1	Bid price each	4.50	Laux
Amount ordered _____	Total price	_____	
D) Champro CM05 softball mask with straps	Bid price each	8.95	Ludtka
Amount ordered _____	Total price	_____	
E) Champro CM02 youth mask with ear extension.	Bid price each	8.50	Ludtka
Amount ordered _____	Total price	_____	
F) Champro CM03 youth mask	Bid price each	7.95	Ludtka
Amount ordered _____	Total price	_____	
G) Champro CM01 Major League wire frame mask	Bid price each	14.95	Ludtka
Amount ordered _____	Total price	_____	
ITEM 4 THROAT PROTECTORS			
A) Macgregor B28 rugged molded vinyl with heavy foam padding. Fits any make of mask.	Bid price each	3.35	Laux
Amount ordered _____	Total price	_____	
B) Cooper TP molded of high density polyethylene laces to Cooper masks.	Bid price each	2.55	Laux
Amount ordered _____	Total price	_____	
C) Steve Yeager - baseball model	Bid price each	_____	
Amount ordered _____	Total price	_____	
D) Rawlings TP5, 8" long velcro fastener	Bid price each	2.75	Laux
Amount ordered _____	Total price	_____	
E) Champro 6½" adult protector with snaps CM06	Bid price each	2.30	Ludtka
Amount ordered _____	Total price	_____	
F) Champro 4½" youth protector with snaps CM07	Bid price each	2.20	Ludtka
Amount ordered _____	Total price	_____	

ITEM 5 BODY PROTECTORS

- A) Wilson A3250-JZ Little League approved, adjustable neck pad, cotton padding, adjustable body straps, water repellant, vinyl bound for durability.
 Amount ordered _____ Bid price each 11.95 Ludtka
 Color _____ Total price _____
- B) Rawlings LLBP Little League approved, adjustable and replaceable body straps.
 Amount ordered _____ Bid price each 12.95 Laux
 Color _____ Total price _____
- C) Champro CP01 adjustable neck pad and body straps, cotton padding, water repellent.
 Amount ordered _____ Bid price each 15.95 Ludtka
 Color _____ Total price _____
- D) Rawlings - Pro-model, nylon twill, cotton back, ribbed padding, extended shoulder piece.
 Amount ordered _____ Bid price each 21.50 Laux
 Color _____ Total price _____
- E) Macgregor B78 (outside) chest protector
 Amount ordered _____ Bid price each 21.05 Laux
 Color _____ Total price _____
- F) All Star CPU-2 Umpire chest protectors, (inside)
 Amount ordered _____ Bid price each 29.95 Laux
 Color _____ Total price _____
- G) Champro CP031 Little League with half harness.
 Amount ordered _____ Bid price each 11.25 Ludtka
 Color _____ Total price _____
- H) Champro CP02 Collegiate body protectors
 Amount ordered _____ Bid price each 16.95 Ludtka
 Color _____ Total price _____
- I) Champro CP01 Pro Body protector
 Amount ordered _____ Bid price each 15.95 Ludtka
 Color _____ Total price _____
- J) Champro CP041 Tee Ball chest protector
 Amount ordered _____ Bid price each 10.95 Ludtka
 Color _____ Total price _____
- K) Champro CP07 Umpires chest protector (outside)
 Amount ordered _____ Bid price each 21.95 Ludtka
 Color _____ Total price _____
- L) Champro CP06 Umpires chest protectors (inside)
 Amount ordered _____ Bid price each 24.95 Ludtka
 Color _____ Total price _____

ITEM 6 SHIN GUARDS

- | | | |
|--|-----------------------------|--------|
| A) Rawlings 9C Little League approved, combination calf and ankle pad, armor lite plastic caps, shin and instep pieces, adjustable elastic straps. | Bid price each <u>10.95</u> | Laux |
| Amount ordered _____ | Total price _____ | |
| B) Rawlings 76C-1 Youth Model approved, combination calf and ankle pad, armor lite plastic caps, shin and pieces, adjustable elastic straps. | Bid price each <u>12.95</u> | Laux |
| Amount ordered _____ | Total price _____ | |
| C) Macgregor B-65 Babe Ruth use, 11" shin plate ultra lite padding, replaceable straps. | Bid price each <u>20.95</u> | Laux |
| Amount ordered _____ | Total price _____ | |
| D) Macgregor B-61 double knee cap protect, 12" shin plate, ultra lite padding, replacement straps. | Bid price each <u>35.90</u> | Laux |
| Amount ordered _____ | Total price _____ | |
| E) Wilson A3417 shin plate, calf and ankle pad, elastic caps, shin and instep pieces, adjustable elastic straps. | Bid price each <u>20.50</u> | Laux |
| Amount ordered _____ | Total price _____ | |
| F) Rawlings, OMWpro leg guards hinged double knee vinyl padding, calf and ankle wing, adjustable elastic straps. | Bid price each <u>36.95</u> | Laux |
| Amount ordered _____ | Total price _____ | |
| G) Wilson A3487 pro model umpire leg protector GUC-MJU. | Bid price each <u>17.90</u> | Ludtka |
| Amount ordered _____ | Total price _____ | |
| H) Rawlings 76DC, double hinged knee | Bid price each <u>18.95</u> | Laux |
| Amount ordered _____ | Total price _____ | |
| I) Champro CG12 youth shin guards | Bid price each <u>11.50</u> | Ludtka |
| Amount ordered _____ | Total price _____ | |
| J) Champro CG05 girls shin guards | Bid price each <u>15.50</u> | Ludtka |
| Amount ordered _____ | Total price _____ | |
| K) Champro CG04 Babe Ruth shin guards | Bid price each <u>19.50</u> | Ludtka |
| Amount ordered _____ | Total price _____ | |
| L) Champro CG02 high school double knee protector | Bid price each <u>21.00</u> | Ludtka |
| Amount ordered _____ | Total price _____ | |
| M) Champro CG01 pro triple leg guard | Bid price each <u>29.95</u> | Ludtka |
| Amount ordered _____ | Total price _____ | |
| N) Champro CG08 Umpires leg guards | Bid price each <u>16.95</u> | Ludtka |
| Amount ordered _____ | Total price _____ | |

ITEM 7 CATCHERS GLOVES

- | | | |
|---|-----------------------------|--------|
| A) Cooper 662 single flex leather (steer hide) extended palm pro toe feature, hinged webs skip crotch lacing. | | |
| Amount ordered _____ | Bid price each <u>25.45</u> | Ludtka |
| Left _____ Right _____ | Total price _____ | |

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

Amount ordered _____
Left _____ Right _____

Bid price each 23.50
Total price _____

Laux

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

Amount ordered _____
Left _____ Right _____

Bid price each No Award
Total price _____

(discontinued)

- D) Champro Classic IV pro catchers glove

Amount ordered _____
Left _____ Right _____

Bid price each 35.95
Total price _____

Ludtka

- E) Champro CPX 555 full size catchers glove

Amount ordered _____
Left _____ Right _____

Bid price each 31.95
Total price _____

Ludtka

- F) Champro CPX 444 youth catchers glove

Amount ordered _____
Left _____ Right _____

Bid price each 28.95
Total price _____

Ludtka

ITEM 8 BASEBALLS

- A) Wilson A1074

Amount ordered _____

Bid price per dozen 28.50

Ludtka

- B) Wilson A1082

Amount ordered _____

Bid price per dozen 29.80

Ludtka

- C) Wilson A1010

Amount ordered _____

Bid price per dozen 40.65

Ludtka

SOFTBALLS

- A) Dudley SB 12LND

Amount ordered _____

Bid price per dozen 43.95

Ludtka & Laux
(split order)

- B) Dudley P-12

Amount ordered _____

Bid price per dozen 36.50

Ludtka

- C) Worth Red Dot

Amount ordered _____

Bid price per dozen 48.95

Laux

ITEM 9 BATS

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

- A) Rawlings 21BE softball wood bat

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

Bid price per dozen 56.90
Total price _____

Laux

B) Adirondak 311G official girls softball bats

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

Bid price per dozen No Award (discontinued)
 Total price _____

C) Easton (re. grip) softball S-9. Black Max.

Amount ordered 33" _____
 34" _____

Bid price per dozen 298.99 Laux
 Total price _____

D) Easton softball S-3 Smoke

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

Bid price per dozen 251.95 Laux
 Total price _____

E) Easton Aluminum bat, Little League L9 PRO

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

Bid price per dozen 263.95 Laux
 Total price _____

F) Easton Aluminum bat, B.R. 85 (Magnum)

Amount ordered 32" _____
 33" _____
 34" _____

Bid price per dozen 285.00 Ludtka
 Total price _____

G) Power Flite SBO softball aluminum bat

Amount ordered 29" _____
 30" _____
 31" _____
 32" _____
 Power Flite SBL 33" _____
 34" _____

Bid price per dozen SBO 129.90 Ludtka
 SBL 145.00 Ludtka
 Total price _____

H) Adirondak TBWB 26"

Amount ordered _____

Bid price per dozen 89.95
Total price _____

Ludtka

I) Adirondak models 302F & 302JF wood baseball bat.

Amount ordered (JP) 26" _____
27" _____
28" _____
29" _____
30" _____
31" _____
32" _____

Bid price per dozen 65.95
Total price _____

Laux

Amount ordered (F) 32" _____
33" _____
34" _____
35" _____

Bid price per dozen 89.95
Total price _____

Laux

J) Louisville wood baseball bat

Amount ordered 26" _____
125 LL 27" _____
28" _____
29" _____
30" _____
31" _____

Bid price per dozen 98.00
Total price _____

Ludtka

Amount ordered 32" _____
125 33" _____
34" _____
35" _____
36" _____

Bid price per dozen 119.90
Total price _____

Ludtka

K) Louisville Power Flite little league baseball bat.

Amount ordered PFS 26" _____

Bid price per dozen 125.00
Total price _____

Ludtka

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

Bid price per dozen 135.00
Total price _____

Ludtka

- L) Power Flite Mach 4 Babe Ruth aluminum baseball bat.

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

Bid price per dozen 250.00 Ludtka
 Total price _____

ITEM 10 EQUIPMENT BAGS

- A) Everlast 6885 standard bat bag holds 18 bats.

Amount ordered _____

Bid price each 12.50 Laux
 Total price _____

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

Amount ordered _____

Bid price each 14.95 Laux
 Total price _____

- C) Heavy duty Army duffle utility bag Tuffly

Amount ordered _____

Bid price each 13.90 Laux
 Total price _____

- D) Champro E002 waterproof bat bags 12½" x 39"

Amount ordered _____

Bid price each 11.95 Ludtka
 Total price _____

- E) Champro E017 nylon bag 36" x 14"

Amount ordered _____

Bid price each 10.95 Ludtka
 Total price _____

ITEM 11 UMPIRE INDICATORS

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

Amount ordered _____

Bid price each 1.05 Ludtka
 Total price _____

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

Amount ordered _____

Bid price each 1.30 Ludtka
 Total price _____

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

Amount ordered _____

Bid price each 1.13 Laux
 Total price _____

- D) Cooper U4 plastic, keeps track of balls, strikes, outs and innings.

Amount ordered _____

Bid price each 1.25 Laux
 Total price _____

ITEM 12 SCOREBOOKS

- A) Official baseball-softball HARD COVER
 Bidders Note: List manufacturer, number of games and size.

List Manufacturer _____

Amount ordered _____

Scoremaster
 50 games

Bid price each 1.90 Ludtka
 Total price _____

- B) Elan softball-baseball, slo-pitch 15 batters \$1500 - 25 games.

Amount ordered _____

Bid price each No Award
 Total price _____

- C) Elan baseball-softball, standard 11 players \$1100 - 25 games.

Amount ordered _____

Bid price each No Award
 Total price _____

ITEM 13	A) COLLEGIATE HEAVY DUTY T-BALL SETS BT 70	Bid price each	<u>13.95</u>	Laux
	Amount ordered _____	Total price	_____	
	B) MACGREGOR B7 HEAVY DUTY T-BALL SETS	Bid price each	<u>22.50</u>	Laux
	Amount ordered _____	Total price	_____	
	C) CHAMPRO B050 HEAVY DUTY BATTING TEE	Bid price each	<u>20.95</u>	Ludtka
	Amount ordered _____	Total price	_____	
ITEM 14	<u>BASES</u>			
	A) Everlast model #6810 nylon and canvas	Bid price each	<u>30.05</u>	Ludtka
	Amount ordered _____	Total price	_____	
	B) Macgregor "Major League" bases B101	Bid price each	<u>81.90</u>	Laux
	15"x15"x3" set of 3 bases and anchors.	Total price	_____	
	Amount ordered _____			
	C) B95 base anchor for Macgregor "Major	Bid price each	<u>24.50</u>	Laux
	League" base	Total price	_____	
	Amount ordered _____			
	D) Everlast model #6830 nylon hardball base	Bid price each	<u>31.50</u>	Ludtka
	Amount ordered _____	Total price	_____	
	E) Everlast #6850 nylon softball base	Bid price each	<u>27.95</u>	Ludtka
	Amount ordered _____	Total price	_____	
	F) Everlast #6861 Home Plate	Bid price each	<u>11.75</u>	Ludtka
	Amount ordered _____	Total price	_____	
	G) Collegiate 704 (LL) Home Plate	Bid price each	<u>4.95</u>	Laux
	Amount ordered _____	Total price	_____	
	H) Save-a-leg 700 (Official League)	Bid price each	<u>12.90</u>	Laux
	Home Plate	Total price	_____	
	Amount ordered _____			
	I) Everlast #6867 Pitchers Plate	Bid price each	<u>9.75</u>	Ludtka
	Amount ordered _____	Total price	_____	
	J) Collegiate 704 (LL) Pitchers Plate	Bid price each	<u>4.95</u>	Laux
	Amount ordered _____	Total price	_____	
	K) Collegiate official 703 Pitchers Plate	Bid price each	<u>7.50</u>	Laux
	Amount ordered _____	Total price	_____	
	L) Macgregor "Youth and Little League"	Bid price each	<u>28.95</u>	Laux
	size B33 set of 3 bases 14"x14"x2"	Total price	_____	
	with anchor			
	Amount ordered _____			
	M) Champro B001 Hollywood base set complete	Bid price each	<u>97.95</u>	Ludtka
	Amount ordered _____	Total price	_____	
ITEM 15	1) DRY LINE MARKER - steel tank, four 10"			
	rubber wheels three way control, 100 lb.			
	capacity.			
	List Manufacturer <u>Stackhouse</u> LHBH	Bid price each	<u>177.40</u>	Laux
	Amount ordered _____	Total price	_____	

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

List manufacturer TW 25
Amount ordered _____

Bid price each 69.80 Laux
Total price _____

ITEM 16 FIRST AID SUPPLIES

- A) COLD PACK - Regular instant chemical ice compress approximate size 5½ x 9, double wall outer bag.

List manufacturer MEDT-COLD
Amount ordered _____

Bid price each .74 Laux
Total price _____

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

List manufacturer _____
Amount ordered _____

Bid price each .47 Laux
Total price _____

- C) RE-USABLE FLEXIBLE ice compress size 5½ x 9.

List manufacturer _____
Amount ordered _____

Bid price each 1.55 Laux
Total price _____

ITEM 17 BASEBALL PITCHING MACHINE

- A) Curve ball

List manufacturer _____

Bid price each 1285.00 Laux
Total price _____

- B) Softball

List manufacturer _____

Bid price each 885.00 Laux
Total price _____

- C) Combination Hardball - Softball

List manufacturer _____

Bid price each 1485.00 Laux
Total price _____

- D) Generator - Jugs 1000

Bid price each 545.00 Laux
Total price _____

- E) ATCC Soft Toss Pitching Machine

Bid price each 319.00 Laux
Total price _____

- F) Jugs Junior Pitching Machine

Bid price each 885.00 Laux
Total price _____

ITEM 18 MISCELLANEOUS ACCESSORIES

- A) Umpire Plate brush Macgregor B91

Amount ordered _____

Bid price each No Award
Total price _____

- B) Umpire Plate brush

List manufacturer _____
Amount ordered _____

Bid price each 1.35 Laux
Total price _____

- C) Baseball Glove Replacing kit TBA 140

Amount ordered _____

Bid price each 2.99 Laux
Total price _____

- D) Cooper RGRC replacement glove rawhide 48" long by 5/32" wide.

Amount ordered _____

Bid price each 1.35 Laux
Total price _____

E) SB10 softball caddy - holds 10 bats and 10 balls, bat size 32" - 36" Amount ordered _____	Bid price each <u>49.95</u> Total price _____	Ludtka
F) SB05 softball caddy - holds 5 bats and 6 balls, bat size 32" - 36" Amount ordered _____	Bid price each <u>44.95</u> Total price _____	Ludtka
G) SBL1 softball caddy - holds 10 bats and 10 balls, bat size 28" - 34" Amount ordered _____	Bid price each <u>49.95</u> Total price _____	Ludtka
H) SBL5 softball caddy - holds 5 bats and 6 balls, bat size 28" - 34" Amount ordered _____	Bid price each <u>44.95</u> Total price _____	Ludtka
I) BBL5 Little League caddy - holds 5 bats and 8 balls, bat size 28" - 34" Amount ordered _____	Bid price each <u>44.05</u> Total price _____	Ludtka
J) BBL1 Little League caddy - holds 10 bats and 12 balls, bat size 28" - 34" Amount ordered _____	Bid price each <u>49.95</u> Total price _____	Ludtka
K) BB10 baseball caddy - holds 10 bats and 12 balls, bat size 32" - 36" Amount ordered _____	Bid price each <u>49.95</u> Total price _____	Ludtka

MEETING NO. 2
January 18, 1988

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of football equipment for use in the Cheektowaga Recreation Department, as a result of advertisement thereof 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, New York 14120

* See next page for report

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

SPECIFICATIONS AND BID PROPOSALS

Pursuant to and in accordance with your advertisement for bids dated December 21, 1987 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.

<u>ITEM</u>	<u>APPROXIMATE QUANTITY</u>	<u>BID PRICE</u>	
Bike IV helmets style 7780 (sizes 6½ - 7) White with full blue cage	15	62.88	LAUX
Bike IV helmets style 7780 (sizes 7½ - 7 7/8) White with full blue cage	5	62.88	LAUX
Rawlings MH1 helmets	25	108.95	LAUX
Collegiate YTG thigh pads	90 pairs	2.95	LAUX
Collegiate Pro 50XL shoulder pads youth	10	22.95	LAUX
Collegiate Pro 50L shoulder pads youth	15	22.95	LAUX
Collegiate Pro 50S shoulder pads youth	15	22.95	LAUX
Collegiate TSF-670 neck pads	30	6.90	LAUX
Collegiate TSF-600 neck pads	50	3.95	LAUX
Collegiate YKP knee pads	60	2.70	LAUX
Rawlings BRU rib guards youth small	15	12.95	LAUX
Rawlings BRU rib guards youth medium	15	12.95	LAUX
Rawlings BRU rib guards youth large	15	12.95	LAUX
Rawlings VYN3 ^{girdle} & pads medium	20	11.90	LAUX
Spirit 50 shoulder pads - large	10	33.95	LAUX
Spirit 50 shoulder pads - medium	5	33.95	LAUX

Delivery _____ days after receipt of order.

SIGNED _____

TITLE _____

COMPANY _____

ADDRESS _____

PHONE _____

MEETING NO. 2
January 18, 1988

Item No. 4c Award of bid for labor & materials for emergency snow removal
This item was withdrawn.

Item No. 5 Motion by Councilman Gabryszak, Seconded by Councilman Solecki

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

WHEREAS, funds have been budgeted for that purpose in account #7110-2-0-2507-001, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said vehicle, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 1st day of February, 1988 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on February 1, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) tractor for the Facilities Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 11, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
 Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine Dombik....., 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 for2..... weeks:
first publication.....JAN 21 1988..... ;
last publication.....JAN 28 1988..... ;
and that no more than six days intervened be-
tween publications.

Justine Dombik.....

Sworn to before me this21.....

day ofJanuary....., 1988..

.....Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE
Notice to Bidders

Sealed proposals will be received by the Town of Cheektowaga on February 1, 1988 at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) tractor for the Facilities Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 21, 1988

MEETING NO. 2
January 18, 1988

Item No. 6 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, due to Erie County's dire financial circumstances in 1984-85, the sales tax in Erie County was increased from seven percent to eight percent beginning in early 1985, and

WHEREAS, the additional one percent in sales tax was dedicated solely to the County of Erie, and

WHEREAS, the New York State Legislature and the Governor have, through special legislation, renewed their authorization for an additional one percent (1%) increase in the local share of the sales tax in Erie County, and

WHEREAS, the Erie County Legislature has adopted and placed into effect the aforementioned renewal of the increase in the local share of the sales tax, and

WHEREAS, the renewal of the eight percent (8%) sales tax was requested because of an expected deficit in the 1988 County budget, and

WHEREAS, it is expected that the additional one percent (1%) sales tax will produce a revenue of \$72 million for the County in 1988, and

WHEREAS, thus the County will realize a projected surplus of \$9.1 million from the renewal of the eight percent (8%) sales tax for 1987, and

WHEREAS, this Town Board feels that this Town should share in the revenues resulting from the additional one percent (1%) sales tax in the same proportion as it shares in the seven percent (7%) sales tax or, in the alternative, receive a revenue disbursement from the County in an amount commensurate with our requested proportionate share of the additional one percent (1%) sales tax, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests Erie County to distribute to the Town our share, as stated above, of the additional one percent (1%) sales tax, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized and directed to forward certified copies of this resolution to County Executive Dennis T. Gorski; County Legislators Richard A. Slisz, Richard Anderson, Mary Lou Rath, William Pauly and Henry Mazurek;; County Clerk Swarts; and to the Clerks of the various municipalities in Erie county.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

WHEREAS, recreation has long been known as a fundamental need and has been proven to contribute to individual character development, to provide community solidarity, to provide safe and worthwhile opportunity for participation, to stimulate the economic and spiritual well-being of the community and to provide for improved quality of life in the Town of Cheektowaga, and

WHEREAS, Title 9 of the Environmental Quality Bond Act has been approved by the voters of New York State to provide for such needs through funding established for municipal park projects, and

WHEREAS, the 1987 fiscal year allocation for these projects totalled \$10 million, although funding requests under consideration totalled more than \$78 million, and

WHEREAS, these figures highlight the immediate critical needs that presently exist in both large and small communities throughout New York State, and

MEETING NO. 2
January 18, 1988

Item No. 7 cont'd

WHEREAS, the residents of this State and County, by their vote, made this funding possible. They, in turn, should receive the benefits that will satisfy their recreation needs. Needs which are most critical in municipal park settings,

NOW, THEREFORE, BE IT RESOLVED that the Cheektowaga Town Board has faith that in the state budget process these considerations are not overlooked, and proposes that \$140 million of the Environmental Quality Bond Act funds should be authorized for use by municipalities for the acquisition, development, and rehabilitation of local municipal parks, playgrounds, and indoor recreation facilities. Further, that because of the aforementioned critical needs, a sum of \$40 million (of the \$140 million) be made available in 1988 for local, municipal park projects, and BE IT FURTHER

RESOLVED that the Town Clerk be directed to forward a copy of this resolution to the New York State Office of Parks, Recreation and Historic Preservation and the New York State Office of Management and Budget.

Addresses:

Division of the Budget
State Capitol
Albany, NY 12224
Phone: (518) 474-2331

Office of Parks and Recreation
Empire State Plaza
(Agency Building 1)
Albany, NY 12238
Phone: (518) 474-0456

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, in 1987, the Town authorized and initiated the reconstruction of Pfohl Road, and

WHEREAS, as part of such Pfohl Road reconstruction, that portion of such road crossing the Conrail tracks was to be widened, and

WHEREAS, the Town petitioned the State Department of Transportation for permission to perform the aforesaid work over the Conrail tracks, and

WHEREAS, the reconstruction of Pfohl Road has been completed except for work over the Conrail tracks, and

WHEREAS, the State Department of Transportation recently gave permission to the town to complete the Pfohl Road reconstruction over the Conrail tracks, and

WHEREAS, discussions between Conrail and Town personnel have taken place for the completion of work over the Conrail tracks, and

WHEREAS, Conrail has advised the Town that it requires work over its tracks to be performed by Conrail personnel and that the Town must reimburse Conrail for such costs, and

WHEREAS, Conrail has indicated its willingness to pay 50% of the cost of the pipe work involved for drainage, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby agrees to reimburse Conrail for the actual costs involved for Conrail's employees to perform the necessary road reconstruction work over the Conrail tracks on Pfohl Road, and BE IT FURTHER

RESOLVED that the Town hereby requires Conrail to pay \$16,520.15 towards the cost of the piping for drainage work near the Conrail tracks, said amount representing 50% of the cost for such piping as computed from the bid awarded through public bidding, and BE IT FURTHER

Item No. 8 cont'd

RESOLVED that the aforesaid remaining Town costs involved in completing the reconstruction of Pfohl Road shall be paid out of the Pfohl Road Highway Improvement Project.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, public improvement permits are required for the construction of most bridges, roadways, sanitary sewers, drainage systems and other improvements that are to be dedicated to or maintained by the Town, and

WHEREAS, the Pyramid Company of Buffalo has submitted plans and specifications for various public improvements relating to its proposed construction of a regional shopping center known as the Walden Galleria, and

WHEREAS, pursuant to the provisions of the Public Improvement Permit Ordinance, the Town Engineer reviews and approves applications, plans and specifications for public improvements; and, in addition, the Town Engineer or his authorized agents or representatives, inspects the construction of all such public improvements, and

WHEREAS, due to the magnitude and complexity of the various public improvements involved in the proposed Walden Galleria project, there is a need for obtaining consulting engineering services to assist the Town Engineer in fulfilling his functions under the said Public Improvement Permit Ordinance, and

WHEREAS, the firm of Nussbaumer & Clarke, Inc. possess the necessary experience and expertise to perform any and all consulting engineering services deemed necessary or advisable on the aforementioned matter,

NOW, THEREFORE, BE IT RESOLVED that the proposal of Nussbaumer & Clarke, Inc., dated January 14, 1988, be and hereby is accepted, and BE IT FURTHER

RESOLVED that the fees paid to Nussbaumer & Clarke, Inc. for professional consulting services not exceed the amount of the public improvement permit fees received by the Town from the Pyramid Company of Buffalo.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Kazukiewicz, Seconded by Unanimous

WHEREAS, during the American Revolutionary War, Casimir Pulaski, a Polish general, commanded American troops in this country's fight for independence, and

WHEREAS, in honor of General Pulaski, the Governor of the State of New York has proclaimed March 4th as Pulaski day in the State of New York, and

WHEREAS, this Town Board also wishes to honor General Casimir Pulaski, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby changes the name of the Cheektowaga Cultural Center, located in Cheektowaga Town Park to The General Casimir Pulaski Cultural Center in honor of General Casimir Pulaski.

MEETING NO. 2
January 18, 1988

Item No. 10 cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the U.S. Army Corps of Engineer, together with the U.S. Geological Survey, had constructed a stream gaging station on Scajaquada Creek at Pine Ridge Road to continuously monitor Scajaquada Creek flows over the past 28 years, and

WHEREAS, said stream flow data was used in the justification and design of the Scajaquada Creek Flood Control Project, and

WHEREAS, the U.S. Army Corps of Engineers has ceased funding for the continued operation of this stream gaging station, and

WHEREAS, the U.S. Geological Survey is willing to continue operation of this gaging station if the Town will enter into an agreement with them to share in the cost of operation, and

WHEREAS, the Town Engineer has had access to this station and its flow recorders and advises that this continuous creek recording has been advantageous to the Town's Sanitary Sewer District No. 5 area in providing advance warning on flood potentials, NOW, THEREFORE, BE IT

RESOLVED that the request to continue operation of this Scajaquada Creek gaging station is approved, and BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign the agreement with the U.S. Department of the Interior for the contract period of October 1, 1987 to September 30, 1988, and BE IT FURTHER

RESOLVED that the Town's cost of \$3,550.00 is to be charged to Sewer District No. 5, Account No. 508125.4543.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Kulyk, Seconded by Councilman Kazukiewicz

WHEREAS, Upstate Thermo King, Inc. has requested permission to erect one double sided 6 ft. X 4 ft. advertising sign at the Northeast corner of Genesee Street and Rein Road said sign to have a maximum height of 8 ft. above grade and be set back a minimum of 20 ft. from Genesee Street and 11 ft. from Rein Road, and

WHEREAS, said application was referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has recommended approval of the sign application, NOW, THEREFORE, BE IT

RESOLVED that Upstate Thermo King, Inc. be and is hereby granted permission to erect the aforementioned advertising sign in the manner as specified above.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 2
January 18, 1988

Item No. 13a Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga has received notice of an unsafe and hazardous roof sign located at the Kensington & Century Plaza, SBL #79.20-8-1 which according to the Assessors' Office is owned by Stanley Grossman, Niagara Falls, New York 14304, and

WHEREAS, the condition requires that immediate steps be taken to disconnect and lower said roof sign to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that this roof sign be disconnected and lowered and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Councilman Kulyk, Seconded by Councilman Kazukiewicz

WHEREAS, the Town of Cheektowaga has received notice of an unsafe and hazardous cellar located at 102 Raymond Street, Cheektowaga, New York, (SBL#113.57-1-2) which according to the Assessors' Office is owned by Ronald W. Boersch, Cheektowaga, New York 14227, and

WHEREAS, this condition requires that immediate steps be taken to board over and secure all openings to said cellar to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that all openings to this cellar be boarded over and secured and all costs incurred be assessed against the property owner hereinbefore described.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Kulyk, Seconded by Councilman Solecki

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

WHEREAS, Charles P. Roberto has indicated his willingness to serve on such commission, NOW, THEREFORE, BE IT

RESOLVED that Charles P. Roberto, Depew, New York 14043 be and hereby is appointed to the Traffic Safety Commission, effective immediately, for a term ending December 31, 1990.

Upon Roll Call....

AYES: Councilmen Kulyk and Solecki
NAYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak and
Kazukiewicz
ABSENT: 0

This resolution was denied!

Item No. 15 Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

BE IT RESOLVED that the following individuals employed in the Facilities Department be and hereby are terminated as follows:

Item No. 15 cont'd

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

Effective

Anthony Belcer

1/11/88

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Solecki, Seconded by Supervisor Swiatek

WHEREAS, the Town is currently involved in an assessment review proceeding relating to K-Mart, 2055 Walden Avenue, Cheektowaga, New York, and

WHEREAS, the Assessor is in need of a Special Appraisal on the said property, and

WHEREAS, the Town of Cheektowaga has appropriated monies in the budget for these items, NOW, THEREFORE, BE IT

RESOLVED that the Assessor be and hereby is authorized to contract with GAR Associates to make the necessary appraisal. The approximate cost of said appraisal will be \$3500 with a maximum of 45 days.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 17a Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the State Office of Parks, Recreation and Historic Preservation is conducting a one day workshop, Thursday, January 21st at the Empire State, Cultural Education Center Plaza in Albany, New York, on the New York State Conservation Corps Program, an environmental/historical education and interpretive initiative, and the Environmental Quality Bond Act, Title 9, and

WHEREAS, the Cheektowaga Youth Bureau is desirous of applying for funds from these programs, NOW, THEREFORE, BE IT

RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau be and hereby is authorized to attend said workshop and BE IT FURTHER

RESOLVED that he be reimbursed his necessary transportation costs and expenses to attend said meeting.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 17b Motion by Councilman Solecki, Seconded by Supervisor Swiatek

WHEREAS, Mr. Casimir A. Kozminski, Assessor, has been re-elected as a Director of the Erie County Assessor's Association, and

WHEREAS, Mr. Kozminski will be requested to attend meetings as mandated by the Association in various parts of the County, and

WHEREAS, meetings are held during work hours, NOW, THEREFORE, BE IT

Item No. 17b cont'd

RESOLVED that Casimir A. Kozminski, Assessor, be and hereby is authorized to attend said meetings and shall be provided use of a Town Vehicle.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 17c Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz

RESOLVED that the following individuals be and hereby are authorized to attend the annual Association of Towns Convention held in New York City, February 14-17, 1988, and that their reasonable and proper travel expenses be reimbursed by the Town:

Cheektowaga Town Board Members
Mr. Casimer Kozminski, Town Assessor
Mr. Chester Bryan, Town Engineer
Mr. Richard Moleski, Town Clerk
Mr. William Wielinski, Supervising Accountant
Mr. Chris Kowal, Highway Superintendent
Mr. Dennis Gabryszak, Councilman - is designated as the
Official Voting Delegate
representing the Town of
Cheektowaga
Mrs. Julia Reinstein, Town Historian

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, New York State Statutes require separate bank accounts for each individual capital project, and

WHEREAS, a Town Board has the authority to allow combining capital project funds into a single bank account, and

WHEREAS, the Town of Cheektowaga has a large and active capital project fund and it is impractical to provide separate bank accounts for each project,
NOW, THEREFORE,

BE IT HEREBY RESOLVED that the Supervisor is authorized to combine all capital project funds into a single capital project bank account effective immediately.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to January 18, 1988 are hereby approved and made a part hereof.

MEETING NO. 2
January 18, 1988

Item No. 19 cont'd

FUND	AMOUNT
GENERAL FUND	\$2,611,892.18
SPECIAL DISTRICT FUND	3,041,562.07
HIGHWAY FUND	863,582.05
CAPITAL FUND	70,533.80
HUD-CDBG FUND	9,923.29
HUD-REHAB. FUND	3,151.15
TRUST & AGENCY FUND	390,988.28
PART TOWN FUND	33,772.55
DEBT SERVICE FUND	8,304.00
INSURANCE RESERVE FUND	12,578.19
	<u>\$7,046,287.56</u>

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak,
Kazukiewicz and Solecki
NAYES: Councilman Kulyk
ABSENT: 0

III. FROM THE TABLE

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

BE IT RESOLVED that the salaries of the following Town officials be
and hereby are established and set forth as follows, effective January 1, 1988:

Supervisor	\$47,054
Councilman (6)	\$15,266
Receiver of Taxes	\$33,469
Town Clerk	\$37,275
Highway Superintendent	\$42,873
Town Justices (2)	\$33,810
Budget Director	\$ 5,000

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak,
Kazukiewicz and Solecki
NAYES: Councilman Kulyk
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 21a Annual report of Town Clerk's Office
Received and Filed.

Item No. 21b Annual report of Building and Plumbing Department
Received and Filed.

Item No. 22a Minutes of December meeting of Library Board
Received and Filed.

MEETING NO. 2
January 18, 1988

Item No. 22b Minutes of December meeting of Cheektowaga Traffic Safety Commission
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 23 Summons & Complaint - Angela J. & Joseph G. Grys vs Town of
Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Robert Lis, Chief of Police; Joseph J.
Naples, Insurance Carrier.
Received and Filed.

Item No. 24 Notice of Claim - Steven A. Bald vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Chris Kowal, Highway Superintendent; Sewer
Maintenance Department; Laverack & Haines, Insurance Carrier.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Johnson, Seconded by Councilman Kulyk
to suspend the rules to include the following items.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Gabryszak, Seconded by Councilman Kulyk

WHEREAS, Vincent Molino, as owner of Molino's Restaurant, has made
application and requested a Special Use Permit for a Pizza Restaurant on property
located at 899 French Road, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under
the provisions of the Zoning Ordinance on February 1, 1988 at 6:30 o'clock P.M.,
Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union
Road.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justise Dembik....., 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..... JAN 21 1988
last publication..... JAN 21 1988
and that no more than six days intervened be-
tween publications.

Justise Dembik.....

Sworn to before me this 21

day of January 1988..

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

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 1st day of February, 1988 at 6:30 o'clock, P.M. Eastern Standard Time of said day for the purpose of considering the application of Vincent Molino/Molino's Restaurant for a Special Permit to use property for on premise consumption of beer and wine on property located at 899 French 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.

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 51, Township 10, Range 7 of the Buffalo Creek Reservation described as follows:

Beginning at the point of intersection of the South line of French Rd., as now laid out, and the East line of lands conveyed to Curtis J. Lehde by deed recorded in Liber 6051 of Deeds at pages 409 and 413; running thence southerly along the East line of lands so conveyed to Curtis J. Lehde by deeds aforesaid, 164.69 feet to a point; thence Westerly at right angles to the last described line, 118.65 feet to a point; thence Northerly at right angles to the last described line, 174.20 feet to the South line of French Road, as now laid out; thence Easterly along South line of French Rd., as now laid out, 101.48 feet to an angle point therein; thence Southeasterly forming an interior angle of 171 degrees 59 minutes 17 seconds and continuing along the South line of French Rd., as now laid out, 17.70 feet to the point of beginning.

By order of the Town Board
Supervisor, Frank E. Swiatek

Councilmen:

Thomas M. Johnson, Jr.

Patricia A. Jaworowicz

Dennis H. Gabryszak

Andrew A. Kulyk

Leo T. Kazukiewicz

Richard B. Solecki

RICHARD M. MOLESKI

Town Clerk

PUBLISH: January 21, 1988

MEETING NO. 2
January 18, 1988

Item No. 26 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and inspections from February 1-3, 1988, in Niagara Falls, New York, and

WHEREAS, the Director of Community Development has recommended that the two Housing Inspectors in the Community Development Department be authorized to attend two days of the seminar on February 1 and 2, 1988, NOW, THEREFORE, BE IT

RESOLVED that Lawrence Kensy and Richard Willis be and hereby are authorized to attend said educational seminar on February 1 and 2, 1988, in Niagara Falls, New York at a cost of \$105.00 per person, said costs to be paid from the Community Development Budget, and BE IT FURTHER

RESOLVED that said employees are authorized to utilize one Town vehicle for transportation and from said seminar.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Kazukiewicz, Seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of February, 1988 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Kenneth Kopacz, Executive Director of Youth Bureau; Christopher Kowal, Highway Superintendent; Sam LaGreca, Employment and Training Director II; Robert Lis, Chief of Police; Ronald Marten, Building Inspector; and William Pugh, Assistant Town Engineer.

I. RESOLUTIONS

Item No. 2A Order Calling for Public Hearing to be held on February 22, 1988 regarding Increase and Improvement of Facilities of Sanitary Sewer District No. 3, in the Town of Cheektowaga, in the County of Erie, New York pursuant to Section 202-b of the Town Law.

*SEE NEXT THREE (3) PAGES FOR COPY OF ORDER, AND AFFIDAVIT FOLLOWING COPY OF ORDER.

10

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, in said Town, on the 1st day of February, 1988.

PRESENT:

Hon. Frank E. Swiatek,	Supervisor	Leo T. Kazukiewicz,	Councilman
Thomas M. Johnson, Jr.,	Councilman	Richard B. Solecki,	Councilman
Patricia A. Jaworowicz,	Councilman		
Dennis H. Gabryszak,	Councilman		
Andrew A. Kulyk,	Councilman		

MOTION BY Councilman Johnson, SECOND BY: Councilman Kulyk
In the Matter
of the

Increase and Improvement of Facilities of Sanitary Sewer District No. 3, in the Town of Cheektowaga, in the County of Erie, New York pursuant to Section 202-b of the Town Law.

ORDER CALLING PUBLIC
HEARING TO BE HELD ON
FEBRUARY 22, 1988

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York on behalf of the Sanitary Sewer District No. 3, in the Town (herein called "District"), has requested Chester L. Bryan, the Town Engineer, duly licensed by the State of New York (herein called "Engineer"), to prepare a preliminary map, plan and report for the increase and improvement of facilities of the District, consisting of the reconstruction of sanitary sewers and manholes at various locations in the District to reduce infiltration and inflow of non-sanitary sewer elements into the system; the construction of approximately 1,040 feet of an 18 inch interceptor sewer along the south side of Clinton Street, west of Harlem Road; and the construction of improvements to the flow control facilities which regulate sanitary flows to the Erie County Sewer District No. 4 trunk sewer, including the construction of a new building to house the flow control equipment; and including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required therefor; and pursuant to the direction of the Town, the Town Engineer has completed and filed with the Town Board such preliminary map, plan and report for said increase and improvements of facilities of the District and has estimated the total cost thereof to be \$ 2,000,000 ;

now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, Broadway and Union Road, in the Town, on the 22nd day of February, 1988 at 7 : 00 o'clock P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law;

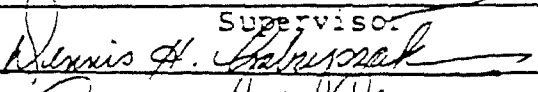
FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES", a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: FEBRUARY 1, 1988

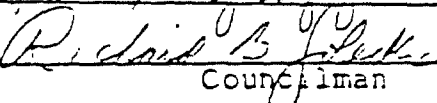
TOWN BOARD OF THE TOWN OF CHEEKTOWAGA



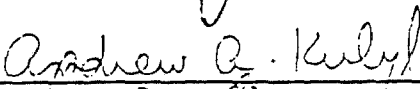
Supervisor




Councilman



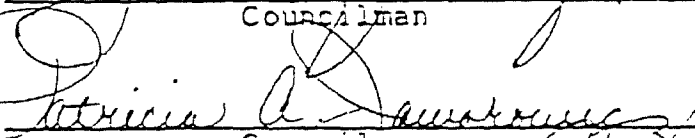
Councilman



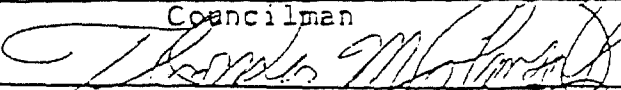
Councilman



Councilman



Councilman



Councilman

Members of the Town Board of the Town
of Cheektowaga, New York

(SEAL)

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 1st day of February, 1988, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town on this 1st day of February, 1988.

(SEAL)

Richard M. Moleski
Town Clerk

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

Justin Dombik....., 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..... FEB. 04 1988 ;
last publication..... FEB. 04 1988 ;
and that no more than six days intervened be-
tween publications.

Justin Dombik.....
Sworn to before me this 4th
day of February , 1988..
Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

Extracts from Minutes of Cheektowaga Town Board

At a regular meeting of the Town Board of the Town of Cheektowaga in the County of Erie, New York was held at the Town Hall, Broadway and Union Road, in said Town on the 1st day of February, 1988.

PRESENT:

Hon. Supervisor Frank E. Swiatek
Councilmen -

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard B. Solecki

Motion by Councilman Johnson
Seconded by Councilman Kulyk

In the Matter
of the

Increase and Improvement of Facilities of Sanitary Sewer District No. 3, in the Town of Cheektowaga, in the County of Erie, New York pursuant to Section 202-b of the Town Law.

ORDER CALLING PUBLIC HEARING TO BE HELD ON FEBRUARY 22, 1988

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York on behalf of the Sanitary Sewer District No. 3, in the Town (herein called "District"), has requested Chester L. Bryan, the Town Engineer, duly licensed by the State of New York (herein called "Engineer"), to prepare a preliminary map, plan and report for the increase and improvement of facilities of the District, consisting of the reconstruction of sanitary sewers and manholes at various locations in the District to reduce infiltration and inflow of non-sanitary sewer elements into the system; the construction of approximately 1,040 feet of an 18 inch interceptor sewer along the south side of Clinton Street, west of Harlem Road; and the construction of improvements to the flow control facilities which regulate sanitary flows to the Erie County Sewer District No. 4 trunk sewer, including the construction of a new building to house the flow control equipment; and including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required therefor; and pursuant to the direction of the Town, the Town Engineer has completed and filed with the Town Board such preliminary map, plan and report for said increase and improvements of facilities of the District and has estimated the total cost thereof to be \$2,000,000; now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, Broadway and Union Road in the town, on the 22nd day of February, 1988 at 7:00 o'clock P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law;

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES" a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Town Board of the Town of Cheektowaga:

Supervisor, Frank E. Swiatek
Councilmen -

Dennis H. Gabryszak
Richard B. Solecki
Andrew A. Kulyk
Leo T. Kazukiewicz
Patricia A. Jaworowicz
Thomas M. Johnson, Jr.

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD M. MOLESKI, Town
Clerk of the Town of Cheektowaga, in

the County of Erie, State of New York,
DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 1st day of February, 1988, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of said Town on this 1st day of February, 1988.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: February 4, 1988

Item No. 2B 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 February 22, 1988 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 February, 1988, said amendments being set forth in the Notice of Hearing.

* * * * *

NOTICE OF PUBLIC 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 February 22, 1988 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
BELLEVUE AVE.	East-west	PARK STREET	Northbound	S.E. Corner
MIAMI PARKWAY	East-west	PETAN DRIVE	Northbound	S.E. Corner

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

Dated: February 1, 1988

RICHARD M. MOLESKI
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justice Dembik....., 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..... FEB. 04 1988..... ;
last publication..... FEB. 04 1988..... ;
and that no more than six days intervened be-
tween publications.

Justice Dembik.....
Sworn to before me this 4th.....
day of February....., 1988..
Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

of
Public 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 February 22, 1988 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 VIII

Stop and Yield Intersections

<u>Street</u>	<u>Direction</u>
Bellevue Ave.	East-west
<u>Entrance Street</u>	<u>Traffic Stops</u>
Park Street	Northbound
<u>Sign Location</u>	
S.E. Corner	
<u>Street</u>	<u>Direction</u>
Miami Parkway	East-west
<u>Entrance Street</u>	<u>Traffic Stops</u>
Petan Drive	Northbound
<u>Sign Location</u>	
S.E. Corner	

By Order of
the Town Board
of

the Town of Cheektowaga,
Erie County, New York

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 4, 1988

MEETING NO. 3
February 1, 1988

Item No. 3A Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on January 18, 1988 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 IV

Traffic Control Signals

Section 76.40. Installation, maintenance and operation of traffic control devices shall be amended by deleting therefrom the following:

A. Traffic control signals shall be installed, maintained and operated as follows:

- (39) Cleveland Drive at Charnwood Drive and Cleveland Hill Church walk.
- (a) Variable automatic: 3 sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.
 - (b) Push Buttons
 - (c) Normal operation: flashing signal, flashing yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Charnwood Drive and south on church walk.
 - (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Charnwood Drive and facing south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Charnwood Drive and south on church walk. Short interval reverts to operation in (c).
- (40) Cleveland Drive at Mt. Vernon Road and Temple Baptist Church Walk.
- (a) Variable automatic: 3 Sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.
 - (b) Push buttons
 - (c) Normal operation: flashing signal, yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Mt. Vernon Road and south on church walk.
 - (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Mt. Vernon Road and south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Mt. Vernon Road and south on church walk. Short intervals reverts to operation in (c).

ARTICLE VIII

Stop and Yield Intersections

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

MEETING NO. 3
February 1, 1988

Item No. 3A Cont'd.

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Charnwood Drive	North-south	Cleveland Dr.	Southbound	N.W. Corner
Mt. Vernon Road	North-south	Cleveland Dr.	Southbound	N.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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine Donzik....., 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..... FEB 04 1988
last publication..... FEB 04 1988
and that no more than six days intervened be-
tween publications.

Justine Donzik.....

Sworn to before me this 4
day of February, 1988.

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

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 1st day of February, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek

Councilmen -

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard B. Solecki

ABSENT: 0

Motion by Councilman Johnson

Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on February 1, 1988 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 hereby adopted and enacted:

ARTICLE IV

Traffic Control Signals

Section 76.40 Installation, maintenance and operation of traffic control devices shall be amended by deleting therefrom the following:

A. Traffic control signals shall be installed, maintained and operated as follows:

(39) Cleveland Drive at Chamwood Drive and Cleveland Hill Church walk.

(a) Variable automatic: 3 sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.

(b) Push buttons.

(c) Normal operation: flashing signal, flashing yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Chamwood Drive and south on church walk.

(d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Chamwood Drive and facing south on church walk, for vehicle clearance followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Chamwood Drive and south on church walk. Short interval reverts to operation in (c).

(40) Cleveland Drive at Mt. Vernon Road and Temple Baptist Church Walk.

(a) Variable automatic: 3 sections - 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.

(b) Push buttons.

(c) Normal operation: flashing signal, yellow indications facing east and west on Cleveland Drive, flashing red indications facing north on Mt. Vernon Road and south on church walk.

(d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing north on Mt. Vernon Road and south on church walk, for vehicle clearance, followed by yellow and then steady red indications facing east and west on Cleveland Drive and steady green indications facing north on Mt. Vernon Road and south on church walk. Short intervals revert to operation in (c).

ARTICLE VIII

Stop and Yield Intersections

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

Street	Direction
Chamwood Drive	North-south
Entrance Street	Traffic Stops
Cleveland Dr.	Southbound
Sign Location	
N.W. Corner	
Street	Direction
Mt. Vernon Road	North-south
Entrance Street	Traffic Stops
Cleveland Dr.	Southbound
Sign Location	
N.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...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE
AYES:	7
NAYES:	0
ABSENT:	0

STATE OF NEW YORK COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 1, 1988 and minutes of said meeting have 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. 1a, 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 1st day of February, 1988.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 4, 1988

MEETING NO. 3
February 1, 1988

Item No. 3B Decision on Special Use Permit: 2631 Broadway
This item was withdrawn.

Item No. 3C Decision on Special Use Permit: 159 Grunner Road
This item was withdrawn.

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

WHEREAS, it is in order that bids be advertised for the furnishing of chemical fertilizers and herbicides in the Town of Cheektowaga, and

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

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of chemical fertilizers and herbicides, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 22nd day of February, 1988 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

*SEE NEXT PAGE FOR COPY OF NOTICE TO BIDDERS.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 22, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of chemical fertilizers and herbicides in the Town of Cheektowaga, New York.

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

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

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

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

Richard M. Moleski

Town Clerk

DATED: February 1, 1988

MEETING NO. 3
February 1, 1988

Item No. 4A Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justise DonBik....., 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..... FEB 04 1988 ;
last publication..... FEB 04 1988 ;
and that no more than six days intervened be-
tween publications.

Justise DonBik.....

Sworn to before me this 4
day of February, 1988..

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified in Erie County
My commission expires March 30, 1989

**LEGAL NOTICE
Notice to Bidders**

Scaled proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 22, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of chemical fertilizers and herbicides in the Town of Cheektowaga, New York.

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

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

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

By order of
the Town Board
of

the Town of Cheektowaga,
Erie County, New York
Richard M. Moleski
Town Clerk

PUBLISH: February 4, 1988

Item No. 4B Notice to Bidders: Topsoil for 1988 season.

Motion by Councilman Solecki 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 Topsoil for the 1988 Season (regular, shredded and screened).

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 officer to open bids on the aforesaid item at 11:00 A.M. on February 22, 1988.

* * * * *

Motion by Councilman Solecki Seconded by Councilman Johnson to table the above resolution.

* * * * *

THE ABOVE ITEM WAS TABLED!!!

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

WHEREAS, wastewater treatment was discontinued by the Town in July, 1982, which was then identified as Wastewater Treatment Plant #5, and

WHEREAS, there is sludge contained on site of the old treatment plant, which sludge must be removed, and

WHEREAS, the Town Engineer advises this Town Board that it would be most effective and economical to remove the sludge in compliance with the Department of Environmental Conservation by bidding out to State certified companies, 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 in connection with said sludge removal and disposal, notice to be published in the CHEEKTOWAGA TIMES and the BUFFALO NEWS, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 22nd day of February, 1988 at 11:00 A.M., local time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall, AND, BE IT FURTHER

RESOLVED that funds for such work have been budgeted in the Plant #5 Sludge Removal Account, #8135.4547.

*SEE NEXT PAGE FOR COPY OF NOTICE TO BIDDERS

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 22, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road for sludge removal and disposal at the former Wastewater Treatment Plant #5 in the Town of Cheektowaga, New York.

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

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

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 1, 1988

MEETING NO. 3
February 1, 1988

Item No. 4C Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

SEE NEXT TWO PAGES FOR AFFIDAVITS OF PUBLICATION

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

Justin Dembicki....., 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..... FEB. 04 1988 ;
last publication..... FEB. 04 1988 ;
and that no more than six days intervened be-
tween publications.

Justin Dembicki.....

Sworn to before me this 4

day of February, 1988

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

Notice to Bidders

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 22, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road for sludge removal and disposal at the former Wastewater Treatment Plant #5 in the Town of Cheektowaga, New York.

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

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

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

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

By Order of
the Town Board
of
the Town of Cheektowaga,
Erie County, New York
Richard M. Moleski
Town Clerk

PUBLISH: February 4, 1988

NOTICE TO BIDDERS
Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 22, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road for sludge removal and disposal at the former Wastewater Treatment plant No. 5 in the Town of Cheektowaga, New York.
Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.
The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.
Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York.
The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.
By order of the Town Board of the Town of Cheektowaga, Erie County, New York.
RICHARD M. MOLESKI
Town Clerk
Dated: February 1, 1988

Susan E. Landel

of the City of Buffalo, New York, being duly sworn, deposes and says that she/he is Principal Clerk of 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 1 time, the insertion being on the 4 th day of February 1988

Susan E. Landel

Sworn to before me this 5th day

of February 19 88

Francis X. Vollmer Jr.

Notary Public, Erie County, N.Y.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1989

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

WHEREAS, Town efforts to reduce sanitary sewer inflow are dependent on the minimizing of street flooding, and

WHEREAS, maximum use of the existing storm sewer system can only be accomplished by a storm sewer cleaning system, and

WHEREAS, the Town Engineering Department is requesting that storm sewer cleaning work be contracted in order to fully utilize the existing town storm sewer system, NOW, THEREFORE, BE IT

RESOLVED that the town Clerk is directed to publish a Notice to Bidders for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning work for the year of 1988, in accordance with specifications prepared by the Town of Cheektowaga Engineering Department, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 22nd day of February, 1988 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

*SEE NEXT PAGE FOR NOTICE TO BIDDERS.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 22, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for storm sewer cleaning work in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Sewer Cleaning Work" and submitted to the Town Clerk prior to bid opening.

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 1, 1988

Item No. 4D Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin Dobrik....., 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..... FEB 04 1988 ;
last publication..... FEB 04 1988 ;
and that no more than six days intervened be-
tween publications.

Justin Dobrik.....

Sworn to before me this 4

day of February 1988.....

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

Notice to Bidders

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 22, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road Cheektowaga, New York, for storm sewer cleaning work in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Sewer Cleaning Work" and submitted to the Town Clerk prior to bid opening.

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

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

PUBLISH: February 4, 1988

MEETING NO. 3
February 1, 1988

Item No. 5 Motion by Councilman Johnson Seconded by Councilman Gabryszak

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

EFFECTIVE

SANITATION DEPARTMENT

Scott Prell	1/02/88
Brian Szymanski	1/11/88
Joseph Trzaska	1/04/88
Richard Wdowik, Jr.	1/15/88

CENTRAL GARAGE

Darren Kazmierczak	Immediately
--------------------	-------------

SEWER MAINTENANCE DEPARTMENT

Raymond Nowak	2/22/88
James McElligott	2/22/88
James Kosobucki	1/11/88
Jeff Mrugalski	1/11/88
Robert Fissler	1/11/88

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES:	0
ABSENT:	0

Item No. 6A Motion by Councilman Gabryszak Seconded by Councilman Solecki

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department to assist in conducting the remainder of its 1987-1988 winter programs.

WINTER SCHOOL PROGRAMS - A7140.1615

Cheektowaga Central High School Wrestling Instructors - \$3.35 per hour

Brian Hickson
John Wanat

RECREATION INSTRUCTOR - A7140.1612 - \$5.00 per hour

Darlene Leahy

BE IT FURTHER RESOLVED that the following Cheektowaga Recreation employees be terminated as of February 1, 1988.

Cheektowaga Central High School Wrestling Instructors - \$3.35 per hour

Richard Guizzotti
Brian McGill

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES:	0
ABSENT:	0

Item No. 6B Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

RESOLVED that Andrew H. Mason, of Cheektowaga, New York 14211, be and hereby is appointed to the position of part-time Van Driver in the Department of Senior Services, at the rate of \$4.25 per hour.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following individuals be hired for the Youth Bureau's Adapted Recreation Program (7310.1803), at the designated titles and salaries, effective immediately:

Counselor I - \$3.35 per hour

--Louanne Balus -

- Cheektowaga, New York 14225

Counselor II - \$3.50 per hour

--Beth Ann Schaller -

- Depew, New York 14043

BE IT FURTHER RESOLVED that Amy Anderson (Counselor III), be terminated from the Adapted Recreation Program, effective immediately.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

WHEREAS, Mr. Robert Sosnowski, employed in the Cheektowaga Facilities Department is a member of the United States Air Force Reserve, HQ 914 Combat Support Squadron (AFRES), AND

WHEREAS, employees are eligible for benefits under Section 242 and 243 of the Military Law of the State of New York; are guaranteed such benefits in full accordance with the law, BE IT

RESOLVED that the Cheektowaga Town Board approves said Military Leave for Mr. Robert Sosnowski, Cheektowaga, New York 14211, for the period of January 30, 1988 through February 13, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 9A Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, due to the retirement of the Police Departments arson investigator, the Chief of Police intends to assign Officers Dennis Gibbs and Ronald Jakubowski to investigate arsons, and

WHEREAS, Officer Gibbs is required to take an arson course entitled, "Cause and Origin Determination," which will be conducted at the New York State Office of Fire Prevention and Control in Montour Falls, New York from February 8th-12th, 1988, and

Item No. 9A Cont'd.

WHEREAS, the Chief of Police has requested permission for Officer Gibbs to attend this course, NOW, THEREFORE, BE IT

RESOLVED that Officer Dennis Gibbs be and hereby is authorized to attend the aforementioned arson course in Montour Falls from February 8th-12th, 1988, and BE IT FURTHER

RESOLVED that the cost for such seminar, meals and lodging shall be at Town expense, at a cost not to exceed \$125.00, and BE IT FURTHER

RESOLVED that Officer Gibbs be and hereby is authorized to drive a Town vehicle to such seminar.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 9B Motion by Councilman Jaworowicz Seconded by Councilman Kazukiewicz

WHEREAS, the arson investigator in the Police Department has retired, and

WHEREAS, it is necessary that the Police Department have a well trained arson investigator in its department, and

WHEREAS, Officer Ronald Jakubowski has attended arson courses in the past, and

WHEREAS, a Fire/Arson Investigation course will be conducted at the New York State Academy of Fire Science in Montour Falls, New York from February 29, 1988 to March 11, 1988, and

WHEREAS, the Chief of Police has requested permission for Officer Jakubowski to attend this course, NOW, THEREFORE, BE IT

RESOLVED that Officer Ronald Jakubowski be and hereby is authorized to attend the aforementioned Fire/Arson Investigation course in Montour Falls from February 29, 1988 to March 11, 1988, and BE IT FURTHER

RESOLVED that the cost for such seminar, meals and lodging shall be at Town expense for a cost not to exceed \$250.00, and BE IT FURTHER

RESOLVED that Officer Jakubowski be and hereby is authorized to drive a Town vehicle to such seminar.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 10 Motion by Supervisor Swiatek seconded by Councilman Johnson

WHEREAS, effective Town Personnel Policies, can improve management practices, reduce and eliminate abuses, create uniformity and result in cost control, and

WHEREAS, the Town of Cheektowaga, has budgeted funds for a Personnel Director in the 1988 budget, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board, create an Ad Hoc Personnel Committee from private industry to:

MEETING NO. 3
February 1, 1988

Item No. 10 Cont'd.

1. Review and evaluate personnel practices in the town
2. Identify deficiencies and shortcomings in the personnel function
3. Interview Personnel Directors from other towns
4. Recommend the need or the lack of need for a Personnel Director, and FURTHER BE IT

RESOLVED that the following named individuals serve on the Ad Hoc Personnel Committee:

Paul R. Kwiatkowski	-	Calspan Corporation
Carol Bruce	-	Sierra Research
Charles Davitt	-	Gibraltar Steel
Michael A. Conners	-	Attorney
Bruce R. Brown	-	Abbott Laboratories
Richard Lipczynski	-	Executive Personnel

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk and Solecki
NAYES: Councilman Kazukiewicz
ABSENT: 0

Item No. 11A Motion by Councilman Johnson Seconded by Supervisor Swiatek

WHEREAS, the Cheektowaga Town Board has previously created the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development in the Town, AND

WHEREAS, the Town Board, by resolution dated February 7, 1983, approved the proposed By-Laws of said Corporation, and

WHEREAS, said By-Laws provide that the Town Board may designate three (3) Town Board members to serve as Ex-Officio, non-voting members of the corporation's Board of Directors, and

WHEREAS, one such Ex-Officio Director, William Rogowski, is no longer serving as a Town Board member, NOW, THEREFORE, BE IT

RESOLVED that Councilman Dennis Gabryszak be and hereby is designated as an Ex-Officio member of the Board of Directors of the Cheektowaga Economic Development Corporation to replace the Ex-Officio membership of former Town Councilman William Rogowski.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 11B Motion by Councilman Kulyk Seconded by Supervisor Swiatek

WHEREAS, the Town of Cheektowaga requires the services of a medical firm on an as-needed basis to perform physical examinations of Town employees who are injured or who may be unable to perform their duties due to physical ailment, and

WHEREAS, the Buffalo Industrial Medical Center has adequately provided such a service to various Town departments in the past, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby designates Buffalo Industrial Medical Center, 755 Tonawanda Street, Buffalo, New York to provide occupational medical services to the Town when and as needed.

MEETING NO. 3
February 1, 1988

Item No. 11B Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 12A 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 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 LIST OF NEW AMBULANCE DRIVER/ATTENDANT LICENSES

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
Hayes, Robert S.	,Akron,NY 14001	Gold Cross	5/31/88
Phillipson,Leonard M.	,Ton.,NY 14150	Gold Cross	5/31/89
Rose, Christine A.	,Gr.Island,NY 14072	Gold Cross	5/31/90
Stevens,Glenn W.	,St.Bonaventure,NY14778	Gold Cross	12/31/89
*Viger, John J.	,Bflo,NY14213	Gold Cross	5/31/90
Williams, James C.	E.Aurora,NY14052	Gold Cross	12/31/89
*Zimmer, David E.	,Ton.,NY.14150	Gold Cross	8/31/90

*denotes attendant license only

MEETING NO. 3
February 1, 1988

Item No. 12A

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 12B 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 license renewal applications for driver(s)/attendant(s), and has recommended that the Town Board renew such licenses, 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 the licenses 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 licenses to the driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

*SEE NEXT PAGE FOR LIST OF RENEWAL AMBULANCE DRIVER/ATTENDANT LICENSES

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSE

RENEWAL

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
Cummings, Neil C.	,Cktw.,NY 14225	Town's Ambulance	5/31/90
Dolling, Fredrick C.	,Hamburg,NY14075	Town's Ambulance	5/31/90
Haskins, Paul A.	,Depew,NY14043	Town's Ambulance	5/31/90
Hockwater, Paul F.	,Cktw.,NY 14227	Town's Ambulance	5/31/89
Jozwiak, Robert W.	,W.Sen.,NY14224	Town's Ambulance	5/31/90
Leuer, Michael P.	,Bflo,NY14201	Gold Cross	12/31/90
Pieczynski, Kevin C.	,Bflo,NY14223	Gold Cross	12/31/90
Stoddard, Ralph S.	,Hamburg,NY14075	Town's Ambulance	8/31/90

MEETING NO. 3
February 1, 1988

Item No. 12 B Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Swiatek Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is desirous of establishing more meaningful internal control policies for capital assets, and

WHEREAS, the implementation of a Capital Plan, provides the Town of Cheektowaga with valuable data to assist them in the orderly acquisition of capital assets within the financial resources of the community, and

WHEREAS, a Capital Plan, will identify the capital assets needed, the priority in which they are to be acquired, how they will be financed and how much it will cost to operate or maintain the individual assets, and

WHEREAS, the formal adoption of a long-range capital plan can lead to orderly planning, the avoidance of overlapping projects and costly mistakes, the coordination with the operating budget process and the securing of Federal/State Grants, and

WHEREAS, the adoption of a Capital Plan, would give the general public the opportunity to submit recommendations and or express its views at public meetings, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga, formally adopt a Five Year Capital Planning Program, and

RESOLVED that the Town of Cheektowaga budget director be designated as the Capital Planning Coordinator.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 14 Rescind resolution of August 3, 1987 regarding review of site and plans for proposed golf course in Stiglmeier Park.
This item was withdrawn.

Item No. 15A Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is desirous of improving its overall process for efficiently handling an increased amount of vital information, and

WHEREAS, the Town of Cheektowaga seeks to improve its handling of citizens complaints through a Computerized Complaint System, and

WHEREAS, revenues can be better utilized, through an organized, deliberate and planned effort to automate these information processes where appropriate, NOW, THEREFORE, BE IT

RESOLVED that the consulting firm named Counterpoint Institute, is hereby hired to conduct a study of information needs in the various Town Departments, and to provide recommendations regarding options which may be taken toward achieving maximum productivity through effective information processing for each department and for the overall Town Government at a cost of \$3,000.

(Line Item #1220-40-4321)

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February 1, 1988

Item No. 15A Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 15B Retain National Golf Foundation to conduct feasibility study for Town Golf Course.

Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, the Town of Cheektowaga is one of the few municipalities OF its size not to have a golf course, and

WHEREAS, the Town of Cheektowaga is presently contemplating the construction of a golf course in either Stiglmeier Park or Rehm Road Park, and

WHEREAS, the National Golf Foundation has submitted a proposal to the Town to conduct a detailed marketing and economic feasibility study of developing an eighteen-hole golf course on one of the two sites hereinbefore mentioned, and

WHEREAS, such study will include analyses of golf market potential, operating projections, capital improvements, site evaluation and development considerations, and will require eight to ten weeks to complete, and

WHEREAS, professional fees for such study are \$18,000 plus direct expenses related to travel estimated at \$2,500, and

WHEREAS, the National Golf Foundation has more than 51 years of experience in fostering the development of needed golf facilities in the United States and a reputation as golf's source of information and research on virtually every aspect of the game, and

WHEREAS, this Town Board desires to retain The National Golf Foundation to conduct the above mentioned golf course feasibility study, NOW, THEREFORE, BE IT

RESOLVED that the National Golf Foundation be and hereby is retained to conduct a golf course feasibility study for the Town in accordance with the attached proposal at a total cost not to exceed \$20,500, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute a contract and any other papers necessary, as approved by the Town Attorney, to have such study conducted, and BE IT FURTHER

RESOLVED that moneys for such study shall be appropriated from capital project 029.

* * * * *

Motion by Councilman Kazukiewicz Seconded by Councilman Solecki to table the above resolution.

* * * * *

THE ABOVE ITEM WAS TABLED!!!

Item No. 16 Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, Section 284 of the State Highway Law provides that moneys levied and collected for the repair and improvement of town highways shall be expended at such places and in such manner as agreed upon by the town Board and Highway Superintendent and approved by the County Highway Superintendent, and

WHEREAS, the attached Agreement to Spend Town Highway Funds has been

MEETING NO. 3
February 1, 1988

Item No. 16 Cont'd.

prepared for the expenditure of \$341,357.00 in 1988, and

WHEREAS, such Agreement is acceptable to the Town Highway Superintendent, and this Town Board, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts and approves such Agreement, and BE IT FURTHER

RESOLVED that the attached Agreement to spend Town Highway Funds be signed by those Town Board Members approving said Agreement.

*SEE NEXT TWO (2) PAGES FOR COPY OF AGREEMENT

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

TOWN OF CHEEKTOWAGACOUNTY OF ERIE

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 341,357 may be expended for general repairs upon 184.92 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways:

(a) On the road commencing at As per attached schedule (one page)

and leading to _____, a distance of _____ miles,

there shall be expended not over the sum of \$ _____

Type _____ Width of traveled surface _____

Thickness _____ Subbase _____

\$94,357.00 CHIPS FUNDS to be used for Reconstruction w/heat recycling (as shown on schedule attached).

(b) On the road commencing at _____

and leading to _____, a distance of _____ miles,

there shall be expended not over the sum of \$ _____

Type _____ Width of traveled surface _____

Thickness _____ Subbase _____

(c) On the road commencing at _____

and leading to _____, a distance of _____ miles,

there shall be expended not over the sum of \$ _____

Type _____ Width of traveled surface _____

Thickness _____ Subbase _____

No moneys set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the County Superintendent approves the plans, specifications and estimates for such construction.

This agreement shall take effect when it is approved by the County Superintendent of Highways.

Executed in duplicate this _____ day of January, 1988.

[Signature]

Supervisor

Dennis H. Galynski

Councilman

Richard B. Sobel

Councilman

[Signature]

Councilman

The foregoing Agreement is hereby approved this _____ day
of January, 1988

Town Justice - Councilman

Andrew A. Kulyk

Councilman

[Signature]

Councilman

[Signature]

Councilman

[Signature]

Town Superintendent

County Superintendent of Highways

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

1988 SPECIAL ROADS PAVING & HEAT RECYCLING

<u>STREET</u>	<u>FROM-TO</u>	<u>L X W</u>	<u>MI. PT.</u>	<u>SQ. YDS.</u>	<u>HEAT RECYCLE</u>	<u>1 1/2" TOP RESURFACE</u>	<u>COST TOTAL</u>	<u>NOTE</u>
CALDERWOOD	BURKE TO TREEHAVEN	800 x 28	.152	2,489	\$3,111	\$8,463.	\$11,574.	Prep Req.
CAMPWOOD CT.	CHARNWOOD TO END	325 x 28	.062	1,011	1,264	3,437.	4,701.	" "
CEDARGROVE CIRCLE	SPRINGFIELD TO MARYVALE	400 x 30	.076	1,333	1,666.	4,532.	6,198.	" "
CHARNWOOD CT.	CHARNWOOD TO END	180 x 28	.034	560	700.	1,904.	2,604.	" "
CHARNWOOD DR.	CLEVELAND TO KENSINGTON	2000 x 28	.379	6,222	7,777.	21,155.	28,932.	" "
CHESTERFIELD DR.	BURKE TO TREEHAVEN	950 x 28	.180	2,955	3,694.	10,047.	13,741.	" "
CORALWOOD CT.	CHARNWOOD TO END	480 x 28	.091	1,493	1,866.	5,076.	6,569.	" "
DANIELLE DR.	FRENCH TO ST. JOAN	1390 x 28	.263	4,324	5,405.	14,702.	20,107.	" "
ELY RD.	MARYWOOD TO #38	700 x 28	.133	2,178	2,722	7,405.	10,127.	" "
FLOREIS CT.	BERYL TO END	440 x 24	.083	1,173	1,466.	3,988.	5,454.	" "
GABRIELLE DR.	FRENCH TO ST. JOAN	1390 x 28	.263	4,324	5,405.	14,702.	20,107.	" "
GARDENVILLE PK.W.	UNION TO END	1350 x 30	.256	4,500	5,625.	15,300.	20,925.	" "
GLENWOOD DR.	FERNWOOD TO ELLWOOD	250 x 20	.047	556	695.	1,890.	2,585.	" "
HOLLAND AVE.	BEACH TO CUNARD	250 x 26	.047	722	903.	2,455.	3,358.	" "
HUNTING RD.	CALDERWOOD TO TREEHAVEN	580 x 28	.110	1,804	2,255.	6,134.	8,389.	" "
JOSEPH ST.	WELLINGTON TO BERNICE	2430 x 28	.460	7,560	9,450.	25,704.	35,154.	" "
MARRANO PKWY.	W.CAVALIER TO EILEEN	1940 x 28	.367	6,035	7,544.	20,519.	28,063.	" "
MEADOW PL.	CHEROKEE TO GENESEE	1450 x 24	.275	3,867	4,834.	13,147.	17,981.	" "
NANCY PL.	FRENCH TO MARRANO	1350 x 28	.256	4,200	5,250.	14,780.	19,530.	" "
RACHELLE DR.	MARRANO TO FRENCH	1350 x 28	.256	4,200	5,250.	14,280.	19,530.	" "
STEVEN DR.	SAMANTHA TO #38 (@turn)	1040 x 28	.197	3,235	4,044.	10,999.	15,043.	" "
ST. JOAN LN.	YVETTE TO CCLETTE	1050 x 28	.199	3,267	4,084.	11,108.	15,192.	" "
TREEHAVEN RD.	CENTURY TO HUNTING	1010 x 28	.191	3,142	3,927.	10,683.	14,610.	" "
WAINWRIGHT RD.	KENVIEW TO TREEHAVEN	700 x 27	.133	2,100	2,625.	7,140.	9,765.	" "
					<u>\$91,562.</u>	<u>\$249,050.</u>	<u>\$340,612.</u>	

MEETING NO. 3
February 1, 1988

Item No. 16 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 17A Motion by Councilman Gabryszak Seconded by Councilman Johnson

BE IT RESOLVED, that the Greenwood Village Subdivision, Phase II, be and hereby is accepted, and BE IT FURTHER

RESOLVED that the drainage easement from H.O.M. Development Corporation for sublots 4,5 and 6 in such subdivision be and hereby is accepted and the Town Attorney's Office is directed to record such easement in the Erie County Clerk's Office.

* * * * *

Motion by Councilman Gabryszak Seconded by Councilman Johnson to amend the above resolution and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

* * * * *

AMENDED RESOLUTION

Motion by Councilman Gabryszak Seconded by Councilman Johnson

BE IT RESOLVED that Greenwood Village Subdivision, Phase II, be and hereby is accepted, subject to the following conditions:

1. the developer reimburse the Town for 50% of the Town's costs, including surveying and appraisal fees, in acquiring lands necessary to construct a sidewalk between 98 and 102 Jessica Lane; and
2. after acquisition of such land by the Town, the developer shall construct the necessary sidewalk over such land at its sole cost and expense.

and, BE IT FURTHER

RESOLVED that the drainage easement from H.O.M. Development Corporation for sublots 4, 5 and 6 in such subdivision be and hereby is accepted and the Town Attorney's Office is directed to record such easement in the Erie County Clerk's Office.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 17B Motion by Supervisor Swiatek Seconded by Councilman Johnson

WHEREAS, pursuant to the Environmental Advisory Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee reviews various applications for building permits, rezonings, special permits, etc. and renders its

MEETING NO. 3
February 1, 1988

Item No. 17B Cont'd.

determination of environmental significance of such applications, and

WHEREAS, the Town Board, pursuant to the Environmental Advisory Review Ordinance of the Town of Cheektowaga, is designated the lead agency in most instances, and

WHEREAS, since the Town Board is the lead agency, it must affirm or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, the Advisory Committee, at its meeting held on January 29, 1988, rendered the determinations shown on the attached memo dated February 1, 1988, and

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations made by the Environmental Advisory Committee for the items listed below, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby affirms the recommendations (including stipulations, if any) made by the Advisory Committee with respect to the following referenced items which appear on the February 1, 1988 memo attached hereto:

Applicant: Allied Frozen
Storage, Inc.

Location: Broadway east
of Harlem Road.

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

Office of
BUILDING and PLUMBING INSPECTIONS

RONALD MARTEN
Building and Plumbing Inspector



TOWN OF CHEEKTOWAGA

ERIE COUNTY, NEW YORK

Town Hall, Broadway and Union Road

Cheektowaga, New York 14227

686-3470

M E M O

TO: Supervisor Frank Swiatek
All Councilmen

FROM: Town of Cheektowaga Quality Review
Advisory Committee

DATE: Monday, February 1, 1988

RE: Allied Frozen Storage

The EQR Advisory Committee of the Town of Cheektowaga met at a special meeting on January 29, 1988, to review the above proposal. They concluded that the project is non-significant with stipulations.

During the course of the review a number of items were discussed concerning potential problems. Mr. Charles Pecorella, President of Allied Frozen Storage Inc., addressed each concern. The concerns were as follows:

- 1) Noise - The possibility of noise affecting the residents of the area was addressed by directing fans away from the homes, installing baffles at the fans to further reduce noise output and by over-designing the cooling system so that the facility will not place any undue burden on the system, thereby causing the machinery to work to its maximum (proportional to noise output).
- 2) Drainage - The firm of Nussbaumer & Clarke Inc. has been retained by the Developer to design a drainage system for the property. This will include a detention system and will be coordinated with the Town Engineering Department.
- 3) Ammonia System - Leakage of ammonia coolant was a concern expressed at the previous meeting. Mr. Pecorella indicated that the system will have a number of safety features built into it. Leak detectors will be installed which will automatically shut down zone by zone, or in its entirety, the cooling system; inside and outside control

RE: Allied Frozen Storage
DATE: Monday, February 1, 1988
Page 2

panels will be provided for manual shut-down of part or all of the system; and an automatic signalling system will notify a central station or fire dispatch of any problem. The system is also designed to shut down if there is a loss of pressure or power outage. Self contained breathing apparatus will be provided at the facility in the event of a leak. Mr. Pecorella has also contacted the Town of Cheektowaga Disaster Coordinator, Earl Loder, and will formulate an emergency preparedness plan with the Town.

- 4) Fire Protection - The Developer will coordinate with the Building Inspection Office and Town Fire Inspector the placement of an additional fire hydrant and water line, on the site, if is deemed necessary.

The determination of non-significance is based upon the following:

- 1) Drainage be approved by the Town Engineer and NYSDOT.
- 2) Curb cut/access to Broadway be approved by the NYSDOT.
- 3) Landscaping be approved by the Town Planning Board.
- 4) The specifications on baffling and fire protection systems be approved by the Building Inspector.

Some concern was expressed regarding the development of the balance of the property which is approximately 20 acres in size. The State regulations allow for segmentation of a large parcel, for review purposes, when information on future project phases are unknown, where development may or may not occur, and where future phases are functionally independent of current phases. Therefore it is appropriate for the Town to review the Allied facility only, and not the entire parcel.

At such time that the Allied Frozen Storage Inc. wishes to develop the parcel further, reviews will encompass all phases of development for the balance of the acreage.

TA:jd

copy: Town Clerk
Town Attorney

MEETING NO. 3
February 1, 1988

Item No. 17B Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, as part of the Town Traffic Improvement Program, the Town applied through the Niagara Frontier Transportation Committee (NFTC) to provide a traffic signal and intersection improvements at French Road and Azalea Drive, said funding approval also including the provision of an improved traffic signal at the intersection of East Delavan Avenue and Pine ridge Road, and

WHEREAS, the New York State Department of Transportation opened bids for traffic improvements for the previously stated intersections (PIN 5752.47.101) on December 17, 1987, with the low bid for said improvements significantly exceeding the amount budgeted by the State for this project and, for which additional funds are not currently available, NOW, THEREFORE, BE IT

RESOLVED that so as to progress with the Town Traffic Improvement Program, this Town Board hereby petitions the New York State Department of Transportation to proceed with the award of the contract for improvements to French Road and Azalea Drive, deleting bid items in the current contract specifications for improvements to East Delavan Avenue and Pine Ridge Road to be scheduled at a later date when appropriate funds are available, AND, BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to the Regional Director of the Department of Transportation, Robert J. Russell, AND, BE IT FURTHER

RESOLVED that it is the intention of this Town Board to pursue improvements to the East Delavan Avenue/Pine Ridge Road intersection by submitting a new application to the Niagara Frontier Transportation Committee.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, Jiggs Lewin Company, Inc., the developer of the Babbette Subdivision in the Town of Cheektowaga has completed the installation of the street lighting system as required in conjunction with said subdivision, and

WHEREAS, in accordance with the Public Improvement Permit Ordinance, the developer has previously placed funds in escrow with the Town as surety, in lieu of a Performance Bond, to guarantee installation of the subject street lighting system, NOW, THEREFORE, BE IT

RESOLVED that the sum of \$3,000.00 currently being held in escrow by the Town, together with any accrued interest, be released to the person or persons who had deposited same, AND, BE IT FURTHER

RESOLVED that the luminaires, fiberglass standards, conductors and conduit, (Standards No. 1, 2, 3, 4, & 5) whose ownership has been transferred to the Town, are to be maintained by the Town of Cheektowaga; and the connections, energy and lamp replacements are to be supplied by the New York State Electric & Gas Corporation.

Standard No. 1 West side of Babbette Drive, northeast corner of
S.L. 25

MEETING NO. 3
February 1, 1988

Item No. 19 Cont'd.

Standard No. 2	West side of Babbette Drive, mid-point of S.L. 25
Standard No. 3	West side of Babbette Drive, between S.L. 22 and S.L. 23
Standard No. 4	West side of Babbette Drive, mid-point S.L. 20
Standard No. 5	West side of Babbette Drive, mid-point S.L. 17

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 20A Motion by Councilman Johnson Seconded by Councilman Jaworowicz

BE IT RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to disconnect two (2) 7000 lumen mercury vapor luminaires on poles 240-101 and 240-102 located on Town property south of the Cheektowaga Highway Department Garage, for a one time charge of \$303.44, which represents unrecovered costs to New York State Electric & Gas Corporation for luminaires, wood poles and related equipment, AND, BE IT FURTHER

RESOLVED that the Town Highway Department is authorized to remove two (2) 35 foot standards (poles 240-101 and 240-102), brackets and wiring upon disconnection by New York State Electric & Gas Corporation, AND, BE IT FURTHER

RESOLVED that an annual decrease in the General Lighting District of \$226.28 will result upon removal of the above stated lighting facilities, in accordance with the attached proposal submitted by New York State Electric & Gas Corporation.

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



January 20, 1988

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Union Road (lights south of Highway Dept. Bldg)

Remove 2-7000 lumen MV lamps @ \$113.14 ea. ----- \$ 226.28
Poles 240-101, 240-102, Line 423 (ANNUAL DECREASE)

Associated with the two (2) 7000 lumen mercury vapor fixtures that were installed only for street lighting are two (2) 35-ft. poles, two (2) brackets and 234 ft. of duplex wire. The unrecovered cost for this equipment is \$303.44. If NYSEG removes this equipment, there will be a labor charge of \$300.00 which will include filling in the holes. The Town may save the \$300.00 labor charge by removing and disposing of all equipment. (NYSEG will disconnect duplex wire from P-240). A one-time charge of \$303.44, or \$603.44 less salvage value of equipment removed, will be billed to the Town when NYSEG's work is field completed.

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February 1, 1988

Item No. 20A Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 20B Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga Highway Department has recently constructed a roadway connection linking Dean Road and Hyland Road at the northernmost portion, which currently lacks street lighting, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to connect one (1) 5200 lumen H.P.S. luminaire under P.S.C. #118, Rate No. 1, resulting in an annual increase to the Town's General Lighting District of \$55.74, AND, BE IT FURTHER

RESOLVED that in conjunction with the installation of the street light installation for the aforesaid highway connection, the Town of Cheektowaga shall furnish and install a 30 foot wood pole, and furnish the bracket and luminaire to be installed by New York State Electric & Gas Corporation for a one-time charge of \$100.00 in accordance with the attached proposal dated January 28, 1988 which is hereby made a part of this resolution.

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

NYSEG

January 28, 1988

STREET LIGHTING PROPOSAL TOWN OF CHEEKTOWAGA

New street between north ends of Dean & Hyland Streets

Rate #1

Connect 1-5200 lumen HPS lamp @ \$55.74 ea. ----- \$ 55.74
Pole 26-1, Line 1840

Town to supply and install 30-ft. new wood pole.

Town to supply bracket and complete 70-watt hps fixture.

NYSEG to install bracket, 70-watt HPS fixture and necessary wiring for a one-time charge of \$100.00

NYSEG to own and maintain all equipment.

A Town of Cheektowaga resolution accepting this proposal grants material supplied by the Town to NYSEG.

(this proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of Cheektowaga.

MEETING NO. 3
February 1, 1988

Item No. 20B Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the Niagara Mohawk Power Corporation be and hereby is authorized to convert a total of twenty-two (22) existing 175 Watt Mercury Vapor street lighting luminaires located on Adlon Place, Bell Street, Olcott Place, Pine Ridge Terrace and Vera Avenue in the Town of Cheektowaga, to more efficient 100 Watt High Pressure Sodium, including the installation of One (1) additional 100 Watt High Pressure Sodium luminaire and wood pole on Adlon Place resulting in an annual increase to the General Lighting District of \$19.04 in accordance with the attached proposal which is hereby made a part of this resolution.

*SEE NEXT PAGE FOR COPY OF PROPOSAL FROM NIAGARA MOHAWK POWER CORPORATION.

TOWN OF CHEEKTOWAGA
TOWN PARK AREA
STREET LIGHT PROPOSAL

GENERAL DESCRIPTION

- 1) Eliminate "dark spot" on Adlon pole with the addition of new wood pole with a 100 Watt High Pressure Sodium Lamp & Luminaire unit.
- 2) Upgrade existing lighting in the Adlon Place Area (see enclosed area map).

DETAILS

- A) New Install:
- | | |
|--------------|--|
| Adlon Place | 1 - Wood Pole |
| (see sketch) | 1 - 100 Watt High Pressure Sodium Lamp and Luminaire |

B) Head Changes:

Remove - 175 Watt Mercury Vapor Street Light
Install - 100 Watt High Pressure Sodium Street Light

<u>STREET NAME</u>	<u>POLE NUMBERS</u>	<u>QUANTITY</u>
1. Adlon Place	24, 32	2
2. Bell Street	21	1
3. Olcott Place	2, 4, 10, 20, 40, 50, 61, 66	8
4. Pine Ridge Terr.	8, 16, 28, 36, 44, 62, 68	7
5. Vera Avenue	1, 15, 23, 31	4
TOTAL HEADCHANGES:		22

BILLING

Annual Increase - \$19.04

MEETING NO. 3
February 1, 1988

Item No. 20C Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 20D Motion by Councilman Johnson Seconded by Councilman Jaworowicz

BE IT RESOLVED that the Niagara Mohawk Power Corporation be and hereby is authorized to convert a total of twenty-five (25) existing 175 Watt mercury vapor street lighting luminaires located on David Avenue and Parkedge Drive in the Town of Cheektowaga to more efficient 100 Watt high pressure Sodium, including the installation of One (1) additional 100 Watt high pressure sodium luminaire and wood pole at the Parkedge Drive pedestrian bridge resulting in an annual decrease to the General Lighting District of \$.82 in accordance with the attached proposal which is hereby made a part of this resolution.

*SEE NEXT PAGE FOR PROPOSAL FROM NIAGARA MOHAWK POWER CORPORATION

TOWN OF CHEEKTOWAGA
TOWN PARK AREA
STREET LIGHT PROPOSAL

GENERAL DESCRIPTION

- 1) Provide security light for footbridge over Scajaquada Creek at David Street (see enclosed sketch).
- 2) Upgrade existing lighting in the Town Park Area.

DETAILS

- A) New Install:
at Footbridge 1 - Wood Pole
 1 - 100 Watt High Pressure Sodium
 Lamp and Luminaire
- B) Head Changes:

Remove - 175 Watt Mercury Vapor Street Light
Install - 100 Watt High Pressure Sodium Street Light

<u>STREET NAME</u>	<u>POLE NUMBERS</u>	<u>QUANTITY</u>
1. David Avenue	12, 24, 36, 48, 64, 74 86, 98, 110, 120, 134, 144, 158	13
2. Parkedge Drive	2, 16, 34, 56, 76, 84, 94, 114, 134, 154-1, 169, 169-1	12
TOTAL HEADCHANGES:		25

Note = Pole #167 Parkedge Drive has 100 Watt High Pressure Sodium installed earlier.

BILLING

Annual Decrease - \$.82

MEETING NO. 3
February 1, 1988

Item No. 20D Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 20E Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

WHEREAS, the Town Facilities Department has received an offer from Holiday Twin Rinks to purchase two sets of hockey goals for \$500, and

WHEREAS, such hockey goals are surplus to the Town's needs, and

WHEREAS, \$500 is the reasonable value of such hockey goals, NOW,
THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes the sale of the Town's two sets of Art Ross Hockey Goals for \$500 to Holiday Twin Rinks.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 20F Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

WHEREAS, the Facilities Department has thirty-one surplus Crouse Hinds light fixtures which were removed from the Maryvale and Dingens pools, and

WHEREAS, these light fixtures are obsolete and have no resale value,
and

WHEREAS, the Director of the Facilities Department has requested permission to dispose of these light fixtures, NOW, THEREFORE, BE IT

RESOLVED that the Director of the Facilities Department be and hereby is authorized to dispose of the aforementioned light fixtures in the manner he deems advisable, and BE IT FURTHER

RESOLVED that the Sanitation Department cooperate and assist the Director of the Facilities Department in disposing of such light fixtures.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 1st, 1988 are hereby approved and the Supervisor is ordered to pay said warrants.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$154,197.69
SPECIAL DISTRICT FUND	83,887.50
HIGHWAY FUND	54,622.40
CAPITAL FUND	53,019.86
TRUST AND AGENCY FUND	15,710.12
HUD-CDBG FUND	7,423.79
PART TOWN FUND	2,784.10
	<u>\$371,645.46</u>

MEETING NO. 3
February 1, 1988

Item No. 21 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

II. FROM THE TABLE

Item No. 22 Transfer of funds

Motion by Councilman Gabryszak Seconded by Councilman Johnson

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

GENERAL FUND

FROM:	1220.4506	Accounting & Auditing	\$ 830.00
	1440.1406	Junior Engineer	26,081.00
	1910.4711	Contingency	7,170.00
TO:	1220.1310	Budget Director	\$ 5,000.00
	1440.1406	Assistant Town Engineer	39,081.00

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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Building Permits
Received and filed.

Item No. 24 Town Justices Henry Gabryszak and John Rogowski: 1987 Justice Court
Report.
Received and filed.

Item No. 25 Julia Reinstein: Annual report of Town Historian
Received and filed.

Item No. 26 Office of Disaster Preparedness: Quarterly report from October to
December 1987.
Received and filed.

Item No. 27A Cheektowaga Planning Board: Minutes of December 1987 meeting.
Received and filed.

Item No. 27B Cheektowaga Traffic Safety Commission: Minutes of January 1988
meeting.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 28A Erie and Niagara Counties Regional Planning Board: Referral Response regarding construction of Automatic Flight Service Station
Copies were sent to: Frank E. Swiatek, Supervisor; Karen McAuley, Council Secretary; Chester Bryan, Town Engineer; Sam LaGreca, Employment and Training Director II; and Ronald Marten, Building Inspector.
Received and filed.

Item No. 28B Erie and Niagara Counties Regional Planning Board: Referral Response regarding: Property Acquisition - 199 Aero Drive.
Copies were sent to: Frank E. Swiatek, Supervisor; Karen McAuley, Council Secretary; Chester Bryan, Town Engineer; Sam LaGreca, Employment and Training Director II; and Ronald Marten, Building Inspector.
Received and filed.

Item No. 29 Summons and Complaint: Antoinette Paterson vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph Naples & Associates, Town's Insurance Carrier; and Richard Koszuta, Central Garage Foreman.
Received and filed.

Item No. 30 Verified Complaint: Becky Eckert and Thomas Eckert vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Laverack & Haines, Town's Insurance Carrier; Robert Lis, Chief of Police
Received and filed.

Item No. 31 Notice of Claim: Marie Yetman vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph Naples, Town's Insurance Carrier; Ronald Zoeller, Working Crew Chief of Sanitation Department.
Received and filed.

Motion by Supervisor Swiatek Seconded by Councilman Johnson to suspend the rules to include the following four (4) items, and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk

Kazukiewicz and Solecki

NAYES: 0
ABSENT: 0

V. SUSPENSION OF RULES

Item No. 32 Memorialize Governor and State Legislature to enact Senate Bill No. 4259-A regarding special educational services for handicapped pre-schoolers.

Motion by Councilman Kazukiewicz Seconded by Councilman Gabryszak

WHEREAS, legislation has been proposed in the State Senate (Senate Bill No. 4259-A) which would amend the Education Law and Family Court Act to allow pre-schoolers with handicapping conditions to receive special educational services during July and August prior to their initial year of entry into schools, and

WHEREAS, such proposed legislation will facilitate the transition of such pre-schoolers into the public school system in September with minimal disruption, and

WHEREAS, such legislation also provides for 90% State reimbursement to the County for the provision of such services, and

WHEREAS, this Town Board is in favor of such legislation as a means to help the children of our community, NOW, THEREFORE, BE IT

RESOLVED that the New York State Legislature and Governor Cuomo be and hereby are memorialized to enact Senate Bill No. 4259-A as quickly as possible, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Senator Dale M. Volker, Governor Mario M. Cuomo and to the Speakers of the State Senate and Assembly.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 33 Accept proposal of Nussbaumer & Clarke, Inc. for additional clerical classification in association with review of plans and inspection of proposed Walden Galleria Project.

Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board approved the proposal of Nussbaumer & Clarke, Inc., dated January 14, 1988, for the provision of consulting engineering services for the review of plans and to provide inspection services involved with the proposed Walden Galleria Project under the Public Improvement Ordinance, AND

WHEREAS, said Nussbaumer & Clarke, Inc., in their letter of January 29, 1988 to the Town Engineer, suggested the addition of a clerical classification to be added to the original agreement dated January 14, 1988 as a means of utilizing a lower classification so as to effect savings in their provision of general office work associated with their review, report, and inspection process, NOW, THEREFORE, BE IT

RESOLVED that this proposal of Nussbaumer & Clarke, Inc., dated January 29, 1988, as submitted to the Town Engineer, for the addition of a clerical classification be and hereby is accepted, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign said agreement with Nussbaumer & Clarke, Inc.

MEETING NO. 3
February 1, 1988

Item No. 33 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 34 Authorize Town Engineer to prepare request for grant increases for inflow/infiltration corrective work and for construction of interceptor sewer on Clinton Street.

Motion by Councilman Johnson Seconded by Supervisor Swiatek

WHEREAS, this Town Board, acting in the capacity of the Board of Managers of the town's Sanitary Sewer District No. 3, accepted Grant No. C-361290-02 for the implementation of inflow/infiltration corrective work and Grant No. C-361290-03 for construction of an interceptor sewer on Clinton Street, and the modification of flow control facilities under the Federal Clean Water Act from the U.S. Environmental Protection Agency by resolution dated October 19, 1987, and

WHEREAS, at a bid opening on December 21, 1987 bids were publicly opened for Sewer District No. 3 Remedial Work, for which the aforesaid grant monies are to be applied, and

WHEREAS, the low bids received for Contract No. 1, Sewer District No. 3 Sewer System Rehabilitation, and Contract No. 2, Clinton Street Interceptor Sewer and Plant No. 3 Modifications significantly exceed the pre-bid estimates which established the appropriate Federal, State and local funding shares, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby directs the Town Engineer to prepare a request for grant increases to Grant No. C-361290-02 and Grant No. C-361290-03 so that funding levels are proportionate with the project costs as indicated by recently received bids, AND, BE IT FURTHER

RESOLVED that a certified copy of this resolution be sent to the attention of Mr. John E. Corp, P.E., Central/Western Projects Bureau, New York State Department of Environmental Conservation.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 35 Decision on Special Use Permit: 899 French Road

Motion by Supervisor Swiatek Seconded by Councilman Johnson

RESOLVED that the Special Permit to use property for on premises consumption of beer and wine on property located at 899 French Road, Cheektowaga, New York, be and the same hereby is granted.

*SEE NEXT PAGE FOR COPY OF DEED DESCRIPTION.

899 FRENCH ROAD
CHEEKTOWAGA, NEW YORK

All that tract or parcel of land situate in the Town of Cheektowaga,
County of Erie, and State of New York being part of lot number 51, Township 10,
Range 7 of the Buffalo Creek Reservation described as follows:

Beginning at the point of intersection of the South line of French Rd.,
as now laid out, and the East line of lands conveyed to Curtis J. Lehde by
deed recorded in Liber 6051 of Deeds at pages 409 and 413; running thence
Southerly along the East line of lands so conveyed to Curtis J. Lehde by
deeds aforesaid, 164.69 feet to a point; thence Westerly at right angles
to the last described line, 118.65 feet to a point; thence Northerly at right
angles to the last described line, 174.20 feet to the South line of French Road,
as now laid out; thence Easterly along South line of French Rd., as now laid out,
101.48 feet to an angle point therein; thence Southeasterly forming an interior
angle of 171 degrees 59 minutes 17 seconds and continuing along the South
line of French Rd., as now laid out, 17.70 feet to the point of beginning.

MEETING NO. 3
February 1, 1988

Item No. 35 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT ON NEXT PAGE

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

Justine Dombik....., 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... FEB 04 1988 ;
last publication... FEB 04 1988 ;
and that no more than six days intervened be-
tween publications.

Justine Dombik.....
Sworn to before me this 4.....
day of February....., 1988..
Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 19 89

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 1st day of February, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilmen -

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard B. Solecki

ABSENT: 0

Motion by Supervisor Swiatek

Seconded by Councilman Johnson

RESOLVED that the Special Permit to use property for on premises consumption of beer and wine on property located at 899 French Road, Cheektowaga, New York, be and the same hereby is granted.

899 French Road

Cheektowaga, New York

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie, and State of New York being part of lot number 51, Township 10, Range 7 of the Buffalo Creek Reservation described as follows:

Beginning at the point of intersection of the South line of French Rd., as now laid out, and the East line of lands conveyed to Curtis J. Lehde by deed recorded in Liber 6851 of Deeds at pages 409 and 413; running thence Southerly along the East line of lands so conveyed to Curtis J. Lehde by deeds aforesaid, 164.69 feet to a point; thence Westerly at right angles to the last described line, 118.65 feet to a point; thence Northerly at right angles to the last described line, 174.20 feet to the South line of French Road, as now laid out; thence Easterly along South line of French Rd., as now laid out, 101.48 feet to an angle point therein; thence Southeasterly forming an interior angle of 171 degrees 59 minutes 17 seconds and continuing along the South line of French Rd., as now laid out, 17.70 feet to the point of beginning.

Upon roll call:

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 1 1988 and minutes of said meeting have 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. 35, 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 1st day of February, 1988.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 4, 1988

MEETING NO. 3
February 1, 1988

Item No. 36 Motion by Councilman Kazukiewicz Seconded by Councilman Kulyk to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

PUBLIC HEARINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 4 February 22, 1988</u>		
2	Increase & Improvement of facilities of Sanitary Sewer Dist. #3	1
3	Amendment to Traffic Ordinance - Art. VIII "Stop & Yield Intersections" - Bellevue Avenue and Miami Parkway	2
<u>Meeting No. 5 March 7, 1988</u>		
2	Amend Chapter 78 of the Code of the Town of Cheektowaga (Vehicles, Removal and Storage) Section 78-13 - fee schedule	1-2

RESOLUTIONS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 4 February 22, 1988</u>		
4	Amend Rules of Procedure regarding Roll Call on resolutions	2
5	Bond Resolution regarding Increase & Improvement of facilities of Sanitary Sewer District #3	2
6	Decision on Special Use Permit - 159 Grunner Road	6
7	Call for public hearing to amend Chapter 78 of the Code of the Town of Cheektowaga (Vehicles, Removal & Storage)	4-5
8	Authorization to purchase ten (10) police vehicles	6
9	AWARD OF BIDS:	6
	a. One Tractor/flail mower for Facilities	7
	b. Work Uniforms	7
10	NOTICE TO BIDDERS:	8
	a. Athletic White Stripe	9
	b. Corrugated Metal Pipe and reinforced concrete pipe	10
	c. Custodial supplies	11
	d. One portable air compressor - Highway	12
	e. Dimensional & Pressure treated lumber for 1988	13
	f. Portable chemical toilets	14
	g. Furnishing of equipment & operators for public works projects	15
	h. Removal & disposal of underground fuel storage tanks	16
	i. Topsoil for 1988 season	17
	j. Traffic control signs, street name signs and brackets	18
11	Hiring of law firm as legal counsel to Town Board	19
12	Accept proposal from Nussbaumer & Clarke to do drainage plan for Kennedy/Lemoine/Wallace/Grunner area	19-20
13	Offer to purchase Alexander Street school	20-21
14	AUTHORIZE SUPERVISOR TO SIGN/EXECUTE:	21
	a. Application with N.Y.S. Council on the Arts	21-22
	b. Forms regarding State Funds for assisting in local building and fire prevention code enforcement	23
	c. Memorandum of Agreement with Town of Cheektowaga Employees' Association regarding trailer	24
	d. Memorandum of Agreement with Town of Cheketowaga Employees' Association regarding Sanitation	24-25
	e. Agreement with Camp Fire Council of Buffalo & Erie County	25
15	Settlement of Claim served on Town	25-26
16	Permission to install two (2) hydrants in Phase 8 of Losson Green Estates Subdivision	26-27
17	Establishment of Recreation Fees	27
18	Renewal of ambulance driver/attendant license(s)	28
19	Request N.Y.S. Dept. of Environmental Conservation to give consideration to sites abutting Ellicott Creek for public access	28
20	Salary listing for non-union personnel	29
21	Reappointment to Planning Board	29
22	APPOINTMENTS:	29
	a. Working Foreman in Sewer Maintenance Department	29
	b. Position of Detective (permanent)	29
	c. Automotive Mechanic Foreman in Central Garage	29
	d. Assistant Plumbing Inspector (Provisional)	29
23	TERMINATIONS OF PART-TIME SEASONAL:	29-30
	a. Facilities	30
	b. Various Department	30
24	Hiring of seasonal/part-time employees in various departments	30
25	AUTHORIZATION TO ATTEND MEETINGS/SEMINARS:	31
	a. Fire Inspector	31
	b. Inspectors from Community Development & Bldg. Dept.	31

RESOLUTIONS cont'd

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 4 February 22, 1988 cont'd</u>	
25	AUTHORIZATION TO ATTEND MEETINGS/SEMINARS cont'd	
	c. Members of Town of Cheektowaga Employees' Association	31-32
	d. Chairman of Traffic Safety Board	32
	e. Director of Youth Bureau	32
26	CHANGE ORDERS:	
	a. Vale Drainage Project, Phase II	32
	b. Sanitary Sewer District #5 Interceptor Sewer Project	33
	c. Reroofing of several Town buildings	33
27	Transfer of Funds	33-34
28	Warrant List	34

Meeting No. 5 March 7, 1988

3	Decision on amendment to Traffic Ordinance - Art. VIII "Stop and Yield Intersections" - Bellevue Avenue and Miami Parkway	2-3
4	CALL FOR PUBLIC HEARING:	
	a. Obtain views of Town residents regarding Community Development and housing needs	4-5
	b. Rezoning at 2657 Harlem Road	6
	c. Special Use Permit at 1249 Walden Avenue	7
5	NOTICE TO BIDDERS:	
	a. One (1) new and unused 1988 Model Rubber Tire Asphalt Paver for Highway	8
	b. One (1) new and unused 1988 Model Two-Wheel Driver, 3/4 ton Pick-up truck for Highway	9
	c. One (1) new & unused 1988 Model Combination Vacuum Catch Basin & Sewer Cleaner with high pressure Jet Rodder on new Truck Chassis	10
	d. Pool Maintenance Chemicals	11
	e. Furnishing of manhole castings with self-sealing covers and manhole castings with vented type covers	12
6	AWARD OF BIDS:	
	a. One (1) portable air compressor	13
	b. Topsoil	13-14
	c. Application of ehcmical fertilizers & herbicides	14-15
	d. Storm Sewer cleaning	15-16
	e. Removal of sludge from old Wastewater Treatment Plant No. 5	16-17
	f. Leasing and servicing of portable chemical toilets	17
	g. Athletic white stripe	17
7	Award contract for provision of solid waste disposal service	17-19
8	Termination of employees in Facilities Department	19
9	APPOINTMENT OF:	
	a. Automotive Mechanic Foreman in Central Garage	19
	b. Working Foreman in Sewer Maintenance Department	19
10	Hiring of consultant for road improvement reports	19-20
11	Authorize Town Engineer to secure services of Conservation Consultants for resolving erosion control problems	20
12	Addition of member to Ad Hoc Personnel Committee	20-21
13	Adopt Town of Cheektowaga Investment Policies & Guidelines	21-22
14	ESTABLISH:	
	a. Purchasing Committee and appointments to same	22
	b. Cheektowaga Sports Panel and appointments to same	22
15	Request waiver from E.C. Board of Elections regarding Inaccessible Polling Place	22-23
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MEETING NO. 4
February 22, 1988

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 22nd day of February, 1988 at 7:00 o clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Robert Lis, Chief of Police; Chris Kowal, Highway Superintendent; James Matecki, Facilities Director; Ken Kopacz, Executive Director of Youth Bureau; Ron Marten, Building and Plumbing Inspector; Sal LaGreca, Employment and Training Director II; Mike Miecznikowski, Recreation Director; William Pugh, Assistant Town Engineer; Donald Wegner, Chairman of Zoning Board; Ted Brudz, Assistant Foreman in Wastewater Treatment Plant.

I. PUBLIC HEARINGS

Item No. 2 Increase & Improvement of facilities of Sanitary Sewer District #3

* See next pages for information on hearing.

** Also, See Item No. 5 for Bond Resolution regarding same.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

FEBRUARY 22, 1988

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, in said Town, on FEBRUARY 22, 1988, at 7:00 o'clock P.M. (Prevailing Time)

There were present: Honorable Frank E. Swiatek, Supervisor; and
Thomas M. Johnson, Jr., Councilman
Patricia A. Jaworowicz, Councilman
Dennis H. Gabryszak, Councilman
Andrew A. Kulyk, Councilman
Leo T. Kazukiewicz, Councilman
Richard B. Solecki, Councilman

There were absent:

Also present: Richard M. Moleski, Town Clerk
James Kirisits, Town Attorney

* * *

At 7:00 o'clock P.M. (Prevailing Time) the Town Clerk stated that a public hearing had been called for this meeting at the Town Hall, Broadway and Union Road, in said Town at 7:00 o'clock P.M. (Prevailing Time) to consider an increase and improvement of facilities of Sanitary Sewer District No. 3 in the Town of Cheektowaga, and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law. The Town Clerk read, in full, the notice calling said public hearing and presented affidavits showing that certified copies of said notice had been duly published and posted pursuant to the provisions of Article 12 of the Town Law.

The Supervisor stated that the hearing in the said matter was now open and asked if there were any interested persons present who desired to be heard. The following persons appeared in favor of the increase and improvement of facilities of said Sanitary Sewer District No. 3:

NONE

The following persons appeared in opposition to said increase and improvement of facilities:

NONE

The Town Clerk reported that the following pertinent communications had been received:

NONE

The Town Clerk then read such communications to the meeting.

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

* * *

On motion of Councilman Johnson duly seconded by
Councilman Kulyk, the following Resolution and Order After
Public Hearing was duly declared adopted on the following roll
call vote:

AYES: Supervisor Frank E. Swiatek; Councilmen Thomas M. Johnson, Jr.,
Patricia A. Jaworowicz, Dennis H. Gabryszak, Andrew A. Kulyk, Leo
T. Kazukiewicz, Richard B. Solecki

NOES: None

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the 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 VIII
Stop and Yield Intersections

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
BELLEVUE AVE.	East-west	PARK STREET	Northbound	S.E. Corner
MIAMI PARKWAY	East-west	PETAN DRIVE	Northbound	S.E. Corner

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

II. RESOLUTIONS

Item No. 4 Motion by Councilman Kulyk, Seconded by Councilman Kazukiewicz

WHEREAS, this Town Board adopted rules of procedure at its reorganization meeting on January 4, 1988, and

WHEREAS, no formal guidelines were specifically stated in these rules as to the calling of the roll when voting on each resolution, and

WHEREAS, in the past, the calling of the roll was done by individually asking each Town Board member to say "Aye" or "Naye", and

WHEREAS, the Town Board has recently adopted an informal policy of suspending such a calling of the roll by asking for unison "Aye" and "Naye" votes on all resolutions, unless a Town Board member requests a formal calling of the roll, and

WHEREAS, each Town Board member should be compelled to individually cast a vote on each and every resolution, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby amends its rules of procedure adopted at its reorganization meeting of January 4, 1988, to include the following rules of procedure:

6. Following the reading of each resolution, the Supervisor will ask to the Town Clerk to call for the roll. The Town Clerk will call on each Town Board member individually and ask that member to register his/her vote verbally. Councilmen will be called upon first, in order of seniority, with the Supervisor to be called upon last.

Upon Roll Call....

AYES: Councilmen Jaworowicz, Kulyk, and Kazukiewicz
NAYES: Supervisor Swiatek, Councilmen Johnson, Gabryszak and Solecki
ABSENT: 0

THIS RESOLUTION WAS DENIED!

Item No. 5 Bond Resolution regarding Increase & Improvement of facilities of Sanitary Sewer District #3

* See next pages for Resolution and Affidavits of Publication

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, in said Town, on the 22nd day of February, 1988.

PRESENT:

Hon. Frank E. Swiatek,	Supervisor
Thomas M. Johnson, Jr.	Councilman
Patricia A. Jaworowicz	Councilman
Dennis H. Gabryszak	Councilman
Andrew A. Kulyk	Councilman
Leo T. Kazukiewicz	Councilman
Richard B. Solecki	Councilman

In the Matter
of the

Increase and Improvement of Facilities of
Sanitary Sewer District No. 3, in the Town of
Cheektowaga, in the County of Erie, New York
pursuant to Section 202-b of the Town Law.

RESOLUTION AND
ORDER AFTER PUBLIC
HEARING

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, on behalf of Sanitary Sewer District No. 3, in the Town (herein called "District"), has requested Chester L. Bryan, the Town Engineer, duly licensed by the State of New York (herein called "Engineer"), to prepare a preliminary map, plan and report for the increase and improvement of facilities of the District consisting of the reconstruction of sanitary sewers and manholes at various locations in the District to reduce infiltration and inflow of non-sanitary sewer elements into the system; the construction of approximately 1,040 feet of an 18 inch interceptor sewer along the south side of Clinton Street, west of Harlem Road; and the construction of improvements to the flow control facilities which regulate sanitary flows to the Erie County Sewer District No. 4 trunk sewer, including the construction of a new building to house the flow control equipment; and including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required therefor, at a cost not to exceed \$ 2,000,000 ; and

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NO.

WHEREAS, the Engineer completed such map and plan and estimate of cost and filed same with the Town Board, the Town Board thereafter adopted an order describing in general terms the proposed increase and improvement of the facilities, specifying the estimated cost thereof, and stating that the Town Board would meet to hear all persons interested in said increase and improvement of facilities on FEBRUARY 22, 1988 at 7:00 o'clock P.M. (Prevailing Time) at the Town Hall, Broadway and Union Road, in the Town; and

WHEREAS, copies of such Order, certified by the Town Clerk, were duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 22nd day of February, 1988 at 7:00 o'clock P.M. (Prevailing Time) at the Town Hall, Broadway and Union Road, in the Town, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities;

Now, therefor, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$ 2,000,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineers hereafter to be retained by the Board shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities and with the assistance of James Kirisits, Esq., prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$ 2,000,000 serial bonds of the Town, and the cost of said facilities, including both payment of principal of and interest on said bonds and operation and maintenance, shall be paid by the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefitted by said facilities so much upon and from each as shall be in just proportion to the amounts of benefit which the improvement shall confer upon the same; and any amounts received from the United States of America and/or the State of New York shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as

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an offset to the taxes and/or assessments to pay the principal of and interest on said bonds; and it is hereby

FURTHER ORDERED, that the Town Clerk record a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: FEBRUARY 22, 1988

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Frank E. Smith
Supervisor

James H. Labovack
Councilman

Richard B. Black
Councilman

Andrew A. Kubit
Councilman

Thomas M. Elms
Councilman

William J. [unclear]
Councilman

John J. [unclear]
Councilman

(SEAL)

Members of the Town Board of the Town
of Cheektowaga, New York

STATE OF NEW YORK)
 : ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office on the 22nd day of February, 1988 and the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 22nd day of February, 1988.

(SEAL)

Richard M. Moleski
Town Clerk

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Councilman Johnson offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF
CHEEKTOWAGA, NEW YORK, ADOPTED FEBRUARY
22, 1988, APPROPRIATING \$ 2,000,000
FOR THE INCREASE AND IMPROVEMENT OF
FACILITIES OF SANITARY SEWER DISTRICT NO.
3, IN SAID TOWN, AND AUTHORIZING THE
ISSUANCE OF \$ 2,000,000 SERIAL BONDS
OF SAID TOWN TO FINANCE SAID
APPROPRIATION, AND AUTHORIZING ANY
AMOUNTS RECEIVED FROM THE UNITED STATES
OF AMERICA AND/OR THE STATE OF NEW YORK
TO BE EXPENDED TOWARDS THE COST OF SAID
SPECIFIC OBJECT OR PURPOSE OR REDEMPTION
OF SAID BONDS ISSUED THEREFOR OR TO BE
BUDGETED AS AN OFFSET TO THE TAXES AND/OR
ASSESSMENTS FOR PAYMENT OF THE PRINCIPAL
OF AND INTEREST ON SAID BONDS

Recital

WHEREAS, following preparation of a map, plan and report for the increase and improvement of facilities of Sanitary Sewer District No. 3 (herein called "District"), in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, consisting of the reconstruction of sanitary sewers and manholes at various locations in the District to reduce infiltration and inflow of non-sanitary sewer elements into the

system; the construction of approximately 1,040 feet of an 18 inch interceptor sewer along the south side of Clinton Street, west of Harlem Road; and the construction of improvements to the flow control facilities which regulate sanitary flows to the Erie County Sewer District No. 4 trunk sewer, including the construction of a new building to house the flow control equipment; and including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required therefor, and after a public hearing duly called and held, the Town Board of the Town determined, that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved; now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEERTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town is hereby authorized to increase and improve the facilities of the District by the reconstruction of sanitary sewers and manholes at various locations in the District to reduce infiltration and inflow of non-sanitary sewer elements into the District; the construction of approximately 1,040 feet of an 18 inch interceptor sewer along the south side of Clinton Street, west of Harlem Road; and the construction of improvements to the flow control facilities which regulate sanitary flows to the Erie County Sewer District No. 4 trunk sewers, including construction of a new building to house the

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flow control equipment; and including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required therefor; all in accordance with the map, plan and report prepared by Chester L. Bryan, the Town Engineer, duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$ 2,000,000 serial bonds of the Town to finance said appropriation, and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefitted by said facilities so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the principal of and interest on said bonds; and amounts received from the United States of America and/or the State of New York shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as an offset to the taxes and/or assessment to pay the principal of and interest on said bonds.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of \$ 2,000,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the

State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued within the limitations of Section 11.00.a. 4 of the Law, is forty (40) years years.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00 d. (3)(1) of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds, shall be general obligations of the Town payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of the bonds and provision shall be made annually in the budget of the Town by appropriation for (a)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on FEBRUARY 22, 1988 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 22nd day of February, 1988.

Richard M. Moleski
Town Clerk

(SEAL)

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the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said Notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

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Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Kulyk and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

Councilman Johnson offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,
IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby directed to publish the foregoing bond resolution, in full, in the "CHEEKTOWAGA TIMES" a newspaper published in Cheektowaga, New York, and having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Kulyk and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

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

Justine Deneb....., 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..... FEB 25 1988 ;
last publication..... FEB 25 1988 ;
and that no more than six days intervened be-
tween publications.

Justine Deneb.....
Sworn to before me this 25th
day of February, 1988
Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED FEBRUARY 22, 1988, APPROPRIATING \$2,000,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF SANITARY SEWER DISTRICT NO. 3, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$2,000,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION, AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF SAID BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES AND/OR ASSESSMENTS FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

Recital

WHEREAS, following preparation of a map, plan and report for the increase and improvement of facilities of Sanitary Sewer District No. 3 (herein called "District"), in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, consisting of the reconstruction of sanitary sewers and manholes at various locations in the District to reduce infiltration and inflow of non-sanitary sewer elements into the system; the construction of approximately 1,040 feet of an 18 inch interceptor sewer along the south side of Clinton Street, west of Harlem Road; and the construction of improvements to the flow control facilities which regulate sanitary flows to the Erie County Sewer District No. 4 trunk sewer, including the construction of a new building to house the flow control equipment; and including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required therefor; and after a public hearing duly called and held, the Town Board of the Town determined, that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved; now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) **AS FOLLOWS:**

Section 1. The Town is hereby authorized to increase and improve the facilities of the District by the reconstruction of sanitary sewers and manholes at various locations in the District to reduce infiltration and inflow of non-sanitary sewer elements into the District; the construction of approximately 1,040 feet of an 18 inch interceptor sewer along the south side of Clinton Street, west of Harlem Road; and the construction of improvements to the flow control facilities which regulate sanitary flows to

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the Erie County Sewer District No. 4 trunk sewers, including construction of a new building to house the flow control equipment; and including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required therefor; all in accordance with the map, plan and report prepared by Chester L. Bryan, the Town Engineer, duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,000,000 serial bonds of the Town to finance said appropriation, and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem specially benefitted by said facilities so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the principal of and interest on said bonds; and amounts received from the United States of America and/or the State of New York shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as an offset to the taxes and/or assessment to pay the principal of and interest on said bonds.

Section 2. Serial bonds of the Town as hereby authorized to be issued in the principal amount of \$2,000,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued within the limitations of Section 11.00.A.4 of the Law, is forty (40) years.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00 d. (3)(1) of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of the bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 25, 1988

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bond, and the renewals of said Notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Notice

The resolution published herewith has been adopted on the 22nd day of February, 1988, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK is not authorized to expend money or if the provisions of law

February 25, 1988

Item No. 6 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, Kevin and John Drysdale applied for a Special Permit for automotive storage and offices on property located at 159 Gruner 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 1st day of February, 1988 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 159 Gruner Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment provided that the owner grades the lot and places and maintains an oil intercepting boom on such property, and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee, and

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions as recommended by the Environmental Advisory Committee, and further subject to the condition that a drainage plan acceptable to the Town Engineer is submitted.

* See next page for Deed Description

AFFIDAVIT - NEXT PAGE

Deed Description

ALL THAT TRACT OR PARCEL OF LAND, situated in Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number twenty-three (23), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, and further distinguished as Sub-division Lots Numbers seventy-two (72), seventy-three (73), seventy-four (74) and seventy-five (75) as shown on a map filed in Erie County Clerk's Office under Cover Number 337.

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

Justine Dembik....., 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..... FEB 25 1988 ;
last publication..... FEB 25 1988 ;
and that no more than six days intervened be-
tween publications.

Justine Dembik.....

Sworn to before me this^{25th}
day of February
....., 19⁸⁸..

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 159 Grunner Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment provided that the owner grades the lot and places and maintains an oil intercepting boom on such property, and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee.

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions as recommended by the Environmental Advisory Committee, and further subject to the condition that drainage plan acceptable to the Town Engineer is submitted.

Upon roll call...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE
AYES:	7
NAYES:	0
ABSENT:	0

Deed Description

ALL THAT TRACT OR PARCEL OF LAND, situated in Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number twenty-three (23), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, and further distinguished as Sub-division Lots Numbers seventy-two (72), seventy-three (73), seventy-four (74) and seventy-five (75) as shown on a map filed in Erie County Clerk's Office under Cover Number 337.

STATE OF NEW YORK COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 22 1988 and minutes of said meeting have duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board and such minutes appear at item No. 6, inclusive, of said book.

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

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

IN WITNESS/WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 22nd day of February, 1988.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: February 4, 1988

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 22nd day of February, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek

Councilmen -

Thomas M. Johnson, Jr.

Patricia A. Jaworowicz

Dennis H. Gabryszak

Andrew A. Kulyk

Leo T. Kazukiewicz

Richard B. Solecki

ABSENT: 0

Motion by Councilman Kulyk

Seconded by Councilman Gabryszak

WHEREAS, Kevin and John Drysdale applied for a Special Permit for automotive storage and offices on property located at 159 Grunner 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 1st day of February, 1988 at 6:30 o'clock P.M. on 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

Item No. 7 Motion by Councilman Jaworowicz, Seconded by Councilman Kazukiewicz

WHEREAS, the Chief of Police has recommended that Section 13 of Chapter 78 of the Code of the Town of Cheektowaga ("Vehicles, Removal and Storage") should be amended to reflect more reasonable fees for towing services provided by authorized Town towers, and

WHEREAS, the fees listed in Section 13 of said Chapter 78 have not been increased since Chapter 78 was enacted, and

WHEREAS, the proposed new fees are comparable and lower than what other municipalities allow, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 7th day of March, 1988 at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard; and at which time it shall be determined by the Town Board whether Section 13 of Chapter 78 of the Code of the Town of Cheektowaga, New York shall be amended as provided in the attached Notice of Hearing; and

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

* * * * *

NOTICE OF HEARING ON PROPOSAL TO AMEND

CHAPTER 78 OF THE CODE OF THE TOWN OF CHEEKTOWAGA

("Vehicles, Removal and Storage")

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on February 22, 1988, a public hearing will be held on March 7, 1988 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether Chapter 78 of the Code of the Town of Cheektowaga, New York shall be amended and changed as follows:

1. RESOLVED THAT Section 78-13 - Fee Schedule, shall be amended to read as follows:

§78-13 Fee Schedule.

Authorized town towers shall not charge more than the following fees for the following respective services:

A. Passenger vehicles and light trucks

- | | |
|--|---------|
| (1) Standard tow [Vehicles up to ten thousand (10,000) pounds]..... | \$40.00 |
| (2) Flatbed | \$55.00 |
| (3) Additional fees for labor, recover and towing: | |
| (a) Truck and driver hourly rate | \$60.00 |
| (b) Dolly wheels | \$15.00 |
| (c) Trailer for motorcycle, all terrain vehicle/cycle, snowmobile | \$15.00 |
| (d) Winching | \$15.00 |
| (4) Storage (per day) | \$ 7.00 |
| (5) Releasing vehicle after 5:00 p.m. weekdays, or other than required business hours on Saturdays, Sundays and holidays | \$15.00 |

MEETING NO. 4
February 22, 1988

Item No. 7 cont'd

B. Heavy trucks, buses, tractor-trailers, machinery.

- | | |
|---|---------|
| (1) Hook-up and tow vehicle over ten thousand (10,000) pounds | \$75.00 |
| (2) Additional labor fees for heavy vehicle recovery and towing: | |
| (a) Air hookup | \$10.00 |
| (b) Mechanically released brakes (per axle) ... | \$10.00 |
| (c) Drop trailer for tractor | \$12.00 |
| (d) Remove axle (per axle) | \$10.00 |
| (e) Remove drive shaft | \$25.00 |
| (f) Remove bumper | \$25.00 |
| (3) Trailer towed behind vehicle | \$30.00 |
| (4) Winching (hourly rate per truck) | \$75.00 |
| (5) Additional labor (hourly per person) | \$30.00 |
| (6) Flatbed (per hour) | \$75.00 |
| (7) Storage (per twenty-four-hour day): | |
| (a) Tractor, trailer or bus | \$12.00 |
| (b) Truck over twenty (20) feet long | \$12.00 |

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

Dated: February 22, 1988

RICHARD M. MOLESKI
Town Clerk

* * * * *

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Justine Dembik....., 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..... FEB 25 1988
last publication..... FEB 25 1988
and that no more than six days intervened be-
tween publications.

Justine Dembik.....

Sworn to before me this 25th

day of February 19⁸⁸

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

**Notice of Hearing
on Proposal to Amend Chapter 78**

**of
the Code of
the Town of Cheektowaga
(Vehicles, Removal and Storage)**

NOTICE IS HEREBY GIVEN
THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on February 22, 1988, a public hearing will be held on March 7, 1988 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether Chapter 78 of the Code of the Town of Cheektowaga, New York shall be amended and changed as follows:

1. **RESOLVED THAT** Section 78-13 - Fee Schedule, shall be amended to read as follows:

Section 78-13. Fee Schedule.

Authorized town towers shall not charge more than the following fees for the following respective services:

A. **Passenger vehicles and light trucks**

(1) **Standard tow [vehicles up to ten thousand (10,000) pounds]...\$40.00**

(2) **Flatbed...\$55.00**

(3) **Additional fees for labor, recovery and towing:**

(a) **Truck and driver hourly rate...\$60.00**

(b) **Dolly wheels...\$15.00**

(c) **Trailer for motorcycle, all-terrain vehicle/cycle, snowmobile...\$15.00**

(d) **Winching...\$15.00**

(4) **Storage (per day)...\$7.00**

(5) **Releasing vehicle after 5:00 p.m. weekdays, or other than required business hours on Saturdays, Sundays and holidays...\$15.00**

B. **Heavy trucks, buses, tractor-trailers, machinery.**

(1) **Hook-up and tow vehicle over ten thousand (10,000) pounds...\$75.00**

(2) **Additional labor fees for heavy vehicle recovery and towing:**

(a) **Air hookup...\$10.00**

(b) **Mechanically released brakes (per axle)...\$10.00**

(c) **Drop trailer from tractor...\$12.00**

(d) **Remove axle (per axle)...\$10.00**

(e) **Remove drive shaft...\$25.00**

(f) **Remove bumper...\$25.00**

(3) **Trailer towed behind vehicle...\$30.00**

(4) **Winching (hourly rate per truck)...\$75.00**

(5) **Additional labor (hourly per person)...\$30.00**

(6) **Flatbed (per hour)...\$75.00**

(7) **Storage (per twenty-four-hour day):**

(a) **Tractor, trailer or bus...\$12.00**

(b) **Truck over twenty (20) feet long...\$12.00**

**By order of
the Town Board**

of

**the Town of Cheektowaga,
Erie County, N.Y.**

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 25, 1988

MEETING NO. 4
February 22, 1988

Item No. 8 Motion by Councilman Jaworowicz, Seconded by Councilman Kazukiewicz

WHEREAS, there is a need in the Police Department for ten police sedans, and

WHEREAS, Mid-City Dodge, Inc., an auto agency which is on the State Bid Contract 30624, is offering a police package sedan vehicle for \$11,200.00, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby purchases ten police package sedan vehicles from Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York 14225 at a total cost of \$112,000.00, and BE IT FURTHER

RESOLVED that such moneys shall be appropriated out of the Police Department budget, line item 3120 2303.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 9a Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, sealed bids for one (1) tractor with flail mower for the Facilities Department were received and opened on February 1, 1988 at a public bid opening, and

WHEREAS, said bids were reviewed by the Town Engineer and his recommendations are contained in the attached letter dated February 9, 1988, NOW, THEREFORE, BE IT

RESOLVED that the bid for one (1) tractor with flail mower for the Facilities Department be awarded to Buffalo Tractor and Implement Company, Inc., 3045 Seneca Street, P.O. Box 318, Buffalo, New York 14224 for submitting the lowest bid in the amount of \$40,581.00, said bid meeting the requirements of the specifications.

* See next page for letter

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.

TOWN ENGINEER

716-686-3447

716-686-3448

February 9, 1988

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid for One (1)
Tractor with Flail Mower
for the Facilities Dept.

Gentlemen:

At a public bid opening on February 1, 1988 bids were received and publicly opened for one (1) tractor with flail mower for the Facilities Department. Six (6) bidders picked up specifications but only one (1) bid was received and is as follows:

Buffalo Tractor & Implement Company, Inc.	\$40,581.00
---	-------------

This bid was reviewed with Jim Matecki, Director of the Facilities Department. It is recommended that the bid be awarded to Buffalo Tractor and Implement Company, Inc., 3045 Seneca Street, P.O. Box 318, Buffalo, New York 14224 for submitting a total bid of \$40,581.00, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

A handwritten signature in dark ink, appearing to read "Allan B. Blachowski".

Allan B. Blachowski
Sr. Engineer Assistant

ABB:dms

Item No. 9b Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, bids were duly received and opened at the January 18, 1988 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees, and said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 17, 1988, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of work uniforms to Town of Cheektowaga employees, as recommended by the Town Engineer, be and the same is hereby awarded to:

J & J Workclothes
1460 French Road
Depew, New York 14043

ITEM I	Work Pants (sizes up to 42)	\$ 9.40
ITEM II	Work Pants (Sizes 44 and up)	\$ 9.95
ITEM III	Shirts (long sleeve, sizes up to 17 1/2)	\$ 7.95
ITEM IV	Shirts (long sleeve, sizes 18 and up)	\$ 8.00
ITEM V	Chambray Shirts (long sleeve, sizes up to 17 1/2)	\$ 7.50
ITEM VI	Chambray Shirts (long sleeve, sizes 18 and up)	\$ 8.25
ITEM VII	Shirts (short sleeve, sizes up to 17 1/2)	\$ 6.95
ITEM VIII	Shirts (short sleeve, sizes 18 and up)	\$ 7.95
ITEM IX	Chambray Shirts (short sleeve, sizes up to 17 1/2)	\$ 6.50
ITEM X	Chambray Shirts (sizes 18 and up)	\$ 7.50
ITEM XI	Coveralls (long sleeve, sizes 36-52 regular)	\$14.95
ITEM XII	Coveralls (long sleeve, sizes 36-52 long)	\$15.00
ITEM XIII	Denim Jeans (Sizes up to 42)	\$ 7.95
ITEM XIV	Denim Jeans (sizes 44 and up)	\$ 8.95
ITEM XV	Bib Overalls	\$13.50
ITEM XVI	Packaging/Employee	No Charge

said bid being a responsible bidder meeting the requirements of the specifications.

* See next two (2) pages for report

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0



Town of Cheektowaga

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

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

February 17, 1988

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Work Uniforms

Gentlemen:

On January 18, 1988 bids were received and opened for the furnishing of work uniforms to Town employees as required through the Cheektowaga Employees Association Agreement. Six (6) bidders submitted bids on sixteen (16) items of the specifications. The totals of the bids submitted are as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
J & J Workclothes	\$10,491.50
Amherst Wholesalers	11,043.25
K. W. Textile, Inc.	11,238.15
Kristen Sales	11,844.15
United Uniform	11,912.68
Wear Guard Corporation	14,857.38

All of the three (3) lowest bidders met the requirements of the specifications. It is recommended, therefore, that the bid be awarded to J & J Workclothes, 1460 French Road, Depew, New York 14043 for the furnishing of work uniforms, said bid being the lowest bid meeting the general intent of the specifications.

This bid will be awarded on the basis of unit prices which are quoted as follows:

TO THE SUPERVISOR AND
TOWN BOARD MEMBERS

February 17, 1988
Page 2

Item I	Work Pants (sizes up to 42)	\$ 9.40
Item II	Work Pants (sizes 44 and up)	9.95
Item III	Shirts (long sleeve, sizes up to 17½)	7.95
Item IV	Shirts (long sleeve, sizes 18 and up)	8.00
Item V	Chambray Shirts (long sleeve, sizes up to 17½)	7.50
Item VI	Chambray Shirts (long sleeve, sizes 18 and up)	8.25
Item VII	Shirts (short sleeve, sizes up to 17½)	6.95
Item VIII	Shirts (short sleeve, sizes 18 and up)	7.95
Item IX	Chambray Shirts (short sleeve, sizes up to 17½)	6.50
Item X	Chambray Shirts (short sleeve, sizes 18 and up)	7.50
Item XI	Coveralls (long sleeve, sizes 36-52, regular length)	14.95
Item XII	Coveralls (long sleeve, sizes 36-52, long length)	15.00
Item XIII	Denim Jeans (sizes up to 42)	7.95
Item XIV	Denim Jeans (sizes 44 and up)	8.95
Item XV	Bib Overalls	13.50
Item XVI	Packaging/Employee/Department	No Charge

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Allan B. Blachowski
Sr. Engineer Assistant

ABB:dms

No. 5

MEETING NO. 4
February 22, 1988

Item No. 10a Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, requires Athletic White Stripe for the purpose of lining athletic fields, NOW, THEREFORE, BE IT

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

RESOLVED that specifications for said Athletic White Stripe may be obtained from the Town Clerk's Office in Cheektowaga Town Hall, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 7th day of March, 1988 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on March 7, 1988 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year 1988.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 22, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justice Denbire....., 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..... FEB 25 1988
last publication..... FEB 25 1988
and that no more than six days intervened be-
tween publications.

Justice Denbire.....

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

day of February....., 1988.....

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

**LEGAL NOTICE
Notice to Bidders**

Sealed proposals will be received by the Town Clerk on March 7, 1988 at 11:00 AM Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year 1988.

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

PUBLISH: February 25, 1988

MEETING NO. 4
February 22, 1988

Item No. 10b Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe and reinforced concrete pipe requirements for the 1988 calendar year, NOW, THEREFORE, BE IT

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

RESOLVED that sealed bids will be received on the 7th day of March, 1988 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the 1988 calendar year.

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

February 22, 1988

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine Desbik....., 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..... FEB 25 1988 ;
last publication..... FEB 25 1988 ;
and that no more than six days intervened be-
tween publications.

Justine Desbik.....
Sworn to before me this 25th
day of February, 1988.
Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE
Notice to Bidders

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the 1988 calendar year.

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 and all bids.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 25, 1988

Item No. 10c Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

WHEREAS, it is in order that bids be advertised for the purchase of custodial supplies for the 1988 fiscal year for the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of custodial supplies, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at 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 March 7, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the supplying of custodial supplies.

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

February 22, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine D. [Signature], 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..... FEB 25 1988 ;
last publication..... FEB 25 1988 ;
and that no more than six days intervened be-
tween publications.

Justine D. [Signature]
Sworn to before me this 25th
day of February
....., 1988.
Eve J. Allis
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

**LEGAL NOTICE
Notice to Bidders**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the supplying of custodial supplies.

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 and all bids.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 25, 1988

Item No. 10d Motion by Councilman Solecki, 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 one (1) portable air compressor for use by the Highway Department.

Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, N.Y. 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 item at 11:00 A.M., on March 7, 1988.

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for one (1) portable air compressor at a public bid opening March 7, 1988 at 11:00 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga, N.Y. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE PORTABLE AIR COMPRESSOR FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

Non-Collusion forms must be signed and submitted with each bid. The Superintendent of highways may reject any or all bids submitted.

RICHARD M. MOLESKI
Town Clerk

Dated: February 22, 1988

Published: February 25, 1988

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin Desbik....., 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..... FEB 25 1988
last publication..... FEB 25 1988
and that no more than six days intervened be-
tween publications.

Justin Desbik.....

Sworn to before me this 25th

day of February
....., 1988

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE
Notice to Bidders

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for one (1) portable air compressor at a public bid opening March 7th, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Rd., Cheektowaga NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked: "BID FOR ONE PORTABLE AIR COMPRESSOR FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

Non-Collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 25, 1988

Item No. 10e Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, it is in order that bids be advertised for the purchase of dimensional and pressure treated lumber for the 1988 fiscal year, for the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of dimensional lumber and pressure treated lumber, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for supplying Dimensional Lumber and Pressure Treated Lumber.

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

February 22, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin A. Demer....., 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..... FEB 25 1988 ;
last publication..... FEB 25 1988 ;
and that no more than six days intervened be-
tween publications.

Justin A. Demer.....
Sworn to before me this 23rd
day of February 1988.
..... Eve J. Allis
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

**LEGAL NOTICE
Notice to Bidders**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for supplying Dimensional Lumber and Pressure Treated Lumber.

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 and all bids.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 25, 1988

Item No. 10f Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, utilizes Portable Chemical Toilets at various locations to service Recreation Department activities and Special Events, NOW, THEREFORE, BE IT

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

RESOLVED that the specifications for said Leasing and Servicing of Portable Chemical Toilets be obtained from the Town Clerk's Office in Cheektowaga Town Hall, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 7th day of March, 1988 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* * * * *

TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on March 7, 1988 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the Leasing and Servicing of Portable Chemical Toilets for the year 1988.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: February 22, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin D. Drobick....., 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..... FEB 25 1988
last publication..... FEB 25 1988
and that no more than six days intervened be-
tween publications.

Justin D. Drobick.....

Sworn to before me this 25th

day of February 19⁸⁸

..... Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

**LEGAL NOTICE
Notice to Bidders**

Scaled proposals will be received by the Town Clerk on March 7, 1988 at 11:00 AM Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the Leasing and Servicing of Portable Chemical Toilets for the year 1988.

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

PUBLISH: February 25, 1988

Item No. 10g Motion by Councilman Johnson, Seconded by Councilman Kulyk

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, and

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

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said public works projects, notice to be published in the CHEEKTOWAGA TIMES and the BUFFALO CRITERION, AND BE IT FURTHER

RESOLVED that sealed bids will be received on the 10th day of March, 1988 at 10:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 10, 1988 at 10:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: February 22, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT PAGES

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

Justice Desobik....., 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..... FEB 25 1988 ;
last publication..... FEB 25 1988 ;
and that no more than six days intervened be-
tween publications.

Justice Desobik.....
Sworn to before me this 25th
day of February 19.88
..... Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 19 89

**LEGAL NOTICE
Notice to Bidders**

Scaled proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 10, 1988 at 10:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Pub-

lic Works Projects" and submitted to the Town Clerk prior to bid opening.

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

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

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 25, 1988

STATE OF NEW YORK

Erie County, City of Buffalo

ss.

The BUFFALO CRITERION

623-25 WILLIAM ST. BUFFALO 6, N. Y.

Notice to Bidders

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 10, 1988 at 10:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the town of Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 22, 1988

Frank E. Merriweather

of the City of Buffalo, being duly sworn deposes and says, that ...he is Editor-Publisher of The Buffalo Criterion, a weekly newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for one weeks, the first insertion being on the 3rd day of March, 1988 and the last insertion being on the day of

1988

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 2nd day of

June, 1988.

Frank S. Merriweather

Notary Public

Commissioner of Deeds

Commission Expires 12/31/88

Item No. 10h Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, the New York State Environmental Regulations require that actions be taken by the Town to properly safeguard and abandon two (2) existing, 4,000 gallon underground fuel storage tanks located at the Town Highway Garage and Facilities Maintenance Department on Union Road, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is hereby directed to publish a Notice to Bidders for the removal and disposal of two (2) 4,000 gallon underground fuel storage tanks located at the Highway Garage and Facilities Maintenance Department, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed proposals will be received by the Town of Cheektowaga on March 10, 1988 at 10:00, Local Time, at the Town Hall Council Chambers, at which time and place they will be publicly opened and read aloud.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 10, 1988 at 10:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the removal and disposal of two (2), 4,000 gallon underground fuel storage tanks located at the Town Highway Garage and the Facilities Maintenance Department on Union Road, Cheektowaga, New York.

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

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

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 22, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine Demerle, 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..... FEB 25 1988 ;
last publication..... FEB 25 1988 ;
and that no more than six days intervened be-
tween publications.

Justine Demerle

Sworn to before me this 25th

day of February, 1988.

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

**LEGAL NOTICE
Notice to Bidders**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 10, 1988 at 10:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the removal and disposal of two (2) 4,000 gallon underground fuel storage tanks located at the Town Highway Garage and the Facilities Maintenance Department on Union Road, Cheektowaga, New York.

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

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

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

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

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 25, 1988

FILED
TOWN OF CHEEKTOWAGA
CLERK'S OFFICE
FEBRUARY 25, 1988

Item No. 10i Motion by Councilman Solecki, 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 Topsoil for the 1988 Season (regular, shredded and screened.) Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, N.Y. 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 item at 11 A.M. on March 7th, 1988.

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at a public bid opening March 7th, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

TOPSOILREGULAR, SHREDDED & SCREENED

NOTE: Minimum 600 yds. per Season.

Price quoted per yd. based on pickup by Town Highway trucks within a 25 mile distance or delivery to Highway Department located at 3145 Union Road.

INFORMATION FOR BIDDERS AND SPECIFICATIONS MAY BE OBTAINED FROM THE OFFICE OF CHRISTOPHER J. KOWAL, SUPERINTENDENT OF HIGHWAYS AT HIS OFFICE LOCATED AT 3145 UNION RD., CHEEKTOWAGA, N.Y. PROPOSALS MUST BE ENCLOSED AND SEALED IN AN OPAQUE ENVELOPE PLAINLY MARKED "SEASONAL BID FOR TOPSOIL FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID. THE SUPERINTENDENT OF HIGHWAYS MAY REJECT ANY OR ALL BIDS SUBMITTED.

RICHARD M. MOLESKI. Town Clerk

Dated: February 22, 1988

Published: February 25, 1988

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine Dembik....., 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..... FEB 25 1988..... ;
last publication..... FEB 25 1988..... ;
and that no more than six days intervened be-
tween publications.

Justine Dembik.....

Sworn to before me this ^{25th}.....
February
day of, 1988.

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified in Erie County
My commission expires March 30, 1989

LEGAL NOTICE
Notice to Bidders

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at a public bid opening March 7, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

**TOPSOIL...REGULAR, SHRED-
DED & SCREENED**

NOTE: Minimum 600 yds. per Season.

Price quoted per yd. based on pickup by Town Highway trucks within a 25 mile distance for delivery to Highway Department located at 3145 Union Road.

INFORMATION FOR BIDDERS AND SPECIFICATIONS MAY BE OBTAINED FROM THE OFFICE OF CHRISTOPHER J. KOWAL, SUPERINTENDENT OF HIGHWAYS AT HIS OFFICE LOCATED AT 3145 UNION RD., CHEEKTOWAGA NY. PROPOSALS MUST BE ENCLOSED AND SEALED IN AN OPAQUE ENVELOPE PLAINLY MARKED "SEASONAL BID FOR TOPSOIL FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID. THE SUPERINTENDENT OF HIGHWAYS MAY REJECT ANY OR ALL BIDS SUBMITTED.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 25, 1988

Item No. 10j Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised to cover the purchase of traffic control signs, street name signs and brackets for the 1988 calendar year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of traffic control signs, street name signs and brackets, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 7th day of March, 1988 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, street name signs and brackets for the 1988 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 22, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine DeBrie....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clark..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication..... FEB 25 1988 ;
last publication..... FEB 25 1988 ;
and that no more than six days intervened be-
tween publications.

Justine DeBrie.....
Sworn to before me this 25th
February
day of, 19⁸⁸.
Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE
Notice to Bidders

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 7, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the furnishing of traffic control signs, street name signs and brackets for the 1988 calendar year.

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 and all bids.

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

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 25, 1988

Item No. 11 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, by resolution dated July 20, 1987, the law firm of Jaeckle, Fleischmann & Mugel was retained by this Town to represent the Town in labor matters with the police unions, and

WHEREAS, such firm has performed such services in a very satisfactory manner, and

WHEREAS, there is a need for legal representation in labor matters concerning the Town of Cheektowaga Employee's Association and the Town of Cheektowaga Supervisory Unit, and

WHEREAS, the firm of Jaeckle, Fleishmann & Mugel has agreed to represent the Town with respect to such unions on the same terms as it represents the Town with respect to the police unions, NOW, THEREFORE, BE IT

RESOLVED that the firm of Jaekle, Fleischmann & Mugel be and hereby is retained by this Town Board to handle labor matters for the Town with respect to the Town of Cheektowaga Employee's Association and the Town of Cheektowaga Supervisory Unit on the same terms as stated in the attached letter.

* See next three (3) pages for letter

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES:	0
ABSENT:	0

JAECKLE, FLEISCHMANN & MUGEL

ATTORNEYS AT LAW

NORSTAR BUILDING TWELVE FOUNTAIN PLAZA BUFFALO, NEW YORK 14202-2222

716-856-0600

EDWARD G. PIWOWARCZYK
PARTNER

February 18, 1987

Kevin G. Schenk, Esq.
Deputy Town Attorney
Town of Cheektowaga
Town Hall
Broadway and Union
Cheektowaga, New York 14227

RECEIVED
FEB 19 1987
TOWN ATTORNEY

Re: Town Labor Counsel

Dear Mr. Schenk:

Thank you for your recent inquiry concerning the possibility of retaining our firm to act as labor counsel to the Town of Cheektowaga. As a partner in our firm's labor and employment law practice area involved most with our public sector clients, I have enclosed my resume. It should be additionally noted that within the public sector, I have had extensive experience in dealing with police departments on the county, town and village levels.

By way of general background, Jaeckle, Fleischmann & Mugel is engaged in the general practice of law, with several specialty areas, including corporate, labor, employee pension and welfare benefits, tax, estates, real estate, and litigation. The clientele of the firm include a large commercial bank, numerous corporations, both public and closely held, individuals, charitable institutions, various towns, villages, cities, school districts and other governmental sub-divisions.

The firm's Labor and Employment Department has four partners, including myself and two associates, servicing the various labor employment law clients of the firm. Our practice runs a full gamut of labor relations employment matters, including:

1. Advising clients on human relations practices, including advice concerning and drafting of employee handbooks, discipline procedures and the like, as well as advising clients on maintaining employee morale.

BATAVIA OFFICE: TEN ELLICOTT STREET BATAVIA, NEW YORK 14020-0566 716-344-1317

WASHINGTON OFFICE 2000 PENNSYLVANIA AVENUE N.W. SUITE 3700 WASHINGTON D.C. 20006 202-429-9700

Kevin G. Schenk, Esq.
February 18, 1987
Page Two

2. Handling of representation proceedings where labor organizations seek to represent certain employees of the client.

3. With respect to clients whose employees are represented by a labor organization, advising and representing those clients in negotiations and collective bargaining agreements.

4. Again, with respect to those clients whose employees are represented by a labor organization, advising those clients in the administration of the collective bargaining agreements and representation of those clients in arbitration proceedings.

5. Advising and representing clients in the defense of claims of discrimination brought under State or Federal law.

6. Advising clients with respect to preparation of administration of affirmative action programs under either State or Federal affirmative action orders and statutes applicable to Federal or State contractors.

7. Advising clients in handling proceedings with respect to various State and Federal laws pertaining to employment, such as Wage and Hour Laws, Occupational Safety and Health Act, and similar statutes and regulations regulating employment.

The clients of the Labor and Employment Law Department consist of employers with relatively few employees to employers with several thousand employees. Types of employers include businesses, banks, educational and charitable institutions, and governmental sub-divisions.

While it is undoubtedly immodest to say so, I believe that the people in our law firm, especially in the Labor and Employment Law Department, are among the best in the practice based on both academic credentials and practical experience.

Should the Town desire to retain our services, I will be the lead and responsible attorney handling all matters. We would propose that we be retained on an hourly basis at the rate of \$80.00 per hour for all matters outside of litigation and \$100.00 per hour for matters that are litigated.

Kevin G. Schenk, Esq.

February 18, 1987

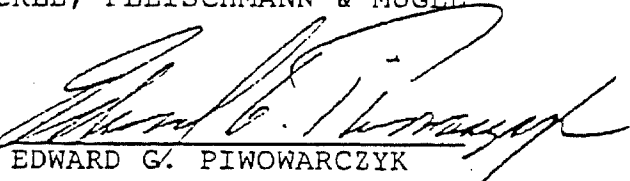
Page Three

If there are any questions or if you need additional information, please do not hesitate to call me. I stand ready to meet with you or any members of the Town Board to discuss this matter in further detail. Thank you again for your inquiry.

Very truly yours,

JAECKLE, FLEISCHMANN & MUGEL

By:


EDWARD G. PIWOWARCZYK

EGP/las
Enclosure

MEETING NO. 4
February 22, 1988

Item No. 12 Motion by Councilman Johnson, Seconded by Councilman Kulyk

WHEREAS, residents of Lemoine Avenue, Wallace Avenue, Kennedy Road and Gruner Road met with members of the Town Board at a Special Meeting held on February 4, 1988 to discuss development and drainage concerns in their area of the Town, and

WHEREAS, this Town Board desires to address itself to the drainage concerns expressed at said meeting, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., dated February 22, 1988 and as submitted to the Town Engineer to undertake surveys, mapping, roadway cross sections within 52 acre area and to design drainage improvements for Lemoine Avenue, Wallace Avenue, Kennedy Road and Gruner Road, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed and authorized to sign said proposal of Nussbaumer & Clarke, Inc., Consulting Engineers, on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the cost for said professional services, not to exceed \$27,000.00 are to be charged to the General Fund.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman Kazukiewicz, Seconded by Unanimous

WHEREAS, Cheektowaga Central School District is the owner of the Alexander Street Middle School property located at 275 Alexander Avenue in the Town of Cheektowaga, and

WHEREAS, the Board of Trustees of such school district have placed this property up for sale, and

WHEREAS, various Town Departments and residents have expressed an interest in having the Town purchase this school property, and

WHEREAS, Town personnel have inspected the value; building and safety code compliance; and adaptability of such building to Town use, and have stated that it would cost the Town approximately \$800,000.00 to bring such building up to Town and State standards, and

WHEREAS, this Town Board is interested in acquiring the Alexander Street Middle School for use by Town personnel and by residents, and

WHEREAS, residents and taxpayers of Cheektowaga Central School District will benefit by the sale of such building to the Town because they will have Town services provided to them in such building, and

WHEREAS, the Town's previous offer, made by resolution dated October 5, 1987, was rejected by the Board of Trustees of Cheektowaga Central School District and is thus void, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby rescinds its offer and resolution dated October 5, 1987, and BE IT FURTHER

RESOLVED that this Town Board hereby offers the Board of Trustees of the Cheektowaga Central School District the sum of \$1.00 for the Alexander Street Middle School building and property (a/k/a Assessor's S.B.L. #102.37-2-1) and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute a Contract of Sale to purchase the Alexander Street Middle School building and property for \$1.00, and BE IT FURTHER

MEETING NO. 4
February 22, 1988

Item No. 13 cont'd

MOTION BY COUNCILMAN SOLECKI, SECONDED BY COUNCILMAN JOHNSON to amend the above resolution and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Motion by Councilman Kazukiewicz, seconded by Unanimous

WHEREAS, Cheektowaga Central School District is the owner of the Alexander Street Middle School property located at 275 Alexander Avenue in the Town of Cheektowaga, and

WHEREAS, the Board of Trustees of such school district have placed this property up for sale, and

WHEREAS, various Town Departments and residents have expressed an interest in having the Town purchase this school property, and

WHEREAS, Town personnel have inspected the value; building and safety code compliance; and adaptability of such building to Town use, and have stated that it would cost the Town approximately \$800,000.00 to bring such building up to Town and State standards, and

WHEREAS, this Town Board is interested in acquiring the Alexander Street Middle School for use by Town personnel and by residents, and

WHEREAS, residents and taxpayers of Cheektowaga Central School District will benefit by the sale of such building to the Town because they will have Town services provided to them in such building, and

WHEREAS, the Town's previous offer, made by resolution dated October 5, 1987, was rejected by the Board of Trustees of Cheektowaga Central School District and is thus void, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby rescinds its offer and resolution dated October 5, 1987, and BE IT FURTHER

RESOLVED that this Town Board hereby offers the Board of Trustees of the Cheektowaga Central School District the sum of \$1.00 for the Alexander Street Middle School building and property (a/k/a Assessor's S.B.L. #102.37-2-1) and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute a Contract of Sale to purchase the Alexander Street Middle School building and property for \$1.00, and BE IT FURTHER

RESOLVED that the Board of Trustees of the Cheektowaga Central School District be and hereby is requested to respond to the aforesaid offer by June 30, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 14a Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, it is the intention of the Town to sponsor a Polish-American Arts Festival from August 19-21, 1988, and

Item No. 14a cont'd

WHEREAS, financial assistance is available through the New York State Council on the Arts toward the cost of said Festival, and

WHEREAS, an application for such assistance is being prepared requesting \$5,000 from the New York State Council on the Arts for the presentation of the Town's Polish-American Arts Festival, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said application and any and all related documents on behalf of the Town Board for submission to the New York State Council on the Arts, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to State Senator Dale M. Volker.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 14b Motion by Supervisor Swiatek, Seconded by Councilman Johnson

WHEREAS, the New York State Department of State, Office of Fire Prevention and Control, has allocated funds for the purpose of helping offset the cost of local code enforcement effects in implementing the New York State Uniform Fire Prevention and Building Code Act, enacted in March of 1982, and

WHEREAS, said funds will be distributed to municipalities who have a fire and building code in effect as well as a code enforcement practice, and

WHEREAS, the Town of Cheektowaga complies with these requirements and is thus eligible to receive State funds, and

WHEREAS, an application must be filed for said funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to submit an application to the New York State Department of state, Office of Fire Prevention and Control, for State assistance for the purpose of assisting in local building and fire prevention code enforcement in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute all necessary forms to apply for the aforesaid funding.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 14c Motion by Councilman Kulyk, Seconded by Councilman Kazukiewicz

WHEREAS, the Town Employee's Association presently utilizes two Town-owned trailers on Town property for its offices, and

WHEREAS, the Town Employee's Association has requested permission to locate at the same site on Town property a larger trailer in place of the two smaller ones, and

WHEREAS, the replacement of the two trailers with one trailer will be more aesthetically pleasing to the Town, NOW, THEREFORE, BE IT

MEETING NO. 4
February 22, 1988

Item No. 14c cont'd

RESOLVED that the Town Employee's Association be and hereby is granted permission to locate its trailer on the site now occupied by two Town trailers, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Memorandum of Agreement to implement such authorization.

* See next page for Memorandum of Agreement

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEMORANDUM OF AGREEMENT

BETWEEN

TOWN OF CHEEKTOWAGA

AND


TOWN OF CHEEKTOWAGA EMPLOYEE'S ASSOCIATION

It is hereby agreed between the Board and the Union that the 1986-1988 collective bargaining agreement between such parties shall be amended as follows:


A new subsection, (c) shall be added to Section 25.02, which shall read as follows:

(c) The Board agrees to allow the Union to place one trailer/mobile home measuring 12 feet by 70 feet on Town property near the Incinerator Building, without cost, for use by the Union. the Board also agrees to pay utility charges for electricity and telephone service (local calls only) for the trailer used by the Union.

TOWN OF CHEEKTOWAGA


Frank E. Swiatek, Supervisor

TOWN OF CHEEKTOWAGA
EMPLOYEE'S ASSOCIATION


Ralph P. Fuerter, President

Dated: February 22 , 1988

MEETING NO. 4
February 22, 1988

Item No. 14d Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, the two shifts in the Sanitation Department presently begin at 6:30 A.M. and 10:30 A.M. from October to May and at 6:00 A.M. and 10:00 A.M. from June to September, and

WHEREAS, extra time is needed between the two shifts in order to prepare the Sanitation trucks properly for the second shift, and

WHEREAS, an agreement has been reached between the Town and the Town Employee's Association to have the second shift begin one-half hour later, NOW, THEREFORE, ~~BE~~ IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Memorandum of Agreement to implement such shift change.

* See next page for Memorandum of Agreement

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

RECEIVED

1988 SEP 16 AM 9:32

CHEEKTOWAGA
TOWN CLERK

MEMORANDUM OF AGREEMENT

BETWEEN

TOWN OF CHEEKTOWAGA

AND

TOWN OF CHEEKTOWAGA EMPLOYEE'S ASSOCIATION

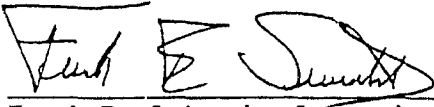
It is hereby agreed between the Board and the Association that the 1986-1988 collective bargaining agreement between such parties shall be amended as follows:

Subsection (d) of Section 5.02 (Work Week) shall be amended to read as follows:

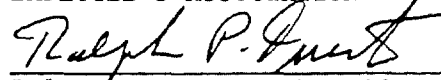
(d) The regular starting time for employees in the Refuse Pickup Department shall be 6:00 A.M. during the months of June through September and 6:30 A.M. during the months of October through May. The starting time for the second shift in the Refuse Pickup Department shall be 10:30 A.M. during the months of June through September and 11:00 A.M. during the months of October through May. But said employees shall continue to work under the incentive system which permits their shifts to end after a minimum of four (4) hours with the completion of their assigned routes or districts. All employees in such department shall personally sign a time sheet at the beginning of the shift and conclusion thereof.

It is also agreed between such parties that the aforesaid amendment shall be effective as of March 1, 1988.

TOWN OF CHEEKTOWAGA


Frank E. Swiatek, Supervisor

TOWN OF CHEEKTOWAGA
EMPLOYEE'S ASSOCIATION


Ralph P. Fuerter, President

Dated: February 22, 1988

MEETING NO. 4
February 22, 1988

Item No. 14e Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the Cheektowaga Youth Bureau is desirous of renting campground facilities known as Camp Aloha for a weekend camping experience for handicapped Cheektowaga youths from March 11-13, 1988, and

WHEREAS, such facilities are owned by the Camp Fire Council of Buffalo and Erie County, Inc. and are located in Wales Center, New York, and

WHEREAS, the Camp Fire Council of Buffalo and Erie County, Inc. is willing to rent such facilities to the Town provided that the Town executes an appropriate agreement for such rental, and

WHEREAS, such agreement has been prepared and is acceptable between said parties, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement with the Camp Fire Council of Buffalo and Erie County, Inc. for the rental of the aforementioned campground facilities.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 15 Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk

WHEREAS, on or about the 5th day of January, 1983, Edmund Cichocki, Kathleen Cichocki and Peter Cichocki caused a notice of claim to be served upon the Town of Cheektowaga on account of damages allegedly sustained due to negligence, assault, false arrest and imprisonment, and violation of civil and constitutional rights, and

WHEREAS, on or about the 11th day of January, 1984, a summons and complaint on the aforesaid claim was served upon the Town and four of its police officers for the recovery of damages in excess of 2 million dollars, and

WHEREAS, the aforesaid lawsuit has been vigorously defended by attorneys retained by the insurance carrier for the Town, namely, Mutual Fire, Marine and Inland Insurance Company of Philadelphia, Pennsylvania, and

WHEREAS, the claims administrators of the said insurance carrier administratively agreed to dispose of the said lawsuit by the payment of \$3,000.00; however, after such agreement, the Insurance Department of the State of Pennsylvania placed the insurance carrier under an order of rehabilitation, which order prohibits the making of any loss or indemnity payments by such carrier, and

WHEREAS, the attorneys retained by the carrier believe that it is in the best interests of the Town to carry out the terms of the administrative agreement of the said claims administrators, and

WHEREAS, Assistant Chief of Police, Bruce D. Chamberlin, has reviewed the entire matter, and strictly as a matter of administration, without any admission of liability, has recommended that the Town follow the advice of the attorneys by paying the sum of \$3,000.00, and

WHEREAS, the claims administrator has assured the Town that it will be indemnified for any payment made under its policy with the insurance carrier "if and when such funds become available",

NOW, THEREFORE, BE IT RESOLVED that the sum of \$3,000.00 be paid by the Town in full and final settlement of the aforesaid lawsuit, subject to the approval of the appropriate court wherein such lawsuit is pending, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is authorized to execute and procure any papers necessary to effectuate such settlement.

MEETING NO. 4
February 22, 1988

Item No. 15 cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, developers are required to install water mains within the right-of-way of new subdivisions, and

WHEREAS, two (2) hydrants must be installed in Phase 8 of the Losson Green Estates Subdivision prior to acceptance of the water main extensions by the Erie County Water Authority as part of their water transmission system, NOW, THEREFORE, BE IT

RESOLVED that permission is hereby granted to the developer of the Losson Green Estates Subdivision to install two (2) hydrants in Phase 8 at locations approved by the Board of Fire Commissioners of Bellevue Fire District #9 at a meeting held on January 26, 1988, being situate on the north side of Hillpine Road between sublots #144 and #145 and also on the south side of Hillpine Road between sublots #129 and #130, and BE IT FURTHER

RESOLVED that all costs associated with furnishing and installing said hydrants is to be borne by the subdivision developer, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the subject hydrants, with such charges being recovered by Town billings to the respective fire company.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Gabryszak, Seconded by Councilman Johnson

BE IT RESOLVED that the following recreational fees be established effective February 22, 1988 and be reviewed on an annual basis.

I.D. Registration	Children \$1.50
	Adults \$3.00

Softball (Men's & Women's) leisure, fast pitch, industrial)	\$100.00 per team
--	-------------------

Diamond permits	\$ 12.00 per game
Lighted diamond permits	\$ 25.00 per game

Exemptions for diamond permit fees -
Town Youth Organizations
Town Church Organizations
Town Firemen's League
or other town groups so designated by Town Board resolution

MEETING NO. 4
February 22, 1988

Item No. 17 cont'd

Hockey program per participant for 1988 - 1989 season

- Mosquito	\$155.00
- Mites	\$155.00
- Squirts	\$165.00
- Pee Wees	\$175.00
- Bantams	\$180.00
- Midgets	\$230.00
- Senior Women	\$130.00
- Non-resident fee \$80.00 per player	additional
- Tryout fee	\$2.00
- Novice \$10.00 registration fee	- \$45.00 for Session I
	\$45.00 for Session II

Ice Rental per hour	\$ 80.00 Prime Time
	\$ 50.00 Non-Prime Time

Public Skate & Instructional programs
per session (Senior Citizens exempt)

\$1.00 Children
\$1.50 Adults
\$1.50 Children Guest
\$2.00 Adult Guest

Indoor Soccer per team \$150.00
(Non-resident fee \$7.50 per player additional)

Indoor soccer rental per hour \$20.00

Shelter Permits (non-refundable) \$12.00
per group, per shelter

Other fees and charges for special events, contests
field trips, visitor passes, or special programs to
be established by the Recreation Department on a cost
effective basis.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 18 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),

WHEREAS, the EMS Board has completed a review and evaluation of the license renewal applications for driver(s)/attendant(s), and has recommended that the Town Board renew such licenses, 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 the licenses 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 licenses to the driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSE

RENEWAL

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
Berg, Christina L.	Lockport, NY 14094	Gold Cross	5/31/89

MEETING NO. 4
February 22, 1988

Item No. 18 cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

WHEREAS, Assemblyman John B. Scheffer II, 142nd Assembly District, has instituted effortss to enhance the quality of Ellicott Creek throughout Erie County with the participation of affected localities, governmental agencies and environmental groups, and

WHEREAS, in conjunction with his comprehensive effort to improve water quality, scenic quality, fishing ad other recreational uses for Ellicott Creek, John Spagnoli, Regional Director of the New York State Department of Environmental conservation, has proposed the acquisition of a limited number of parcels along the length of the watercourse which would provide public access to Ellicott Creek, with the funding for said acquisition being provided under the Environmental Bond Act, and

WHEREAS, this Town Board supports this proposal to acquire a parcel or parcels adjacent to Ellicott Creek for public access and enjoyment of this valuable natural resource, NOW, THEREFORE, BE IT

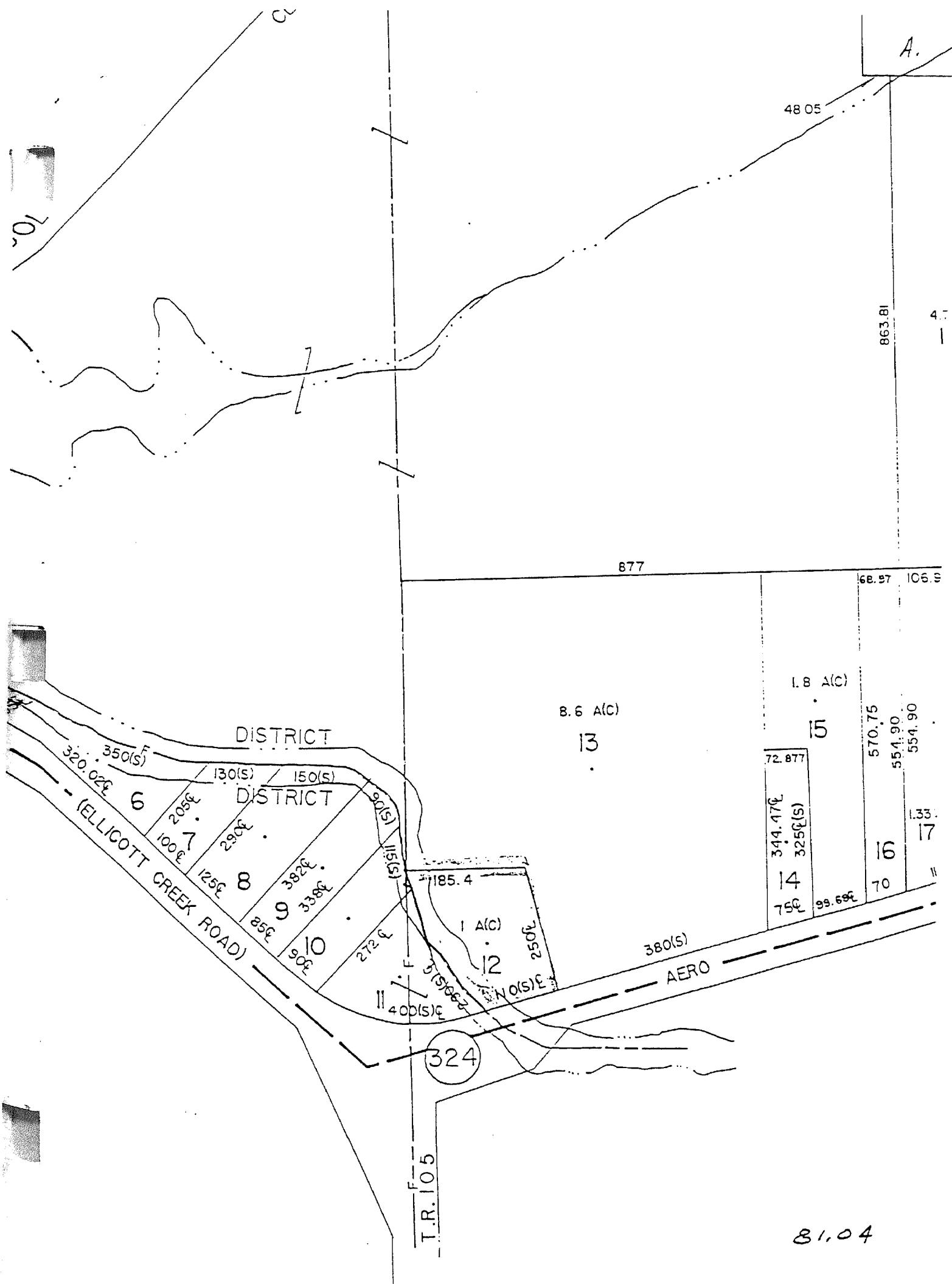
RESOLVED that this Town Board hereby petitions the New York State Department of Environmental Conservation to give consideration to sites abutting Ellicott Creek located within the Town of Cheektowaga, including an area associated with the Town's War of 1812 Cemetery on Aero Drive, as outlined on mapping prepared by the Town Engineer, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be sent to Mr. John Spagnoli, Regional Director of the Region 9 Office of the New York State Department of Environmental Conservation, together with mapping of proposed sites located within the Town of Cheektowaga.

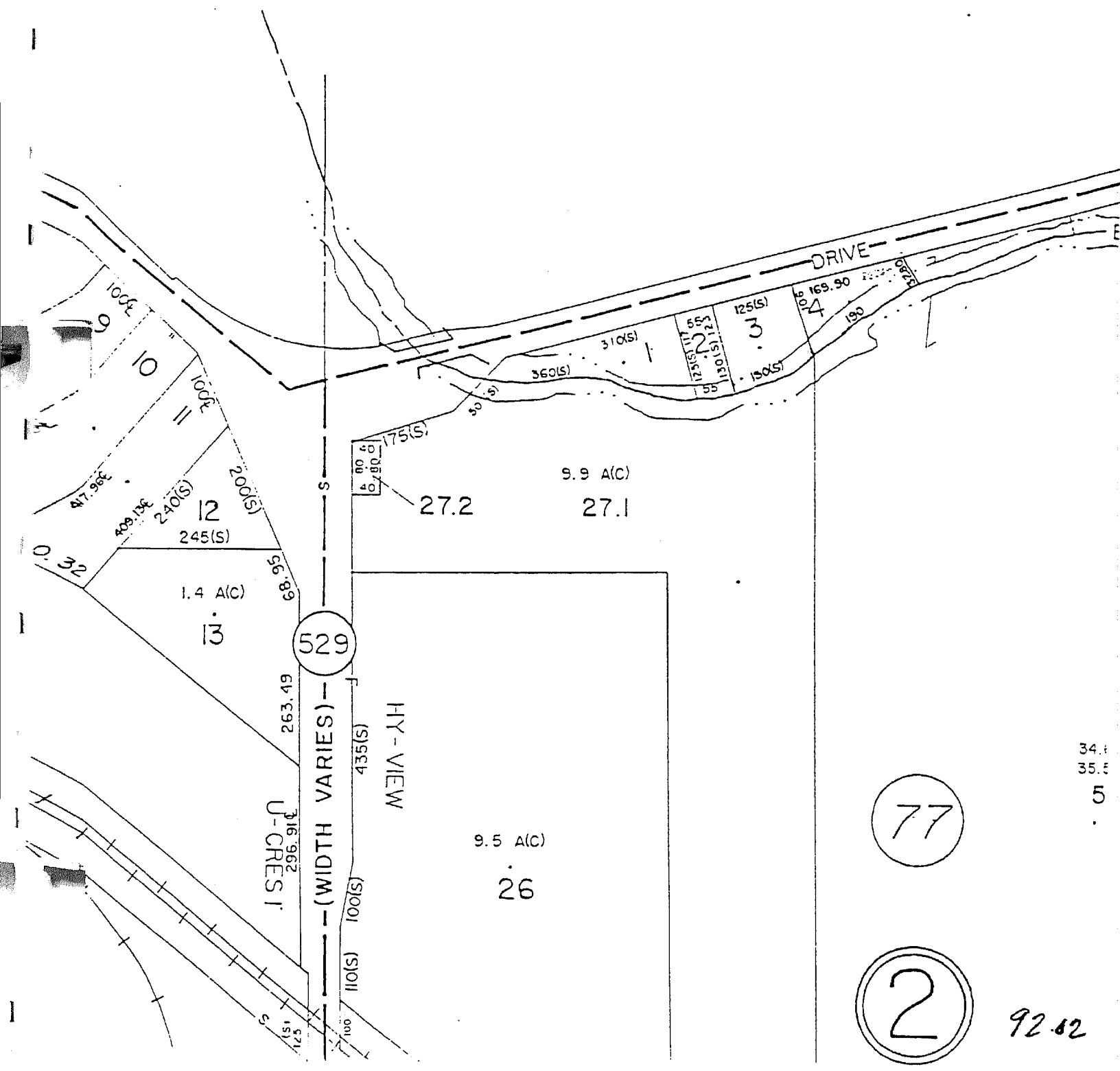
* See next three pages for map

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0



C.



34.6
35.5
5

92.82

MEETING NO. 4
February 22, 1988

Item No. 20 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

RESOLVED that the salaries of the following Town Officials and employees are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1988:

Town Attorney	\$35,992.
Deputy Town Attorney	22,366.
Prosecuting Attorney	20,422.
Town Engineer	49,200.
Supervising Accountant	34,729.
Junior Accountant	28,957.
Building & Plumbing Inspector	37,313.
Assessor	34,683.
Real Property Appraiser	32,508.
Executive Director - Youth	34,010.
Program Coordinator	22,519.
Director of Recreation	32,140.
Senior Recreation Supervisor	23,724.
Clerk of Justice Court	30,705.
Clerk to Justice Court	23,911.
Director of Community Development	32,272.
Council Secretary	23,922.
Secretary to Supervisor	23,922.
Deputy Receiver of Taxes	22,804.
First Deputy Town Clerk	24,197.
Second Deputy Town Clerk	22,804.
Working Crew Chief - Sanitation	34,177.
Senior Citizens Director	28,613.
Deputy Highway Superintendent	37,985.
Employment & Training Director	39,677.
Disaster Coordinator	9,320.
Mail Clerk - Part-Time	5,476.
Bingo Inspector (5)	5,366.
Chairman (1)	5,618.
Planning Board (5)	2,593.
Secretary (1)	3,283.
Chairman (1)	3,831.
Zoning Board (4)	3,057.
Chairman (1)	4,245.
Assessment Review Board (4)	1,077.
Chairman (1)	1,339.
Police Matrons	8,049.
School Crossing Guards	5.25/hr.
Recreation Attendants	7,659.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

BE IT RESOLVED that Walter Wolniewicz, residing at Cheektowaga, New York 14227, be and hereby is reappointed to the Cheektowaga Planning Board, said appointment retroactive to February 1, 1988 and term to expire on February 1, 1995.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 4
February 22, 1988

Item No. 22a Appointment of Working Foreman in Sewer Maintenance Department
This item was withdrawn.

Item No. 22b Motion by Councilman Jaworowicz, Seconded by Councilman Solecki

WHEREAS, Officer Gerald Grant was assigned to the job classification of Detective by Chief of Police Robert M. Lis on July 27, 1987, and

WHEREAS, the appointment to such position, according to Section 6.09 of the collective bargaining agreement between the Town and the Town Police Club, is probationary for six months, and

WHEREAS, the six month probationary period has expired and the Chief of Police has recommended that Gerald Grant be made permanent Detective, NOW, THEREFORE, BE IT

RESOLVED that Gerald Grant be and hereby is appointed to the position of Detective (permanent), effective January 27, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 22c Appointment to position of Automotive Mechanic Foreman in Central Garage
This item was withdrawn.

Item No. 22d Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, a vacancy currently exists in the position of Assistant Plumbing Inspector due to the recent resignation of Joseph Piccione, and

WHEREAS, on January 6, 1988, such vacancy was duly posted in accordance with the provisions of the collective bargaining agreement between the Town and the Town Employees' Association, and

WHEREAS, John Ludtka, a laborer in the Highway Department, has applied for and meets all of the requirements for such position, and

WHEREAS, pursuant to the terms of the collective bargaining agreement between the Town and the Town Employees' Association, John Ludtka is entitled to such position, NOW, THEREFORE, BE IT

RESOLVED that John Ludtka, Depew, New York 14043 be and hereby is appointed to the provisional position of Assistant Plumbing Inspector, 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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 23a Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

BE IT RESOLVED that the following individuals employed in the Facilities Department be and hereby are terminated as follows:

Street Lighting Division - #01-001625-1-0-1491-001

Effective

Donald Havernick

2/8/88

MEETING NO. 4
February 22, 1988

Item No. 23a cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 23b Motion by Councilman Solecki, Seconded by Councilman Kulyk

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal and/or Part-Time employees in the Departments listed:

SANITATION DEPARTMENT

EFFECTIVE

Matthew Cywinski	Immediately
Eric Kopacz	Immediately
Richard Somogye	Immediately
Greg Szymanek	Immediately

CENTRAL GARAGE

Ermo Cercone	Immediately
Ron Ruggerio	Immediately
James Tokasz	Immediately

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

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

SEWER MAINTENANCE DEPARTMENT - Seasonal - \$4.00 per hour

EFFECTIVE

James McElligott	2/22/88
Raymond Nowak	2/22/88

POLICE DEPARTMENT - Part-Time - \$3.35 per hour

Kristen Kolbert	2/22/88
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COUNCIL OFFICE - Part-Time - \$4.00 per hour

Ann Marie Wojciechowski	2/22/88
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FACILITIES/MAINTENANCE DIVISION-Acct. #01-001625-1-0-1491-001
\$3.35 per hour - Seasonal

Joseph Trautman	2/22/88
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Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 4
February 22, 1988

Item No. 25a Motion by Councilman Kulyk, Seconded by Councilman Johnson

WHEREAS, the International Society of Fire Service Instructors will be conducting a "Fire Department Inspectors Conference" in Cincinnati, Ohio, on March 26 thru 30, 1988, and

WHEREAS, Matthew D. Kawczynski, Fire Inspector, for the Town of Cheektowaga, has requested permission to attend such conference, and

WHEREAS, such conference will provide the Town's Fire Inspector with up-to-date information and legislation on fire prevention and control, and

WHEREAS, Matthew D. Kawczynski will attend such conference at no cost to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Matthew D. Kawczynski be and is hereby authorized to attend the "Fire Department Instructors Conference" on March 28, 19, 30, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 25b Motion by Councilman Johnson, Seconded by Councilman Kulyk

WHEREAS, the New York State Energy Office is holding a seminar on home energy-efficiency in Buffalo, New York, on March 7, 8, 1988, and

WHEREAS, the Director of Community Development and the Building & Plumbing Inspector have requested that an Inspector assigned to each office be authorized to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED that Richard Willis and Eugene Martin are hereby authorized to attend said seminar and that the seminar fee of \$50.00 per Inspector be paid from the Community Development and Building Inspection budget, and BE IT FURTHER

RESOLVED that Mr. Willis and Mr. Martin be authorized to use a Town vehicle for transportation to and from the seminar site.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 25c Motion by Councilman Kulyk, Seconded by Councilman Kazukiewicz

WHEREAS, one-day seminars will be held on March 27, 18, April 14 and May 12, 1988 at the Ramada Inn on Transit Road, sponsored by the Western New York Institute for Dispute Settlement, and

WHEREAS, members of the Town of Cheektowaga Employees' Association have requested permission to attend said seminars, NOW, THEREFORE, BE IT

RESOLVED that in accordance with Article 10, Section 10.06, of the Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, the following Union members are hereby authorized to attend said seminars on March 17, 18, April 14 and May 12, 1988 and shall be allowed time-off without loss of pay:

Ralph Fuerter
Norbert Rutkowski
Larry Kowal

MEETING NO. 4
February 22, 1988

Item No. 25c cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 25d Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the New York State Association of Traffic Safety Boards is holding its quarterly meeting in Albany, New York on February 23 and 24, 1988, and

WHEREAS, the Cheektowaga Traffic Safety Commission has requested that its Chairman, Mr. Carl Perlino, attend said meeting and be reimbursed for any expenses associated with the meeting, NOW, THEREFORE, BE IT

RESOLVED that Mr. Carl Perlino be and hereby is authorized to attend the quarterly meeting of the New York State Association of Traffic Safety Boards on February 23 and 24, 1988, and shall be reimbursed for all necessary and reasonable expenses not to exceed \$250.00.

MOTION BY COUNCILMAN KULYK, SECONDED BY COUNCILMAN SOLECKI
to table the above item.

* Please note: See Meeting No. 6 - March 21, 1988

Item No. 25e Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

WHEREAS, Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, is a member of the New York State Division for Youth's statewide Youth Employment Advisory Council, and

WHEREAS, said advisory board meets on a quarterly basis in Albany, NOW, THEREFORE, BE IT

RESOLVED that Kenneth J. Kopacz be reimbursed necessary transportation costs and expenses to attend said meetings for the year of 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 26a Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, on August 3, 1987, this Town Board awarded the contract for the Vale Drainage Project, Phase II, in the amount of \$224,700.00 to Frontier Asphalt, Inc., and

WHEREAS, the Town Engineer and the consulting firm of Donald Gallo, approved Change Order #1 in the sum of \$22,670.00 as a reduction in the contract's final revised bid quantities, NOW, THEREFORE, BE IT

RESOLVED that Change Order #1, for a total decrease to the original contract price of \$22,670.00 to Frontier Asphalt, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is hereby authorized and directed to sign said Change Order #1.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 4
February 22, 1988

Item No. 26b Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, there is a need to approve Change Order #1 for the Cleveland and Yeager Drivers Interceptor Sewer Project contract as recommended by the Town Engineer in a letter dated February 17, 1988, NOW, THEREFORE, BE IT

RESOLVED that Change Order #1, being a deduction to the contract held by Donald J. Braasch Construction Company, Inc. in the amount of \$6,239.56 be and hereby is approved, and that the Supervisor is authorized and directed to sign Change Order #1 on behalf of this Town Board.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 26c Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, this Town Board awarded a contract for the reroofing of several Town Buildings to Joseph Sanders & Son, Inc. and to McGonigle & Hilger Roofing, and

WHEREAS, additional labor to remove the existing built-up roof from concrete deck instead of gypsum, the deletion of wood blocking at the perimeter of the roof, covering plywood with copper and to furnish and install three (3) plywood covers and blocking over a vent opening were necessary, NOW, THEREFORE, BE IT

RESOLVED that this Town Board approves Change Order #1 at an additional cost of \$2,177.00 as an addition to the contract of Joseph Sanders & Son, Inc., P.O. Box 814, Buffalo, New York 14240, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said Change Order #1 on behalf of this Town Board.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz

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

GENERAL FUND

FROM:	1910.4711 (Contingency)	\$ 2,500.00
TO:	1010.1391 (Council-Part time Clerical)	\$ 2,500.00

SPECIAL DISTRICT FUND

FROM:	25-8135.4211 (Plant #5-Electric)	\$150,000.00
	25-8135.4231 (Plant #5-Water)	4,000.00
TO:	25-8135.4217 (Plant #5-Utilities)	\$150,000.00
	25-8135.4217 (Plant #5-Utilities)	4,000.00

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.

MEETING NO. 4
February 22, 1988

Item No. 27 cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 22, 1988 are hereby approved and made a part hereof.

FUND	AMOUNT
GENERAL FUND	\$ 85,735.50
HIGHWAY FUND	25,223.67
TRUST & AGENCY FUND	2,670.20
PART TOWN FUND	1,015.97
INSURANCE RESERVE FUND	24,782.58
SPECIAL DISTRICTS FUND	42,432.58
CAPITAL FUND	162,640.06
HUD-CDBG FUND	206,472.54
	<u>\$550,973.10</u>

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

III. FROM THE TABLE

Item No. 29 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the Town of Cheektowaga is one of the few municipalities of its size not to have a golf course, and

WHEREAS, the Town of Cheektowaga is presently contemplating the construction of a golf course in either Stiglmeier Park or Rehm Road Park, and

WHEREAS, the National Golf Foundation has submitted a proposal to the Town to conduct a detailed marketing and economic feasibility study of developing an eighteen-hole golf course on one of the two sites hereinbefore mentioned, and

WHEREAS, such study will include analyses of golf market potential, operating projections, capital improvements, site evaluation and development considerations, and will require eight to ten weeks to complete, and

WHEREAS, professional fees for such study are \$18,000 plus direct expenses related to travel estimated at \$2,500, and

WHEREAS, the National Golf Foundation has more than 51 years of experience in fostering the development of needed golf facilities in the United States and a reputation as golf's source of information and research on virtually every aspect of the game, and

WHEREAS, the Town Board desires to retain the National Golf Foundation to conduct the above mentioned golf course feasibility study, NOW, THEREFORE, BE IT

RESOLVED that the National Golf Foundation be and hereby is retained to conduct a golf course feasibility study for the Town in accordance with the attached proposal at a total cost not to exceed \$20,500, and BE IT FURTHER

MEETING NO. 4
February 22, 1988

Item No. 29 cont'd

RESOLVED that the Supervisor be and hereby is authorized to execute a contract and any other papers necessary, as approved by the Town Attorney, to have such study conducted, and ~~BE~~ IT FURTHER

RESOLVED that moneys for such study shall be appropriated from capital project 029.

* * * * *

MOTION BY COUNCILMAN KULYK, SECONDED BY COUNCILMAN KAZUKIEWICZ to table the above resolution

Upon Roll Call....

AYES: Councilmen Kulyk and Kazukiewicz
NAYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak and Solecki
ABSENT: 0

THE MOTION TO TABLE WAS DENIED!

* * * * *

AS FOLLOWS: A VOTE WAS THEN TAKEN ON THE ORIGINAL RESOLUTION AND THE VOTING WAS

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, and Solecki
NAYES: Councilman Kulyk
ABSTAINED: Councilman Kazukiewicz
ABSENT: 0

Item No. 30 Notice to Bidders - Topsoil for 1988 Season
This item was withdrawn. See Item No. 10i.

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 31 Robert Lis, Chief of Police - annual report of Police Department Received and Filed.

Item No. 32 Minutes of Cheektowaga Planning Board for January Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 33a N.Y.S. Dept. of Transportation - Notice of Order - signal on Union Road at Losson Road
Copies were sent to: Chris Kowal, Highway Superintendent; Robert Lis, Chief of Police; Cheektowaga Traffic Safety Commission. Received and Filed.

Item No. 33b N.Y.S. Dept. of Transportation - Notice of Order - Repeal "Stop" control on Losson at Union Road
Copies were sent to: Chris Kowal, Highway Superintendent; Robert Lis, Chief of Police; Cheektowaga Traffic Safety Commission. Received and Filed.

MEETING NO. 4
February 22, 1988

- Item No. 34 SUMMONS & COMPLAINT - Raymond Sisson vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; Laverack and Haines, Insurance Carrier.
Received and Filed.
- Item No. 35a NOTICE OF CLAIM - Kenneth Czosek vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Burst Sewer Maintenance; Joseph J. Naples, Insurance Carrier.
Received and Filed.
- Item No. 35b NOTICE OF CLAIM - Debra Hey vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; Jos J. Naples, Insurance Carrier.
Received and Filed.
- Item No. 35c NOTICE OF CLAIM - Florence Zupo vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Chester Bryan, Town Engineer; Joseph J. Naples, Insurance Carrier.
Received and Filed.
- Item No. 35d NOTICE OF CLAIM - Daniel Netzel vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; Laverack and Haines, Insurance Carrier.
Received and Filed.
- Item No. 35e NOTICE OF CLAIM - Patricia Kubiak vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Burst, Sewer Maintenance; Laverack & Haines, Insurance Carrier.
Received and Filed.
- Item No. 35f NOTICE OF CLAIM - Gerald Hout vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; Jos. J. Naples, Insurance Carrier.
Received and Filed.
- Item No. 35g NOTICE OF CLAIM - Joanne Carrubba vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Burst, Sewer Maintenance; Laverack & Haines, Insurance Carrier.
Received and Filed.
- Item No. 35h NOTICE OF CLAIM - Philip Enders vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Robert Lis, Chief of Police; Laverack & Haines, Insurance Carrier.
Received and Filed.

MEETING NO. 4
February 22, 1988

Item No. 35i NOTICE OF CLAIM - Allstate Ins. Co. for Frank Senker vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Ron Zoeller, Working Foreman-Sanitation; Joseph J. Naples, Insurance Carrier.
Received and Filed.

Item No. 36 Request to speak regarding Phase II of plans for proposed Walden Galleria
Copies were sent to: Frank E. Swiatek; Supervisor; Town Board Members; Tom Adamczak, Assistant Building Inspector
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Jaworowicz, Seconded by Supervisor Swiatek to suspend the rules to include the following two (2) items.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

* * * * *

Item No. 37 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, Greenwood Village Subdivision was approved by this Town Board by resolution dated May 20, 1985, and

WHEREAS, the developer has submitted Greenwood Village Subdivision, Phase II to this Town Board for approval, and

WHEREAS, there is a vacant triangular parcel of land lying between Greenwood Village Subdivision and Greenwood Village Subdivision, Phase II, which property is owned by Mr. and Mrs. Stephen Haniszewski, and

WHEREAS, the Town is desirous of obtaining such land in order to connect the sidewalks between Greenwood Village Subdivision and Greenwood Village Subdivision, Phase II, and

WHEREAS, the owners of such land have indicated an unwillingness to convey such land to the Town, and

WHEREAS, the Eminent Domain Procedure Law of the State of New York requires the Town to have an appraisal of such property, and

WHEREAS, Western New York Appraisal Services, Inc. has offered to appraise such property, NOW, THEREFORE, BE IT

RESOLVED that Western New York Appraisal Services, Inc., 745 Center Road, West Seneca, New York be and hereby is retained by the Town to appraise the above referenced property for a fee not to exceed \$300.00, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to take whatever steps are necessary under the Eminent Domain Procedure Law to enable the Town to acquire this land.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 4
February 22, 1988

Item No. 38 Motion by Supervisor Swiatek, Seconded by Councilman Johnson

WHEREAS, by resolution dated February 1, 1988, this Town Board agreed to accept Greenwood Village Subdivision, Phase II, subject to two conditions, and

WHEREAS, the developer of such subdivision has agreed to execute an agreement and place moneys in escrow with the Town to satisfy these conditions now so that such developer can file its subdivision map in the Erie County Clerk's Office, and

WHEREAS, such proposed agreement, as attached hereto, is acceptable to this Town Board, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the terms of this agreement and rescinds these two conditions stated in the February 1, 1988 resolution upon the developer also signing this agreement, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached agreement on behalf of the Town.

* See next two (2) pages for agreement

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AGREEMENT

THIS AGREEMENT, made and entered into the 24th day of February, 1988, by and between the TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a domestic municipal corporation having its principal place of business at Broadway and Union Road, Cheektowaga, New York, hereinafter referred to as the "TOWN".

and

H.O.M. DEVELOPMENT CORPORATION, a domestic corporation duly organized under the laws of the State of New York, having its principal office for the transaction of business at 3521 Union Road, Cheektowaga, New York, hereinafter referred to as "H.O.M.".

W I T N E S S E T H :

WHEREAS, H.O.M. has submitted Greenwood Village Subdivision, Phase II, to the TOWN for approval, and

WHEREAS, the TOWN agreed to accept such subdivision subject to the following conditions:

1. the developer reimburse the Town for 50% of the TOWN's costs, including surveying and appraisal fees, in acquiring lands necessary to construct a sidewalk between 98 and 102 Jessica Lane; and
2. after acquisition of such land by the TOWN, H.O.M. shall construct the necessary sidewalk over such land at its sole cost and expense.

and,

WHEREAS, H.O.M. is agreeable to such conditions, but desires to place moneys in escrow with the TOWN to satisfy these conditions.

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES HERETO:

1. The TOWN will accept Greenwood Village Subdivision, Phase II.
2. H.O.M. will tender a check in the amount of \$1,500.00 to the TOWN, such moneys to be held in escrow by the TOWN to reimburse the TOWN for 50%

of the TOWN's costs, including surveying and appraisal fees, in acquiring lands necessary to construct a sidewalk between 98 and 102 Jessica Lane.

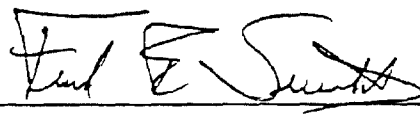
3. The TOWN will acquire the following described lands lying between 98 102 Jessica Lane either through purchase or condemnation:

A triangular piece of property measuring 50± feet on the south side, 30± feet on the east side and 60± feet on the north side.

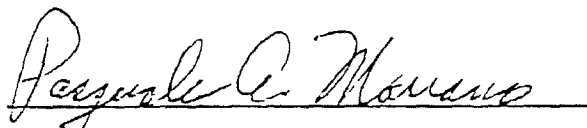
4. H.O.M. shall construct a sidewalk, meeting TOWN specifications, within a reasonable time after the TOWN acquires title to such property, over the property described in paragraph numbered "3" of this agreement.
5. The TOWN shall reimburse H.O.M. for the difference between the cost involved in acquiring the property described above and the amount given to the TOWN by H.O.M. under this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this agreement as of the day and year first above written.

TOWN OF CHEEKTOWAGA



H.O.M. DEVELOPMENT CORPORATION



TREAS.

MEETING NO. 4
February 22, 1988

Item No. 39 Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz to adjourn the meeting in memory of Robert Huntz, who served the Town as Police Officer for 33 years.

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 7th day of March, 1988 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Ted Brudz, Assistant Foreman of Main Pump Station; Chester Bryan, Town Engineer; James Kirisits, Town Attorney; Sam LaGreca, Employment and Training Director II; Robert Lis, Chief of Police; Al Lonczak, Deputy Highway Superintendent; Ronald Marten, Building Inspector; Donald Wegner, Chairman of Zoning Board of Appeals; Pat Wojcik, Senior Citizens Coordinator; Barney Wojtkowiak, Jr., Erie County Legislator and Ronald Zoeller, Working Crew Chief in Sanitation Department.

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 the Chapter 78 of the Code of the Town of Cheektowaga, (Vehicles, Removal and Storage) 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. RESOLVED THAT Section 78-13 - Fee Schedule, shall be amended to read as follows:

§78-13 Fee Schedule.

Authorized town towers shall not charge more than the following fees for the following respective services:

A. Passenger vehicles and light trucks

- | | |
|--|---------|
| (1) Standard tow [Vehicles up to ten thousand (10,000) pounds]..... | \$40.00 |
| (2) Flatbed | \$55.00 |
| (3) Additional fees for labor, recover and towing: | |
| (a) Truck and driver hourly rate | \$60.00 |
| (b) Dolly wheels | \$15.00 |
| (c) Trailer for motorcycle, all terrain vehicle/cycle, snowmobile | \$15.00 |
| (d) Winching | \$15.00 |
| (4) Storage (per day) | \$ 7.00 |
| (5) Releasing vehicle after 5:00 p.m. weekdays, or other than required business hours on Saturdays, Sundays and holidays | \$15.00 |

Item No. 2 Cont'd.

B. Heavy trucks, buses, tractor-trailers, machinery.

- (1) Hook-up and tow vehicle over ten thousand (10,000) pounds \$75.00
- (2) Additional labor fees for heavy vehicle recovery and towing:
 - (a) Air hookup \$10.00
 - (b) Mechanically released brakes (per axle) ... \$10.00
 - (c) Drop trailer for tractor \$12.00
 - (d) Remove axle (per axle) \$10.00
 - (e) Remove drive shaft \$25.00
 - (f) Remove bumper \$25.00
- (3) Trailer towed behind vehicle \$30.00
- (4) Winching (hourly rate per truck) \$75.00
- (5) Additional labor (hourly per person) \$30.00
- (6) Flatbed (per hour) \$75.00
- (7) Storage (per twenty-four-hour day):
 - (a) Tractor, trailer or bus \$12.00
 - (b) Truck over twenty (20) feet long \$12.00

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, this Town Board held a public hearing on February 22, 1988 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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
BELLEVUE AVE.	East-west	PARK STREET	Northbound	S.E. Corner
MIAMI PARKWAY	East-west	PETAN DRIVE	Northbound	S.E. 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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Justin D. Clark....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication.....March 10, 1988.....;
last publication.....March 10, 1988.....;
and that no more than six days intervened be-
tween publications.

Justin D. Clark.....
Sworn to before me this10th.....
day ofMarch....., 1988..
.....Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

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 March, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilmen -

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard B. Solecki

ABSENT: 0

Motion by Councilman Johnson
Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on February 22, 1988 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 hereby adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Street	Direction
Bellevue Ave.	East-west
Entrance/Street	Traffic Stops
Park Street	Northbound
Sign Location	
S.E. Corner	
Street	Direction
Miami Parkway	East-west
Entrance/Street	Traffic Stops
Petan Drive	Northbound
Sign Location	
S.E. 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

March 10, 1988

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...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on March 7 1988 and minutes of said meeting have duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board and such minutes appear at item No. 3, inclusive, of said book.

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

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

IN WITNESS/WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 7th day of March, 1988.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: March 10, 1988

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

WHEREAS, the Town of Cheektowaga is eligible to receive up to \$640,000 in Community Development Block Grant funds for the 1988-1989 Program Year, and

WHEREAS, the Town of Cheektowaga is required to hold a public hearing for the purpose of obtaining the views of Town residents regarding community development and housing needs, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on March 21, 1988 at 6:30 P.M. at Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the above said purpose, AND BE IT

FURTHER RESOLVED that a legal notice of such public hearing also contain a notice of proposed community development objectives and use of funds and a statement of the range of allowed activities under the Community Development Program, be published in the CHEEKTOWAGA TIMES on March 10, 1988.

SEE NEXT PAGE FOR NOTICE OF PUBLIC HEARING.

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

NOTICE OF PUBLIC HEARING

STATEMENT OF OBJECTIVES AND PROPOSED USE OF FUNDS

The Town of Cheektowaga will hold a Public Hearing on Monday, March 21, 1988, at 6:30 P.M., at Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, New York, regarding the Town's 1988-89 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew and Sloan, and Williamsville are eligible to receive up to \$640,000, under Title I of the Housing and Community Development Act of 1977, as amended. The purpose of this hearing is to provide the citizens of the Town of Cheektowaga with the opportunity to express their views and opinions on housing and community development needs in the Town. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew, and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and industrial development. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 2600 Harlem Road, Cheektowaga, New York, 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays, or can be discussed with the Community Development Director by calling 896-1700 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

Item No. 4A Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin D. Dondick....., 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..... MAR 10 1988 ;
last publication..... MAR 10 1988 ;
and that no more than six days intervened be-
tween publications.

Justin D. Dondick.....
Sworn to before me this 10th.....
day of March....., 1988..
Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE
Notice of Public Hearing
Statement of Objectives and
Proposed Use of Funds

The Town of Cheektowaga will hold a Public Hearing on Monday, March 21, 1988 at 6:30 P.M., at Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, New York, regarding the Town's 1988-89 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew and Sloan, and Williamsville are eligible to receive up to \$640,000 under Title I of the Housing and Community Development Act of 1977, as amended. The purpose of this hearing is to provide the citizens of the Town of Cheektowaga with the opportunity to express their views and opinions on housing and community development needs in the Town. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and industrial development. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 2600 Harlem Road, Cheektowaga, New York, 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays or can be discussed with the Community Development Director by calling 896-1700 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

PUBLISHED: March 10, 1988

Item No. 4B Motion by Councilman Kulyk seconded by Councilman Gabryszak

WHEREAS, Dr. Paul H. Lee has made application and requested the rezoning of property located at 2657 Harlem Road from R-Residential District to RC-Restricted Business District for use as a Doctor's Office, said applicant having the written consent of the owners of the property aforementioned, (Elia and Pia Paoletti), NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 21, 1988 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin Derabik....., 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..... MAR 10 1988;
last publication..... MAR 10 1988;
and that no more than six days intervened be-
tween publications.

Justin Derabik.....

Sworn to before me this10th.....
day ofMarch....., 1988..

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

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 March, 1988 at 6:30 o'clock, P.M., Eastern Standard Time of said day for the purpose of considering the application of Dr. Paul H. Lee (Elia & Pia Paoletti) to Rezone from R-Residential District to RC-Restricted Business District on property located at 2657 Harlem 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.

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 twenty-five (25), Township eleven (11), Range seven (7) of the Holland Land Company's survey and further distinguished as sub-division lots seven (7) and eight (8), as shown on Map filed in the Erie County Clerk's Office under Cover Number 1469.

By order of the Town Board
Supervisor, Frank E. Swiatek

Councillmen:

Thomas M. Johnson, Jr.

Patricia A. Jaworowicz

Dennis H. Gabryszak

Andrew A. Kulyk

Leo T. Kazukiewicz

Richard B. Solecki

RICHARD M. MOLESKI

Town Clerk

PUBLISH: March 10, 1988

Item No. 4C Motion by Councilman Kulyk seconded by Councilman Gabryszak

WHEREAS, John & Angelina Valenti have made application and requested a Special Use Permit for self-service car wash on property located at 1249 Walden Avenue, said applicants being the owners of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 21, 1988 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin Decker, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk
of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication..... MAR 10 1988 ;
last publication..... MAR 10 1988 ;
and that no more than six days intervened be-
tween publications.

Justin Decker

Sworn to before me this 10th

day of March, 1988.

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

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 March, 1988 at 6:30 o'clock, P.M., Eastern Standard Time of said day for the purpose of considering the application of John & Angelina Valenti for a Special Permit to use property for self-service car wash on property located at 1249 Walden Avenue 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.

All that tract or parcel of land, situated in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 33, Township 11, Range 7, of the Holland Land Company's Survey and further distinguished as Subdivision Lots No. 9, 10, 11, 12, 13 in Section 5 as shown on Map filed under Cover No. 325, bounded and described as follows:

Commencing at a point in the southerly line of Walden Avenue distant 2440.50 feet easterly measured along

the said southerly line of Walden Avenue from the easterly boundary line of the City of Buffalo; running thence southerly at a right angle with Walden Avenue a distance of 150 ft.; thence easterly at a right angle and parallel with the southerly line of Walden Avenue a distance of 150 ft. to a point; thence northerly at a right angle a distance of 150 ft. to the southerly line of Walden Avenue; thence westerly along the southerly line of Walden Avenue a distance of 150 ft. to the point or place of beginning.

By order of the Town Board
Supervisor, Frank E. Swiatek

Councilmen:

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz

Dennis H. Gabryszak

Andrew A. Kulyk

Leo T. Kazuklewicz

Richard B. Solecki

RICHARD M. MOLESKI

Town Clerk

PUBLISH: March 10, 1988

Item No. 5A Motion by Councilman Solecki 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 One (1) New and Unused 1988 Model year, Rubber Tire Asphalt Paver for use by the 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 officer to open bids on the aforesaid item at 11 A.M. on March 18th, 1988.

* * * * *

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for One (1) New and Unused, 1988 Model Year Rubber Tire Asphalt Paver at a public bid opening March 18th, 1988 at 11:00 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "bid for one (1) NEW AND UNUSED, 1988 MODEL YEAR, RUBBER TIRE ASPHALT PAVER".

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI
Town Clerk

DATED: March 7, 1988

PUBLISHED: March 10, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
 Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Quinton Dunbar....., 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.....MAR 10 1988.....;
last publication.....MAR 10 1988.....;
and that no more than six days intervened be-
tween publications.

Quinton Dunbar.....
Sworn to before me this 10th.....
day of March....., 1988..
Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

Notice to Bidders

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for One (1) New and Unused, 1988 Model Year Rubber Tire Asphalt Paver at a public bid opening March 18th, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE (1) NEW AND UNUSED, 1988 MODEL YEAR RUBBER TIRE ASPHALT PAVER".

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD MOLESKI

Town Clerk

PUBLISH: March 10, 1988

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of One (1) New and Unused 1988 Model Two-Wheel Drive, 3/4 Ton Pickup Truck for use by the 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 officer to open bids on the aforesaid item at 11 A.M. on March 18th, 1988.

* * * * *

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for One (1) New and Unused 1988 Model Two-Wheel Drive, 3/4 Ton Pickup Truck at a public bid opening March 18th, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE NEW AND UNUSED 1988 TWO-WHEEL DRIVE 3/4 TON PICKUP TRUCK".

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI
TOWN CLERK

DATED: March 7, 1988

PUBLISHED: March 10, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine Decker....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk.....of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication.....MAR 10 1988.....;
last publication.....MAR 10 1988.....;
and that no more than six days intervened be-
tween publications.

Justine Decker.....

Sworn to before me this 10th.....

day of March....., 1988..

Eve J. Allis.....

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

EVE J. ALLIS

Notary Public, State of New York
Qualified In Erie County

My commission expires March 30, 1989

LEGAL NOTICE

Notice to Bidders

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for One (1) New and Unused 1988 Model Two-Wheel Drive, 3/4 Ton Pickup Truck at a public bid opening March 18th, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE NEW AND UNUSED 1988 TWO-WHEEL DRIVE 3/4 TON PICKUP TRUCK".

Non-collusion forms must be signed and submitted with each bid, the Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: March 10, 1988

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one (1) New and Unused 1988 Model Combination Vacuum Catch Basin and Sewer Cleaner with a high pressure Jet Rodder on a new Truck Chassis for use by the 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 officer to open bids on the aforesaid item at 11 A.M. on March 18th, 1988.

* * * * *

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for

One (1) New and Unused 1988 Model Combination Vacuum
Catch Basin and Sewer Cleaner with a high pressure
Jet Rodder on a new Truck Chassis

at a public bid opening March 18th, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union road, Cheektowaga NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE 1988 COMBINATION VACUUM CATCH BASIN AND SEWER CLEANER WITH HIGH PRESSURE JET RODDER ON NEW TRUCK CHASSIS".

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI
Town Clerk

DATED: March 7, 1988

PUBLISHED: MARCH 10, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
 Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justin Dombik....., 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.....MAR 10 1988..... ;
last publication.....MAR 10 1988..... ;
and that no more than six days intervened be-
tween publications.

Justin Dombik.....

Sworn to before me this 10th
day of March, 1988.

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 19 89

LEGAL NOTICE

Notice to Bidders

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for

One (1) New and Unused 1988 Model combination Vacuum Catch Basin and Sewer Cleaner with a high pressure Jet Rodder on a new Truck Chassis

at a public bid opening March 18th, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE 1988 COMBINATION VACUUM CATCH BASIN AND SEWER CLEANER WITH HIGH PRESSURE JET RODDER ON NEW TRUCK CHASSIS".

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 10, 1988

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, annually requires Pool Maintenance Chemicals for the year, NOW, BE IT

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

RESOLVED that the specifications for said Pool Maintenance Chemicals be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 21st day of March, 1988 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on March 21, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Pool Maintenance Chemicals for the year, 1988.

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: March 7, 1988

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Justine Danks....., 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.....MAR. 10 1988.....;
last publication.....MAR 10 1988.....;
and that no more than six days intervened be-
tween publications.

Justine Danks.....

Sworn to before me this 10th.....

day of March....., 1988.....

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE

Notice to Bidders

Sealed proposals will be received and considered by the Town of Cheektowaga on March 21, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Pool Maintenance Chemicals for the year 1988.

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

PUBLISH: March 10, 1988

WHEREAS, there is need to replace sanitary sewer manhole castings and covers utilizing self-sealing covers and vented covers, AND

WHEREAS, funds have been budgeted for such sewer repairs (8125.4438), 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 manhole castings with self-sealing covers and manhole castings with vented type covers, notice to be published in THE CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 21st day of March, 1988 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the town of Cheektowaga on March 21, 1988 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of manhole castings and 24" diameter covers for the Sewer Maintenance Department.

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

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

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

Richard M. Moleski
Town Clerk

DATED: March 7, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Austine Drosick....., 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..... MAR 10 1988 ;
last publication..... MAR 10 1988 ;
and that no more than six days intervened be-
tween publications.

Austine Drosick.....

Sworn to before me this 10th
day of March, 1988.

Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1989

LEGAL NOTICE
Notice to Bidders

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 21, 1988 at 11:00 AM, Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of manhole castings and 24" diameter covers for the Sewer Maintenance Department.

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

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

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

Richard M. Moleski
Town Clerk

PUBLISH: March 10, 1988

Item No. 6A Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, after advertisement therefor, bids were duly received on March 7th, 1988 for (1) One Model G-100 Gardner Denver Portable Air Compressor (or equal), and

WHEREAS, the Town Highway Superintendent has reviewed and evaluated such bids and has recommended that such bid be awarded to George & Swede Sales & Service, Inc., for a new and unused Model G-100 Gardner Denver Portable Air Compressor for a total bid price, after trade-in, of \$6,100.00, NOW, THEREFORE, BE IT

RESOLVED that the bid for a new and unused Model G-100 Gardner Denver Portable Air Compressor be and hereby is awarded to George & Swede Sales & Service, Inc., 7155 Big Tree Road, Pavilion, NY, at a net price, after trade-in, of \$6,100.00

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 6B Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, bids were duly received by the Town Board at a bid opening on March 7th, 1988, for topsoil for use by the Town of Cheektowaga Highway Department, as a result of advertising thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

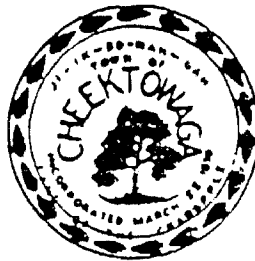
WHEREAS, such analysis, tabulation and report has been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid for Topsoil be awarded to Custom Topsoil Inc., 320 Crabapple Lane, Cheektowaga NY 14227, the lowest responsible bidder meeting specifications as set forth in the letter attached and made a part hereof.

*SEE NEXT PAGE FOR LETTER FROM TOWN HIGHWAY SUPERINTENDENT

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

HIGHWAY DEPARTMENT
3145 UNION ROAD
CHEEKTOWAGA, N.Y. 14227
(716) 686-3450



CHRISTOPHER J. KOWAL

SUPERINTENDENT OF HIGHWAYS

61 ST. FELIX AVENUE
CHEEKTOWAGA, N.Y. 14227

(716) 895-8184

March 7, 1988

SUPERVISOR FRANK E. SWIATEK
TOWN BOARD MEMBERS
CHEEKTOWAGA NY 14227

Re: Award of Bids for Topsoil

Dear Town Board Members:

Whereas, bids were opened today, March 7th, 1988, for Topsoil to be used by the Highway Department and Custom Topsoil Inc. of 320 Crabapple Lane, Cheektowaga NY being the only bidder and the only vendor picking up specifications, I recommend that the bid be awarded to Custom Topsoil Inc.

Listed below is a tabulation of bid submitted:

TOPSOIL

Regular	\$12.95 Per Yd. Delivered	\$9.00 Per Yd. Picked-up*
Screened	\$15.95 Per Yd. Delivered	\$12.00 Per Yd. Picked-up*
Shredded	\$15.95 Per Yd. Delivered	\$12.00 Per Yd. Picked-up*

*Indicated location of Topsoil if picked-up by
Highway Department Cheektowaga /Losson Rd.

Trusting this meets with your approval.

Very truly yours,


ALFRED J. LONCZAK
DEPUTY HIGHWAY SUPERINTENDENT

ERP



Item No. 6B Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6C Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, bids were received on February 22, 1988 for the application of chemical fertilizers and herbicides, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 2, 1988, NOW, THEREFORE, BE IT

RESOLVED that the contract for the application of chemical fertilizers and herbicides for the year of 1988 be awarded to Wright Lawn and Tree Care, Inc., 9505 High Street, Clarence Center, New York 14032 at the following total and unit bid prices:

Item 1	\$4,351.50
Item 2	3,261.43
Item 3	691.38
Item 4	.0032 per square foot
Item 5	.00249 per square foot
Item 6	.00256 per square foot
Item 7	421.00
Item 8	41.00
Item 9	210.00
Item 10	1,553.43

Total bid for Items 1,2,3,7,8,9 and 10 - \$10,529.74

AND, BE IT FURTHER

RESOLVED that payment for the application of chemical fertilizers and herbicides be funded from Erosion Control and Drainage Account #8540.4587.

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



Town of Cheektowaga

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

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

March 2, 1988

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Chemical Fertilizers
and Herbicides

Gentlemen:

Bids were received and opened on February 22, 1988 for the application of chemical fertilizers and herbicides for the year of 1988. Three (3) sets of specifications were picked up but only one (1) bid was submitted and is as follows:

<u>BIDDER</u>	<u>TOTAL BID</u>
Wright Lawn & Tree Care, Inc.	\$10,529.74

It is, therefore, recommended that the bid be awarded to Wright Lawn & Tree Care, Inc., 9505 High Street, Clarence Center, New York 14032 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Item No. 6C Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6D Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning for 1988, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED that the contract for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning for 1988 be awarded to Superior Pipecleaning, Inc., S-3313 Woodlawn Avenue, Woodlawn, New York 14219 for the following bid prices:

Item	Storm Sewer Diameter to Be Cleaned	Price Per Crew For 8 Hour Day
I	8" - 12"	\$590.00
II	15" - 24"	\$590.00
III	30" - 48"	\$590.00

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



Town of Cheektowaga

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

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

March 2, 1988

TO THE SUPERVISOR AND
TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Storm Sewer Cleaning

Gentlemen:

Bids were received and publicly opened on February 22, 1988 for the cleaning of storm sewers in the Town of Cheektowaga. Two (2) bids were received and are as follows:

	<u>Item I</u>	<u>Item II</u>	<u>Item III</u>
	8"-12" Dia. Per Crew 8 Hour Day	15"-24" Dia. Per Crew 8 Hour Day	30"-48" Dia. Per Crew 8 Hour Day
Superior Pipecleaning S-3313 Woodlawn Ave. Woodlawn, NY 14219	\$590.00	\$590.00	\$590.00
Robinson Pipe Cleaning P.O. Box 396 Eighty Four, PA 15330	\$1,040.00	\$1,040.00	\$1,040.00

It is recommended that the bid be awarded to Superior Pipecleaning, Inc. for submission of the lowest bid meeting the requirements of the specifications. The Town of Cheektowaga may contract work as funds become available for the year of 1988.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Item No. 6E Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, bids were received at a public bid opening on February 22, 1988 for the removal of sludge from the old Wastewater Treatment Plant No. 5 in the Town of Cheektowaga, and

WHEREAS, the bids were referred to the town Engineer for analysis, tabulation and report, and

WHEREAS, said analysis, tabulation and report is noted in a letter from the Engineering Department dated March 2, 1988 which is attached and considered part of this resolution, NOW, THEREFORE, ~~BE~~ IT

RESOLVED that the contract for the removal of sludge be awarded to Browning Ferris Industries, 2321 Kenmore Avenue, Kenmore, New York 14217 for submitting the lowest responsible bid in the amount of \$7,170.00

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



Town of Cheektowaga

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

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

March 2, 1988

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Sludge Removal

Gentlemen:

At a public bid opening on February 22, 1988, bids were received and publicly opened for the removal of sludge at the obsolete Wastewater Treatment Plant No. 5 in the Town of Cheektowaga. Two (2) bids were received and are as follows:

<u>BIDDER</u>	<u>TOTAL BID PRICE</u>
BFI Waste Systems	\$7,170.00
CID Refuse Service, Inc.	\$8,550.00
*CID Refuse Service, Inc.	\$9,120.00

*F.O.B. 171 Central Boulevard, Cheektowaga, New York

It is, therefore, recommended that the contract for the removal of sludge be awarded to Browning-Ferris Industries, 2321 Kenmore Avenue, Kenmore, New York 14217 for submitting the lowest bid of \$7,170.00, said bid meeting all the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Allan B. Blachowski
Sr. Engineer Assistant

ABB:dms

Item No. 6E Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6F Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, Bid Proposals were received for the Leasing and Servicing of Portable Chemical Toilets on March 7, 1988, and

WHEREAS, said proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards said Bid for the Leasing and Servicing of Portable Chemical Toilets to:

Johnny on the Spot
P.O. Box 546
No. Tonawanda, New York 14120

for

Category I
Items 1,2,3 - @ 1.93 per day
Category II
Items 1,2 - @ 30.00 per day
Category III
Item 1 - @ 5.00 per day

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 6G Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

WHEREAS, Bid Proposals were received for furnishing Athletic White Stripe to the Facilities Department on March 7, 1988, AND

WHEREAS, said proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards said Bid for Athletic White Stripe to:

Quikrete-Buffalo
11 Steelawanna Avenue
P.O. Box B
Lackawanna, New York 14218 at .0608 per lb.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

WHEREAS, by resolution dated June 1, 1987 and addendum dated July 6,

Item No. 7 Cont'd.

1987, the Town Board of the Town of Cheektowaga solicited bids for long term (25) years solid waste disposal service, and

WHEREAS, bids were received and opened on June 30, 1987 and July 21, 1987, and

WHEREAS, Occidental Chemical Corporation was the sole bidder for such service, and

WHEREAS, thereafter, the Town and Occidental Chemical Corporation began deliberations to negotiate a better contract for the Town, and

WHEREAS, a revised contract, as attached hereto, was the end product of negotiations between the Town and Occidental Chemical Corporation, and

WHEREAS, Newco Waste Systems, Inc. has agreed to allow the Town to terminate the current agreement the Town has with Newco Waste Systems, Inc. should the Town decide to enter into an agreement with Occidental Chemical Corporation, and

WHEREAS, the proposed contract between the Town and Occidental Chemical Corporation is advantageous to the Town and this Town Board desires to enter into same, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby determines that the Town's entrance into the attached Solid Waste Disposal agreement with Occidental Chemical Corporation is environmentally non-significant under the State Environmental Quality Review Act and its implementing regulations, and BE IT FURTHER

RESOLVED that this Town Board hereby agrees to terminate the Town's current agreement with Newco Waste Systems, Inc. for solid waste disposal, and BE IT FURTHER

RESOLVED that the contract for the provision of solid waste disposal service for the Town of Cheektowaga be and hereby is awarded to Occidental Chemical Corporation, 56th Street and Buffalo Avenue, Niagara Falls, New York, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized, directed and empowered to execute the attached Solid Waste Disposal Agreement with Occidental Chemical Corporation on behalf of the town, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is also authorized and directed to execute the necessary State Environmental Quality Review Act form stating that the award of this contract is environmentally non-significant.

*SEE NEXT PAGES FOR COPY OF CONTRACT.

SOLID WASTE DISPOSAL AGREEMENT

FOR

DISPOSING OF PREDOMINANTLY PROCESSIBLE MIXED
MUNICIPAL SOLID WASTES AT THE OCCIDENTAL
CHEMICAL CORPORATION ENERGY FROM WASTE PLANT,
OR AT ALTERNATE DISPOSAL FACILITIES IF AND
WHEN THE ENERGY FROM WASTE PLANT IS NOT
PROVIDING THE REQUIRED DISPOSAL SERVICE, FOR
A PERIOD OF TWENTY-FIVE YEARS.

THIS AGREEMENT made and entered into this 10th day of
May, 1988, by and between the Town of
Cheektowaga, a municipal corporation organized under the laws
of the State of New York (hereinafter referred to as the
"Town"), and Occidental Chemical Corporation, a corporation orga-
nized under the laws of the State of Texas and having
its principal place of business at 56th Street and Buffalo
Avenue, Niagara Falls, New York (hereinafter referred to as the
"Contractor").

WITNESSETH:

WHEREAS, the Contractor is desirous of disposing of predomi-
nantly processible mixed municipal solid wastes at its Energy
From Waste facility ("EFW"), or at alternate disposal facili-
ties if and when the EFW is not providing the required dispo-
sal service, for a period of twenty-five years.

WHEREAS, the Town is desirous of utilizing the Contractor's EFW for its long term refuse disposal.

WHEREAS, the Town advertised for bids from existing landfill and resource recovery facilities on June 4, 1987, for the furnishing of long term disposal services, and the only responsible and responsive bidder was the Contractor named hereinabove.

WHEREAS, the public bidding process undertaken by the Town confirmed that the Contractor's EFW is the only existing disposal facility located in the western New York area that is willing to enter into an acceptable long term contract for the disposal of municipal solid wastes.

WHEREAS, in addition to being the sole bidder and the sole source of the desired long term disposal services, the Contractor has agreed to maintain its bid price for an initial period of the contract, and not charge the Town for environmental cost increases expected to occur during said period, in exchange for the Town's agreement to use the savings for the purchase of packer trucks suited for efficiently hauling solid waste collected by the Town to the Contractor's EFW.

WHEREAS, the Town and the Contractor negotiated changes to the bid document for their mutual benefit for the reasons stated hereinabove and, moreover, the Town considers such changes to be in the public interest not only because of the initial price stabilization and other reasons noted above, but also because the terms and conditions of this Agreement are expected to result in

a fair and workable long term disposal arrangement that will be in the Town's and the Contractor's best interests to adhere to, and particularly because this Agreement provides the Town with a long term disposal service which is considered to be increasingly important to the Town's further economic development and well-being, as the available and permitted disposal capacity in New York State diminishes and thereby becomes a more precious and difficult resource to obtain.

WHEREAS, the Contractor currently is a party to one or more leases involving the EFW which are scheduled to expire on or about the year 2000, which effectively limits the price commitment capabilities of the Contractor to those years prior to the expiration of said lease or leases.

WHEREAS, other municipalities shall have the opportunity to participate in this basic Agreement between the Town and the Contractor, by signing a separate but essentially identical standard version of this Agreement (a copy of which is attached hereto as Exhibit D) that provides such additional municipalities with the same disposal service and prices that are provided herein to the Town of Cheektowaga, in accordance with the Town's June 4, 1987, public advertisement for bids and in accordance with but not limited to the terms and conditions of the inter-municipal agreement contained in Exhibit A attached hereto.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and of the consideration to be paid by the Town to the Contractor, as herein set forth, the Town and the Contractor hereby agree as follows:

1. SERVICES PROVIDED. Predominantly processible mixed municipal solid wastes collected by or on behalf of the Town, and which are delivered to the EFW by Town vehicles or other vehicles as shall be designated by the Town, shall be accepted by the Contractor for disposal at its EFW or at alternate disposal facilities as shall be designated in advance by the Contractor if and when the EFW is not capable of providing the required disposal service.

2. MATERIALS TO BE DISPOSED OF. Whenever the phrase "predominantly processible mixed municipal solid wastes", "mixed municipal solid wastes", "municipal solid wastes", "mixed wastes", "solid wastes" or their singular forms, appears herein, it shall be construed to mean solid wastes generated from residential, commercial, institutional and industrial sources that are typically collected by Town trucks, or by other vehicles as may be designated from time to time by the Town, and that are allowed to be disposed in incinerators and/or sanitary landfills in New York State in accordance with Part 360 of the New York State Compilation of Codes, Rules and Regulations. Typical components of such wastes include household garbage and rubbish, yard wastes, and refuse from stores, markets, offices, schools, hospitals (specifically excluding, however, hospital wastes that are categorized as potentially infectious wastes), public

buildings, shopping centers, restaurants and industries. Such phrase shall be construed to specifically exclude sludges, septic tank pumpings, regulated hazardous wastes, junk automobiles, pathological wastes, and bulky wastes (such as large appliances, white goods, and tree stumps) that are typically too large and/or dense to be collected in packer trucks.

3. DELIVERY AND ACCESS TO SITE BY TOWN. The Town shall deliver or cause to be delivered to the Contractor's EFW all predominantly processible mixed municipal solid wastes it collects or causes to be collected, excluding any materials collected for recycling purposes. Whenever the phrase "Contractor's EFW", "EFW", "dumping site", "disposal site", or "site" appears herein, it shall be construed to be referring to the Occidental Chemical Corporation's existing Energy From Waste plant in Niagara Falls, and shall also, unless otherwise indicated by the context, be construed to refer to whatever alternate disposal facilities are designated by the Contractor for the disposal of Town wastes on those occasions when the EFW is not capable of providing the required disposal service.

Town trucks shall be permitted access to the dumping site during all normal working hours of the Town Sanitation Department (as established by the Foreman of the Sanitation Department). Town trucks or Town vehicles when referred to herein shall be deemed to include any trucks including transfer station vehicles which collect and/or transport solid waste on behalf of the Town.

There shall normally be no delays in excess of twelve minutes waiting time to discharge loads once Town trucks arrive at the site.

Access to the site shall be via paved or well-kept roads or driveways so as not to damage Town vehicles. On-site roads to the unloading area shall be of all-weather construction and wide enough to permit easy two-way truck travel. On-site roads shall be maintained in reasonable condition to prevent bogging down of Town vehicles and tire damage. Damage to Town vehicles resulting from improperly maintained access roads, including above ordinary wear and tear, shall be the responsibility of the Contractor and the costs of such repairs shall be separately invoiced and substantiated by the Town to the Contractor.

Site operators shall provide tow truck service to remove any Town vehicles which may become stuck at the site and move same to the nearest hard road so as to avoid damage to Town vehicles.

4. INSPECTION OF SITE. The Town may make reasonable inspections of the site through designated personnel during normal business hours, upon advance notice to the Contractor.

5. COMPLIANCE WITH LAWS. The Contractor shall operate the site and all of its related operations in compliance with all applicable laws, ordinances and regulations of the United States of America, the State of New York and the governmental agency of the community within which the site and/or the related operations

are located and any other regulatory body having jurisdiction over the same. Proof of possession and copies of necessary permits required by the New York State Department of Environmental Conservation or any Federal, State or local municipal department must be provided to the Town upon request.

6. COMPENSATION. Compensation shall be paid to the Contractor monthly based on the tonnage of mixed municipal solid wastes disposed at the disposal site during the previous month by or on behalf of the Town. Any standard record keeping system used by the Contractor and submitted to the Town for approval shall be deemed acceptable, so long as it ensures that the necessary billing information (such as: tons received, date received, and truck identification number) is accurately and appropriately recorded. The Contractor shall submit a monthly bill to the Town for all the wastes disposed from the Town during the previous month, and the Town shall pay the Contractor on or before the thirtieth day following receipt of the Contractor's bill. The Contractor shall indicate on each monthly bill the applicable disposal price per ton, and the number of tons it received and disposed of pursuant to this Agreement.

Any damages to Town trucks believed to be caused by the Contractor, and any damages to the disposal site believed to be caused by Town trucks during their ingress, egress and solid waste unloading activities at the disposal site, shall be separately invoiced with substantiation to the other party. Any extra costs to the Town relating to travel to alternate disposal

facilities and/or relating to disposal fees charged by such alternate disposal facilities shall also be separately invoiced, with substantiation, to the Contractor. Such claims shall be handled and settled by the parties without undue and unreasonable delays. It is expressly understood that the Town will be responsible for providing reasonable compensation to the Contractor in any instance where damages to the disposal site were caused by Town trucks during their ingress, egress and solid waste unloading activities at the disposal site, but that the Town will not be held liable or responsible for any other damages that may occur during the Contractor's storage, handling, processing and disposal of solid waste at the EFW or at alternate disposal facilities.

The price per ton to be paid by the Town for disposal services provided by the Contractor shall be calculated as shown below. Once the price per ton has been established for a Town budget year, which currently begins on January 1st and ends on December 31st of each year, said price shall remain in effect without alteration during the entire Town budget year. However, the price per ton to be paid by the Town may be altered during a budget year if, and only if, a price discount which has been established for such a budget year either expires or becomes applicable at some point during said budget year. Also, the price per ton to be paid by the Town shall remain stable, at fifteen dollars per ton, from January 1, 1988, through February 28, 1989, and shall also remain stable at twenty-one dollars and fifteen cents per ton from March 1, 1989, through December 31, 1989,

regardless of any cost increases that may be experienced by the Contractor from July 1, 1987, through December 31, 1989, and any extra income surrendered by the Contractor due to this initial price stabilization shall not be retroactively recovered as a part of any subsequent price increases. The intent of this provision is to expressly prohibit the Contractor from recapturing the price discount provided during the initial period of price stabilization, and is not intended to impose any other restrictions on future allowable price changes.

\$ PER TON TO BE PAID

1st Year: \$15/ton
(1/1/88 - 12/31/88)

2nd Year: \$15/ton
(1/1/89 - 2/28/89)

2nd Year: \$21.15/ton
(3/1/89 - 12/31/89)

3rd - 5th Years: PREVIOUS YEAR'S PRICE + (PREVIOUS YEAR'S
(1/1/90 - 12/31/92) PRICE x 50% of CPI CHANGE) +
ENVIRONMENTAL COST CHANGES

6th - 12th Years: PREVIOUS YEAR'S PRICE + 100% of CPI CHANGE +
(1/1/93 - 12/31/99) ENVIRONMENTAL COST CHANGES

13th - 19th Years: \$ per ton as determined by the GENERAL PRICE
(1/1/00 - 12/31/06) REVIEW that is to be undertaken in and
completed by the end of the 7th year.

20th - 25th Years: \$ per ton as determined by the GENERAL PRICE
(1/1/07 - 12/31/12) REVIEW that is to be undertaken in and
completed by the end of the 14th year.

Where:

"CPI CHANGE" = The net percentage change over the then most recent twelve month period for which the index figures are available for the Consumer Price Index for All Urban Consumers (all items) as published by the U.S. Department of Labor, Bureau of Labor Statistics, for the Buffalo Metropolitan Area.

"ENVIRONMENTAL

COST CHANGES" = The applicable cost per ton adjustments (if any) as agreed upon by the parties hereto or as determined by arbitration for any of the allowable environmental cost changes described in Exhibit B, including changes in EFW revenues or savings that result from changes in the statutory minimum unit rate under Section 66-c of the Public Service Law of the State of New York, currently fixed at six cents per kilowatt hour, applicable to electricity generated by the EFW; provided that the Town's share of any such cost changes will be in proportion to the amount of the Contractor's annual disposal capacity that is being used by the Town.

"PREVIOUS

YEAR'S PRICE" = The dollar per ton price paid in the previous year, with the dollar per ton price for the 2nd year deemed to be the price per ton to be paid from 3/1/89 through 12/31/89.

"GENERAL PRICE
REVIEW"

= The overall review and adjustment of this Agreement's disposal price, which is to take place twice (in the 7th and 14th years of this Agreement) in accordance with Section 7, hereinbelow.

7. PRICE CHANGE PROCEDURES. If and when the Contractor believes that a change in the then current disposal price is necessary, proper written notice must be provided to the Town stating the dollar amount (expressed in dollars per ton) of the price change requested and explaining the specific reasons for such request. Any and all price changes, including the general price review to be conducted in the seventh and fourteenth years of this Agreement, shall only be determined either by: (i) mutual written agreement of the parties hereto or (ii) a decision rendered by an arbitrator or panel of arbitrators, and in either event such price changes must be finalized on or before August first in order to be in effect on the following January first, due to the

Town budgetary considerations, with the exception that the general price review changes need only be finalized by the end of the seventh and fourteenth years of this Agreement.

Except for the general price reviews to be undertaken in the seventh and fourteenth years of this Agreement, changes in the disposal price are:

- a) to be limited to those cost changes referred to in Section 6, Section 27, and Exhibit B, as are further clarified in paragraphs "b" and "c" in this Section 7, hereinbelow;
- b) to specifically exclude changes in how the Contractor calculates its tipping fee disposal charges; for example, changes in how the Contractor accounts for debt service and operating costs related to its EFW are specifically considered to be insufficient reasons for a price change request and shall not be allowed hereunder; and
- c) to include consideration of any changes in energy revenues or energy savings at the EFW that result from changes in the applicable statutory minimum price per kilowatt hour for electricity generated by the EFW.

In the seventh year (i.e., 1994) of this Agreement, the parties hereto shall meet to determine, in good faith, whether and to what extent, if any, the formula, cost factors and rates of future compensation payable to the Contractor pursuant to this Agreement should be revised, with any such revised rates of compensation to be in effect for the thirteenth through the nineteenth years of this Agreement (i.e., from January 1, 2000, until December 31, 2006). A similar general price review will be undertaken in the fourteenth year (i.e., 2001) of this Agreement, with any revisions from said second general price review to be in effect for the twentieth through the twenty-fifth years of this Agreement (i.e., from January 1, 2007, until December 31, 2012).

8. CONTRACT TERM AND TERMINATION. This Agreement shall become effective as of the date hereinabove first noted. The term of this Agreement shall be for a period of twenty-five (25) years, with the first day of the term of this Agreement to be January 1, 1988.

During the first twelve years of this Agreement, that is, from January 1, 1988, until December 31, 1999, the parties may terminate this Agreement solely by mutual agreement, and such a "termination by mutual agreement" issue shall not be subject to arbitration.

During the thirteenth through the twenty-fifth years of this Agreement, that is, from January 1, 2000, until December 31, 2012, either party may unilaterally terminate this Agreement after providing no less than five years' prior written notice to the

other. The first date on which a notice of unilateral termination may be issued is December 31, 1994, and the earliest date on which such a unilateral termination could take effect is December 31, 1999.

Each municipality which exercises its option to participate in the terms and conditions of this Agreement (see Section 24, hereinbelow) shall have the same termination rights and obligations as are provided for hereinabove between the Town and the Contractor, and the Town's or any participating municipality's decision to exercise its termination rights shall not have the effect of terminating this Agreement as it relates to the Contractor and any other municipality which has not independently exercised its termination rights. In the event that the Town provides notice of or exercises its right to terminate this Agreement, or in the event that the Town's liability under this Agreement ceases, the participating municipality with the largest population according to the then most recent United States Census of the Population shall thereafter be considered to be the "Town" referred to in this Agreement.

9. NOTICES AND BILLING INVOICES. Notices, billing invoices and other communications required under this Agreement, unless otherwise provided herein, will be deemed properly given when made in writing and sent by United States mail, postage prepaid, to the following addresses:

If to the Town:

Cheektowaga Sanitation Department
Broadway and Union Roads
Cheektowaga, NY 14227

If to the Contractor: Occidental Chemical Corporation
EFW Business Manager
P. O. Box 344
Niagara Falls, NY 14302

or at such other places as the respective parties may, from time to time, designate in a written notice sent by certified mail to the other.

10. INSPECTION OF RECORDS. The Town shall have the right, at reasonable times and upon a prior written request therefor, to inspect and/or to be provided with copies of the Contractor's weight and invoice records for the purpose of verifying the accuracy of invoices submitted to the Town for services rendered hereunder. All information so obtained shall be confidential and shall not be released by the Town unless expressly authorized to do so in writing by the Contractor.

11. INSURANCE. Without limiting the Contractor's indemnification of the Town, the Contractor shall procure and maintain at its own expense, during the term of the Agreement insurance as hereinafter provided. Insurance must be placed with insurance companies authorized to do business in the State of New York. The policies shall be endorsed to provide at least thirty (30) days advance written notice of cancellation, material reduction, or non-renewal of coverage to the Town. At least one week before commencing with the work, the Contractor shall furnish the Town with certificates of insurance showing that he has procured the policies in compliance with the above paragraph and the following requirements.

INSURANCE REQUIREMENTS

The required insurance shall be written for not less than the following:

1. Worker's Compensation - all operations and employees
 - a. State of New York Statutory
 - b. Applicable Federal (i.e., Longshoremen's) Statutory
 - c. Employer's Liability \$100,000 Each Accident
2. Comprehensive General Liability (including Premises-Operations; Operations of Independent Contractors; Products and Completed Operations; Broad Form Property Damage; and Contractual Liability covering Indemnification provisions of the Agreement)

Bodily Injury	\$500,000 Each Occurrence/Aggregate
Property Damage	\$250,000 Each Occurrence/Aggregate

or

Bodily Injury and Property Damage Combined - Single Limit	\$500,000 Each Occurrence/Aggregate
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3. Automobile Liability - all owned, non-owned and hired autos

Bodily Injury and Property Damage Combined - Single Limit	\$500,000 Each Occurrence
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4. Excess/Umbrella Liability providing coverage in excess of above required insurance -

	\$3,000,000 Each Occurrence/Aggregate
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5. Gradual Pollution or Environmental Impairment Liability with limits not less than amounts required of the Contractor by applicable Federal or State regulations covering claims of injurious presence of contaminants, irritants or pollutants into or upon land, air and water areas.
6. If Contractor contemplates use of any Town owned or operated land or other facilities, it shall also provide and pay for the following:

Owners' Protective Liability Covering as Named Insureds the Town of Cheektowaga, its Officials and Employees for operations of the Contractor and general supervision of such operations by the Town.

Bodily Injury	\$1,000,000 Each Occurrence
Property Damage	\$500,000 Each Occurrence/Aggregate

7. Miscellaneous Coverages: The Contractor shall effect and maintain at his own expense such additional insurance policies as required by the various public agencies, railroad companies, utility companies, etc., that have jurisdiction over or are adjacent to the Contractor's operations.

12. INDEMNITY, DEFENSE OF ACTIONS OR SUITS. The Contractor shall defend, indemnify and hold harmless the Town, and agents and employees of the Town from and against all claims, damages, losses and expenses, including attorneys' fees, arising out of or resulting from the performance of the work, provided that any such claim, damages, loss or expense: (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including the loss of use resulting therefrom, and (b) is caused in whole or in part by any negligent act or omission of the Contractor, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable. Nor shall the Town be in any manner responsible for any injury done or damages or compensation required to be paid under any present or future law, to any person or persons whatever, whether employees of the Contractor or otherwise, or for damage to any property, whether belonging to the Town or to others, occurring during or resulting from the said work, except that the Town shall be responsible for any injury done or damages or compensation required to be paid if

such damages, etc., were reasonably caused by Town trucks during their site ingress, egress and solid waste unloading activities. Each party hereto also agrees that he will properly guard against all such injuries, damages and compensation. The Contractor will, at its own expense, defend, indemnify and save harmless, and make good any damage and/or physical injuries that shall in the course of the work under this Agreement be done or caused to any property, which shall include, but shall not be limited to, incidents or damage which give rise to claims of injurious presence of contaminants, irritants or pollutants in or upon land, air or water.

13. PERFORMANCE AND PAYMENT BONDS. The Contractor shall, within ten days after the execution of this Agreement, furnish a surety bond in the penal sum equal to 100% of the estimated annual price payable by the Town to the Contractor for the first year of this Agreement, assuming for the purposes of this provision only that 50,000 tons will be disposed during said first year, as security for the faithful performance of this Agreement, and for the payment of all persons, firms or corporations to whom the Contractor may become legally indebted for materials or services of any nature, including utility and transportation services, employed by or used by him in supplying his services. Such bond shall bear the same date as, or a date subsequent to that of this Agreement. The current power of attorney for the person who signs for any surety company shall be attached to such bond. This bond shall be signed by a guaranty or surety company listed in the latest issue of the U. S. Treasury Circular 570.

Said performance and payment bonds shall thereafter be furnished annually by the Contractor at least thirty (30) days prior to the end of any given one (1) year period of this Agreement or any extension hereof, for a sum equal to 100% of the estimated annual price payable by the Town to the Contractor for the next ensuing year of this Agreement, at the applicable price(s) per ton expected to be paid during the ensuing year, assuming for the purposes of this provision only that the annual tonnages to be disposed during the ensuing year shall equal the total number of tons disposed during the previous twelve month period, or if tonnage records are not available for the previous twelve month period, then the ensuing year's tonnage estimate shall be based on the average monthly tonnages disposed to date, multiplied by twelve. Failure to furnish said performance and payment bonds shall result in an immediate and valid claim against the then existing bond for the total penal sum which shall be remitted to the custody of the Town and not be released until replaced by another valid bond covering the extended contract period.

14. NON-PERFORMANCE. In the event the Contractor shall fail to provide the disposal service as required under this Agreement for a period in excess of five (5) consecutive days, including the obligation to provide for disposal at an alternate disposal facility in the event that the Contractor's EFW is not able to provide the required disposal service, and provided such failure is not due to an event of Force Majeure as hereinafter provided in Section 15 of this Agreement, the Town shall have an immediate and valid claim against the Contractor's then existing perfor-

mance and payment bond for the total penal sum, which shall be remitted to the custody of the Town unless otherwise specifically agreed to in writing by the Town and the Contractor. In addition, any time the Contractor fails to provide the required disposal service at its EFW or at an alternate disposal facility providing back-up disposal services to the Contractor, and regardless of the reason for such failure, the Town may, at its option, make arrangements for obtaining alternative disposal services from other providers of such services. The Town may also continue using such alternative disposal services until the Contractor is again able to carry out its obligations under this Agreement. Any additional alternate disposal expenses incurred by the Town in so doing shall be separately invoiced and substantiated by the Town for payment by the Contractor, except that if the Contractor's failure to provide the disposal service as required by this Agreement is due to an event of Force Majeure, then such additional alternate disposal expenses need not be paid by the Contractor. These requirements are considered an essential part of this Agreement since they are intended to ensure that the Contractor provides the Town with a guaranteed waste disposal service at contractually specified price rates throughout the entire term of this Agreement.

Provided, however, if the Contractor fails to resume providing the required disposal service at the end of thirty (30) calendar days, and if such failure is not due to a Force Majeure event, then all liability of the Town under this Agreement shall cease, and the Town shall be free to enter into disposal

agreements or arrangements with other contractors. Such agreements or arrangements with other contractors shall not release the Contractor herein of its liability to the Town for such breach of this Agreement.

15. FORCE MAJEURE. If either party is rendered wholly or partially unable to perform any of its obligations under this Agreement because of an event of Force Majeure, that party shall be excused from whatever performance is affected by the Force Majeure event to the extent so affected, provided:

- a) the nonperforming party promptly provides written notice to the other party of the particulars of the occurrence including an estimation of its expected duration and probable impact on the performance of its obligations hereunder, and continues to furnish timely regular reports with respect thereto during the period of Force Majeure;
- b) the suspension of performance shall be of no greater scope and no longer duration than is reasonably necessitated by the event of Force Majeure;
- c) the nonperforming party shall provide the other party with prompt notice of the cessation of the event of Force Majeure giving rise to the excusal from performance.

"Force Majeure" shall mean any occurrence that effectively prevents a party from performing any of its obligations under this Agreement, to the extent that such occurrence is demonstrably beyond the reasonable control of the nonperforming

party; and shall include, but not be limited to, such occurrences as acts of war, whether declared or not; insurrection, rebellion, sabotage, acts of terrorists, public disorders, riots or violent demonstrations; explosions, fires, floods, earthquakes or other such natural calamities; strikes or other labor disputes whether or not on the part of employees of either party hereto; or future order of any government, court or regulatory body claiming jurisdiction, specifically including, but not limited to, the New York State Department of Environmental Conservation.

It is expressly agreed that the Contractor's failure or inability to maintain its existing or then current arrangements for ash residue disposal, for other landfill disposal services, for wastewater disposal services, and/or for other disposal services shall not be considered to be an event or events of Force Majeure. Aforesaid changes may, however, be sufficient reason for the Contractor to request a price change in accordance with Sections 6 and 7 of this Agreement.

16. BANKRUPTCY. Unless otherwise provided by applicable statute, rule or regulation, if the Contractor is adjudged a bankrupt, or if he makes general assignment for the benefit of his creditors, or if a receiver is appointed on account of his insolvency, the Town may terminate this Agreement, and all liability of the Town under this Agreement shall cease, and the Town shall be free to enter into disposal arrangements or agreements with other contractors.

17. ARBITRATION. Any disputes regarding disposal price changes requested by the Contractor shall be settled by arbitration in accordance with the rules of the American Arbitration Association then in existence, and judgment upon the award rendered by the arbitrators may be entered in any court having jurisdiction thereof. Disputes that are not related to disposal price shall be submitted to arbitration only by mutual agreement of the parties hereto. Such controversy or claim shall be submitted to an arbitrator or arbitrators selected from the National Panel of the American Arbitration Association. The parties hereto agree to each pay for one-half of the fee charged by the arbitrator(s), with all other arbitration related expenses (including legal fees, consultants' fees, and fees for expert witnesses) to be paid solely by the party accruing such expenses. In the event that either party hereto files a lawsuit challenging an arbitration decision regarding the disposal price to be paid, the Contractor shall be required to continue providing the disposal services required by and in accordance with this Agreement, and the Town shall be required to pay for disposal services so rendered by the Contractor, based on the price decision made by the arbitrator(s) until such time as said price is modified by the courts, by agreement of the parties hereto, or by a subsequent arbitration decision, or until such time as this Agreement is terminated.

18. RIGHT TO REQUIRE PERFORMANCE. The failure of the Town at any time to require performance by the Contractor of any provisions hereof, shall in no way affect the right of the Town

thereafter to enforce same. Nor shall waiver by the Town of any breach of any provisions hereof be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any provision itself.

19. LAW TO GOVERN. This Agreement shall be governed by the laws of the State of New York, both as to interpretation and performance.

20. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement and understanding between the parties hereto, and it shall not be considered modified, altered, changed or amended in any respect unless in writing and signed by the parties hereto.

21. SEVERABILITY. If any provision of this Agreement shall be declared illegal, void or unenforceable, the other provisions shall not be affected, but shall remain in full force and effect.

22. ASSIGNMENT. The Contractor agrees to not assign, transfer, convey, sublet or dispose of this Agreement or of his right, title or interest therein or his power to execute same without the consent, in writing, of the Town, or of any monies which are to become due or payable to him because thereof, to any person, company or corporation without the previous consent, in writing, of the Town, and that until such consent in writing shall have been given, no claim or demand shall exist in favor of any person, company or corporation to any of the monies to be paid by

the Town on account of the provisions of this Agreement, in favor of any person, association or corporation except the Contractor. The Town shall not unreasonably withhold such written consent. The Contractor may, however, assign its rights or delegate its duties hereunder without the Town's prior written consent in the case of a merger or sale of all or substantially all of the Contractor's assets in its EFW and ancillary facilities. The Town reserves the right, at its sole option, to assign, convey, or otherwise transfer any and all of its rights and interests in this Agreement to a part county solid waste district, a solid waste disposal authority, or other legal entity specifically created as a successor or assignee of the Town with regard to solid waste disposal in general and/or the terms and conditions of this Agreement in particular. Any such assignment, conveyance, or other form of transfer shall not, however, obligate the Contractor to accept more wastes for disposal than it would have been required to accept, under this Agreement and under the "Exhibit D" Agreements with other participating municipalities, had such assignment, etc., not taken place.

23. NON-DISCRIMINATION IN EMPLOYMENT. During the performance of this Agreement, the Contractor shall not discriminate against any applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status. The Contractor will also comply with the provisions of Sections 290-299 of the Executive Law and with the Civil Rights Law.

24. OPTIONS PROVIDED TO OTHER MUNICIPALITIES. Pursuant to the inter-municipal agreement incorporated herein and attached hereto as Exhibit A, the following municipalities are expressly provided with the opportunity to exercise an option to participate in the terms and conditions of this Agreement with the Contractor: Village of Akron, Town of Alden, Village of Alden, Town of Clarence, Town of Elma, Town of Lancaster, Village of Lancaster, and the Town of Newstead. The parties hereto also agree that the following municipalities are also provided with the opportunity to exercise an option to participate in the terms and conditions of this Agreement with the Contractor, so long as prior to exercising said option these municipalities have joined the Northeast Communities Solid Waste Management Board: Village of Depew, Town of Marilla, Village of Sloan, Town of West Seneca, and the Village of Williamsville. The time periods within which said municipalities must exercise their options to participate in the terms and conditions of this Agreement are contained in Exhibit C, which is attached hereto and incorporated herein by reference.

A municipality desiring to exercise the option granted to it in this Section 24 shall provide to the Town and to the Contractor a written notice stating such intention, specifying the annual quantity of solid waste expected to be delivered to the Contractor and designating the date upon which it wishes to commence disposal of solid waste at the disposal site. Such commencement date shall be no earlier than ninety (90) days from the

date of the notice. The option notice shall also provide the municipality's mailing address to which the Contractor's invoices and notices related to the agreement shall be sent.

Each municipality desirous of participating in the terms and conditions of this Agreement will formally exercise said option by executing a separate but essentially identical standard version of this Agreement, a copy of which is attached hereto as Exhibit D. Upon receipt of a municipality's written notice that it intends to exercise its option to participate in the terms and conditions of this Agreement, the Contractor shall execute an agreement with said municipality within ninety (90) days that is in substantially the same form as the agreement in Exhibit D.

The Town and Contractor also agree to promptly notify such participating municipalities of any price changes that are scheduled to take effect in accordance with the terms and conditions of this Agreement. The additional participating municipalities shall be allowed to participate in any price change negotiations and/or arbitration hearings only if and when mutually agreed to by the Town and Contractor.

25. EFFECT OF PRIOR EXISTING DISPOSAL CONTRACT. The Town may or may not be able to start delivering waste to the Contractor's EFW on January 1, 1988, under the terms of this Agreement, depending on whether and when the Town's prior existing disposal contract with another disposal firm is terminated. The parties hereto explicitly agree that the Town has the option to execute this Agreement but to be under no obligation to start delivering Town

wastes to the Contractor's EFW until such time as the Town's prior existing disposal contract is terminated. Furthermore, the options provided herein to other municipalities to participate in this Agreement shall in no way be altered by aforesaid possible delays in the Town's actual commencement of solid waste deliveries to the Contractor's EFW.

26. OPTION TO USE TRANSFER STATION. The Town may request the Contractor's approval to route some or all of the Town trucks to the Cheektowaga and/or Tonawanda transfer station(s) owned by the Contractor, and for such time periods as are mutually agreed upon. In such instance(s), the Town shall pay the Contractor the applicable disposal price as provided for in Section 6, hereinabove, plus an additional fee of twenty dollars per ton (\$20/ton) in 1988 as compensation for the Contractor's transfer station and related hauling services provided to the Town. The initial twenty dollars per ton price for transfer and haul services in 1988 shall be changed for each subsequent calendar year in an amount equal to the CPI Change, as defined in Section 6 hereinabove, subject to further modification through negotiated changes in the event that the Contractor demonstrates that the CPI Change for a particular year does not adequately account for changes in fuel costs experienced by the transfer stations during said year. All other terms and conditions of this Agreement shall govern the parties' relationship in the event the Contractor approves of the Town's request(s) to so use the Contractor's transfer station(s).

27. REDUCTIONS IN ENVIRONMENTAL COST PASS THROUGHES. The Town may be able to obtain or help obtain State grants, low cost financing, or other governmental subsidies that could reduce the Contractor's costs. The Contractor agrees to pass through such savings to the Town, in the form of disposal price discounts that are to be in addition to those specified in Section 6, hereinabove. The Contractor shall provide prompt written notice to the Town as soon as it learns of any proposed major cost increases that could ultimately be passed through to the Town, and the Town shall notify the Contractor near the outset of any of its efforts to secure such funding. The Town and Contractor shall then promptly develop a written memorandum of understanding that shall be attached hereto and incorporated herein, with said memorandum of understanding to address, at a minimum, the following issues:

- a) A description of the type(s) of funding or financing that is being pursued;
- b) The Contractor's timing requirements, if any, relative to its ability to use such funding or financing (e.g., to pay for installing special pollution control equipment by a government mandated deadline);
- c) A listing of other municipalities, special districts, or other governmental entities, if any, that are working with or on behalf of the Town to help obtain the special funding or financing; and

- d) The formula(s) to be used to determine the additional disposal price discount(s), in the event that the special funding or financing is obtained in time for the Contractor to make beneficial use of it.

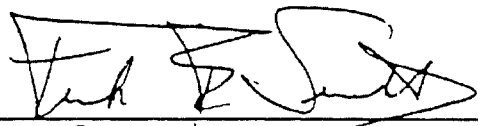
In addition to the above, if the Contractor desires to make substantial cost saving improvements to its EFW, such as via the installation of more efficient processing equipment, it shall afford the Town with a reasonable opportunity to negotiate an amendment to this Agreement that would set forth specific provisions relative to the Town providing financial assistance to the Contractor in exchange for an appropriate reduction in the disposal price(s) to be paid by the Town. The Contractor will, therefore, endeavor to provide prompt written notice to the Town whenever it is making plans to make major investments in improvements that could possibly result in reducing the disposal price(s) to be paid by the Town, so that the Town will have as much time as possible to explore financing and funding alternatives that could be of mutual benefit to the parties hereto, and the Town shall then be afforded with an opportunity to propose an amendment to this Agreement. In no event, however, shall the Contractor be obligated to notify the Town of each and every voluntary cost or efficiency improvement project(s) that the Contractor undertakes, nor shall the Contractor be obligated in any way to enter into a memorandum of understanding or other form of agreement concerning a voluntary cost or efficiency improvement project that it undertakes.

IN WITNESS WHEREOF, the Town and the Contractor have executed this Agreement as of the day and year first above written.

TOWN OF CHEEKTOWAGA

SEAL

By



Town Supervisor
Town Hall
Broadway and Union Road
Cheektowaga, New York 14227

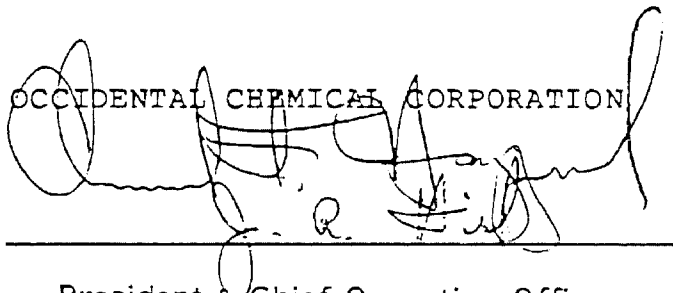
OCCIDENTAL CHEMICAL CORPORATION

By

SEAL

Title

Address



President & Chief Operating Officer
5005 LBJ Freeway
Dallas, Texas 75244

Rn

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

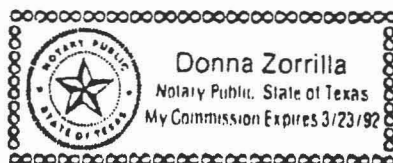
On this 10th day of May, 1988, before me personally came Frank E. Swiatek, to me known, who, being by me duly sworn, did depose and say that he resides at _____, Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, New York; that he knows the seal of said Town; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said Town; and that he signed his name thereto by like order.

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 1989

Kevin G. Schenk

STATE OF Texas)
COUNTY OF Dallas) SS.:

On this 10th day of May, 1988, before me personally came Charles F. Hazzard, to me known, who, being by me duly sworn, did depose and say that he resides at _____, Dallas, Texas 75244; that deponent is the Senior Vice President of Occidental Chemical Corporation, the corporation described in and which executed the foregoing Agreement; that deponent knows the seal of said corporation; that the seal affixed to said Agreement is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that deponent signed his name thereto by like order.



Donna Zorrilla

AGREEMENT

(Pursuant to Article 5-G of the
General Municipal Law)

This AGREEMENT made and entered this 29th day of December 1986, by and between THE VILLAGE OF AKRON, THE TOWN OF ALDEN, THE VILLAGE OF ALDEN, THE TOWN OF CHEEKTOWAGA, THE TOWN OF CLARENCE, THE TOWN OF ELMA, THE TOWN OF LANCASTER, THE VILLAGE OF LANCASTER and THE TOWN OF NEWSTEAD, all being municipal corporations of the State of New York situated within the County of Erie, State of New York.

W I T N E S S E T H:

WHEREAS, the parties to this agreement have established the Northeast Communities Solid Waste Management Board for the purpose of jointly providing environmentally sound and cost effective alternatives for solid waste management; and

WHEREAS, it is the purpose of the parties, through the Northeast Communities Solid Waste Management Board to investigate all avenues for the disposal of solid waste in the northeast portion of Erie County; and

WHEREAS, the Northeast Communities Solid Waste Management Board, through the Town of Cheektowaga, is now investigating the feasibility of construction of a waste-to-energy facility and other alternatives; and

WHEREAS, each party to this agreement has the individual authority to contract for the disposal of solid wastes generated within its boundaries; and

WHEREAS, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to do jointly that which each may perform individually; and

WHEREAS, joint contracting for disposal of solid waste at transfer station, landfills or existing waste-to-energy facilities may be found to be economically desirable alternative for disposal of solid wastes;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Town of Cheektowaga shall be authorized to obtain on behalf of all parties to this agreement, contract proposals for solid waste disposal services.

2. Any proposals obtained by the Town of Cheektowaga shall be reported to the Northeast Communities Solid Waste Management Board, and any final agreement for such disposal shall be available to each Northeast Board municipality.

3. All parties to this contract shall be given the opportunity to participate in the contract negotiated by the Town of Cheektowaga, on an equal basis.

4. After execution of a contract by the Town of Cheektowaga, the option to participate must be exercised in a timely manner as follows:

a. Those communities having municipal collection by municipal employees shall have six (6) months to exercise their option to participate in the contract negotiated by the Town of Cheektowaga.

b. Those communities having community collection and disposal under municipal contract or operate a municipal convenience station where containers are removed under contract, shall have six (6) months from the expiration of the current contract to exercise their option to participate in the contract negotiated by Cheektowaga.

c. Those communities that do not control their solid waste must, within 18 months, take control of their solid waste and exercise their option to participate in the contract negotiated by the Town of Cheektowaga.

5. Any offer of contract terms for disposal of solid waste made to any party to this agreement shall be reported to the Northeast Communities Solid Waste Management Board by the party which receives an offer for solid waste disposal services.

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

VILLAGE OF AKRON

By: [Signature]

TOWN OF ALDEN

By: [Signature]

VILLAGE OF ALDEN

By: [Signature]

TOWN OF CHEEKTOWAGA

By: [Signature]

TOWN OF CLARENCE

By: [Signature]

TOWN OF ELMA

By: [Signature]

TOWN OF LANCASTER

By: [Signature]

VILLAGE OF LANCASTER

By: [Signature]

TOWN OF NEWSTEAD

By: [Signature]

ENVIRONMENTAL COST CHANGES

The Town and Contractor have agreed that there will be no changes in the \$15/ton disposal price during the first fourteen months (1/1/88 - 2/28/89) of the Agreement, and no changes in the \$21.15/ton disposal price during the last ten months in 1989 (3/1/89 - 12/31/89). Furthermore, the Town and Contractor have agreed that changes in the disposal price during the third through the twelfth years (i.e., from 1/1/90 until 12/31/99) of the Agreement will be limited to changes in the Consumer Price Index and to any documented cost changes that are related to newly imposed environmental requirements. Such environmental cost changes shall be limited to the following, and the Contractor agrees to make a good faith effort to minimize both their occurrences and their adverse cost impacts on the Town:

1. Documented changes in the EFW's wastewater disposal costs.
2. Documented changes in the EFW's landfill disposal costs.
3. Documented changes in the EFW's operating costs that are required to be made for compliance with applicable permit conditions, laws, regulations, or other directives of governmental authorities having proper jurisdiction.

The bid prices submitted to the Town by the Contractor and dated July 20, 1987, included dollar per ton cost add-ons for two possible environmental cost changes, assuming for the purposes of the bid submittal that such changes would be in effect as of January 1, 1988. At a minimum, these dollar per ton cost add-on bid prices (which relate to: (i) compliance with proposed DEC requirements for incinerator operation/air emissions and (ii) the disposal of the EFW's ash residues in a dedicated "ash only" portion of a double lined landfill) and the Contractor's documentation explaining the bases for said bid prices, shall be used as a reference point during the negotiation and/or arbitration of any reasonably related price changes that may be requested by the Contractor.

The Contractor also agrees to provide whatever documentation is reasonably necessary, including copies of contracts and/or price agreements relating to its wastewater and landfill disposal costs, and related to the Contractor's electric energy revenues or savings in the event of a change in the applicable statutory minimum price per kilowatt hour, to enable the Town and/or an arbitrator to verify and otherwise evaluate any price changes requested by the Contractor during the term of this Agreement. It is also agreed that any environmental cost changes shall be determined using the Contractor's costs as of July 1, 1987, as the basis for comparison.

OPTIONS PROVIDED TO OTHER MUNICIPALITIES

In accordance with Section 24 of this Agreement and Exhibit A thereof, the options for additional municipalities to participate in the terms and conditions of this disposal Agreement must be exercised no later than the dates or time periods listed below for each such municipality:

(Note: "CONTRACT DATE" as used below refers to the date hereinabove first noted which serves as the effective date of the Agreement between the Town of Cheektowaga and the Contractor.)

Village of Akron -- 18 months after the CONTRACT DATE.
Town of Alden -- 18 months after the CONTRACT DATE.
Village of Alden -- 6 months after the CONTRACT DATE.
Town of Clarence -- 18 months after the CONTRACT DATE.
Town of Elma -- 6 months after the CONTRACT DATE.
Town of Lancaster -- 18 months after the CONTRACT DATE.
Village of Lancaster -- 6 months after June 1, 1989.
Town of Newstead -- 18 months after the CONTRACT DATE.

The dates and time periods shown below for exercising their options shall apply only if the following municipalities first join the Northeast Communities Solid Waste Management Board:

Village of Depew -- Six months after June 1, 1990.
Town of Marilla -- 18 months after join Northeast Board.
Village of Sloan -- 18 months after join Northeast Board.
Town of West Seneca -- Six months after May 1, 1991.
Village of Williamsville -- Six months after June 1, 1989.

STANDARD AGREEMENT AVAILABLE TO OTHER POTENTIAL
PARTICIPATING MUNICIPALITIES, IN ACCORDANCE WITH THE
LONG TERM DISPOSAL AGREEMENT BETWEEN
CHEEKTOWAGA AND OCCIDENTAL

SOLID WASTE DISPOSAL AGREEMENT

FOR

DISPOSING OF PREDOMINANTLY PROCESSIBLE MIXED
MUNICIPAL SOLID WASTES AT THE OCCIDENTAL
CHEMICAL CORPORATION ENERGY FROM WASTE PLANT,
OR AT ALTERNATE DISPOSAL FACILITIES IF AND
WHEN THE ENERGY FROM WASTE PLANT IS NOT
PROVIDING THE REQUIRED DISPOSAL SERVICE, FOR
A PERIOD OF UP TO TWENTY-FIVE YEARS.

THIS AGREEMENT made and entered into this ____ day of
_____, 198_, by and between the _____
_____, a municipal corporation organized under the laws
of the State of New York (hereinafter referred to as the
"Municipality"), and Occidental Chemical Corporation, a cor-
poration organized under the laws of the State of _____
and having its principal place of business at 56th Street and
Buffalo Avenue, Niagara Falls, New York (hereinafter referred to
as the "Contractor").

WITNESSETH:

WHEREAS, the Contractor is desirous of disposing of predomi-
nantly processible mixed municipal solid wastes at its Energy

From Waste facility ("EFW"), or at alternate disposal facilities if and when the EFW is not providing the required disposal service, for a period of up to twenty-five years.

WHEREAS, the Municipality is desirous of utilizing the Contractor's EFW for its long term refuse disposal.

WHEREAS, the Town of Cheektowaga advertised for bids on behalf of itself and other potential participating municipalities, from existing landfill and resource recovery facilities on June 4, 1987, for the furnishing of long term disposal services, and the only responsible and responsive bidder was the Contractor named hereinabove.

WHEREAS, the public bidding process undertaken by the Town of Cheektowaga confirmed that the Contractor's EFW is the only existing disposal facility located in the western New York area that is willing to enter into an acceptable long term contract for the disposal of municipal solid wastes.

WHEREAS, in addition to being the sole bidder and the sole source of the desired long term disposal services, the Contractor has agreed to maintain its bid price for an initial period of the contract, and not charge the Municipality for environmental cost increases expected to occur during said period.

WHEREAS, the Town of Cheektowaga and the Contractor negotiated changes to the bid document for their mutual benefit for the reasons stated hereinabove and, moreover, the Town of Cheektowaga considers such changes to be in the public interest

not only because of the initial price stabilization and other reasons noted above, but also because the terms and conditions of this Agreement are expected to result in a fair and workable long term disposal arrangement that will be in the Town's, Municipality's and the Contractor's best interests to adhere to, and particularly because this Agreement provides the Municipality with a long term disposal service which is considered to be increasingly important to the Municipality's further economic development and well-being, as the available and permitted disposal capacity in New York State diminishes and thereby becomes a more precious and difficult resource to obtain.

WHEREAS, the Contractor currently is a party to one or more leases involving the EFW which are scheduled to expire on or about the year 2000, which effectively limits the price commitment capabilities of the Contractor to those years prior to the expiration of said lease or leases.

WHEREAS, this Agreement is a separate but essentially identical standardized version of the long term disposal agreement between the Town of Cheektowaga and the Contractor, dated _____ (hereinafter referred to as the "Cheektowaga Contract", attached hereto as Exhibit D), which provides other municipalities (hereinafter referred to as "participating municipalities"), as identified in the Cheektowaga Contract, with the same disposal service and prices and other essential terms and conditions as are provided in the Cheektowaga Contract, in accordance with the Town of Cheektowaga's June 4, 1987, public

advertisement for bids and in accordance with but not limited to the terms and conditions of the inter-municipal agreement contained in Exhibit A attached hereto.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and of the consideration to be paid by the Municipality to the Contractor, as herein set forth, the Municipality and the Contractor hereby agree as follows:

1. SERVICES PROVIDED. Predominantly processible mixed municipal solid wastes collected by or on behalf of the Municipality, and which are delivered to the EFW by the Municipality's vehicles or other vehicles as shall be designated by the Municipality, shall be accepted by the Contractor for disposal at its EFW or at alternate disposal facilities as shall be designated in advance by the Contractor if and when the EFW is not capable of providing the required disposal service.

2. MATERIALS TO BE DISPOSED OF. Whenever the phrase "predominantly processible mixed municipal solid wastes", "mixed municipal solid wastes", "municipal solid wastes", "mixed wastes", "solid wastes" or their singular forms, appears herein, it shall be construed to mean solid wastes generated from residential, commercial, institutional and industrial sources that are typically collected by the Municipality's trucks, or by other vehicles as may be designated from time to time by the Municipality, and that are allowed to be disposed in incinerators and/or sanitary landfills in New York State in accordance with Part 360 of the New York State Compilation of Codes, Rules and

Regulations. Typical components of such wastes include household garbage and rubbish, yard wastes, and refuse from stores, markets, offices, schools, hospitals (specifically excluding, however, hospital wastes that are categorized as potentially infectious wastes), public buildings, shopping centers, restaurants and industries. Such phrase shall be construed to specifically exclude sludges, septic tank pumpings, regulated hazardous wastes, junk automobiles, pathological wastes, and bulky wastes (such as large appliances, white goods, and tree stumps) that are typically too large and/or dense to be collected in packer trucks.

3. DELIVERY AND ACCESS TO SITE BY MUNICIPALITY. The Municipality shall deliver or cause to be delivered to the Contractor's EFW all predominantly processible mixed municipal solid wastes it collects or causes to be collected, excluding any materials collected for recycling purposes. Whenever the phrase "Contractor's EFW", "EFW", "dumping site", "disposal site", or "site" appears herein, it shall be construed to be referring to the Occidental Chemical Corporation's existing Energy From Waste plant in Niagara Falls, and shall also, unless otherwise indicated by the context, be construed to refer to whatever alternate disposal facilities are designated by the Contractor for the disposal of the Municipality's wastes on those occasions when the EFW is not capable of providing the required disposal service.

The Municipality's trucks shall be permitted access to the dumping site during all normal working hours of the

Municipality's _____ Department (as established by the _____ Department). The Municipality's trucks or Municipality vehicles when referred to herein shall be deemed to include any trucks including transfer station vehicles which collect and/or transport solid waste on behalf of the Municipality.

There shall normally be no delays in excess of twelve minutes waiting time to discharge loads once Municipality trucks arrive at the site.

Access to the site shall be via paved or well-kept roads or driveways so as not to damage Municipality vehicles. On-site roads to the unloading area shall be of all-weather construction and wide enough to permit easy two-way truck travel. On-site roads shall be maintained in reasonable condition to prevent bogging down of Municipality vehicles and tire damage. Damage to Municipality vehicles resulting from improperly maintained access roads, including above ordinary wear and tear, shall be the responsibility of the Contractor and the costs of such repairs shall be separately invoiced and substantiated by the Municipality to the Contractor.

Site operators shall provide tow truck service to remove any Municipality vehicles which may become stuck at the site and move same to the nearest hard road so as to avoid damage to Municipality vehicles.

4. INSPECTION OF SITE. The Municipality may make reasonable inspections of the site through designated personnel during normal business hours, upon advance notice to the Contractor.

5. COMPLIANCE WITH LAWS. The Contractor shall operate the site and all of its related operations in compliance with all applicable laws, ordinances and regulations of the United States of America, the State of New York and the governmental agency of the community within which the site and/or the related operations are located and any other regulatory body having jurisdiction over the same. Proof of possession and copies of necessary permits required by the New York State Department of Environmental Conservation or any Federal, State or local municipal department must be provided to the Municipality upon request.

6. COMPENSATION. Compensation shall be paid to the Contractor monthly based on the tonnage of mixed municipal solid wastes disposed at the disposal site during the previous month by or on behalf of the Municipality. Any standard record keeping system used by the Contractor and submitted to the Municipality for approval shall be deemed acceptable, so long as it ensures that the necessary billing information (such as: tons received, date received, and truck identification number) is accurately and appropriately recorded. The Contractor shall submit a monthly bill to the Municipality for all the wastes disposed from the Municipality during the previous month, and the Municipality shall pay the Contractor on or before the thirtieth day following receipt of the Contractor's bill. The Contractor shall indicate

on each monthly bill the applicable disposal price per ton, and the number of tons it received and disposed of pursuant to this Agreement.

Any damages to Municipality trucks believed to be caused by the Contractor, and any damages to the disposal site believed to be caused by Municipality trucks during their ingress, egress and solid waste unloading activities at the disposal site, shall be separately invoiced with substantiation to the other party. Any extra costs to the Municipality relating to travel to alternate disposal facilities and/or relating to disposal fees charged by such alternate disposal facilities shall also be separately invoiced, with substantiation, to the Contractor. Such claims shall be handled and settled by the parties without undue and unreasonable delays. It is expressly understood that the Municipality will be responsible for providing reasonable compensation to the Contractor in any instance where damages to the disposal site were caused by Municipality trucks during their ingress, egress and solid waste unloading activities at the disposal site, but that the Municipality will not be held liable or responsible for any other damages that may occur during the Contractor's storage, handling, processing and disposal of solid waste at the EFW or at alternate disposal facilities.

The price per ton to be paid by the Municipality for disposal services provided by the Contractor shall be calculated as shown below. Once the price per ton has been established for a budget year of the Town of Cheektowaga, which currently begins on

January 1st and ends on December 31st of each year, said price shall remain in effect without alteration during the entire Town of Cheektowaga budget year. If the Municipality's budget year is not the same as the Town of Cheektowaga's then the Contractor agrees to provide the Municipality with a good faith written estimate of the disposal price per ton anticipated for the next budget year of the Town of Cheektowaga, within thirty (30) calendar days of the Municipality's request for such a price estimate, and such a price estimate shall be used by the Municipality for budgetary purposes only and shall not be binding upon the Contractor. The price per ton to be paid by the Municipality may be altered during Cheektowaga's budget year if, and only if, a price discount which has been established for such a budget year either expires or becomes applicable at some point during said budget year. Also, the price per ton to be paid by the Municipality shall remain stable, at fifteen dollars per ton, from January 1, 1988, through February 28, 1989, and shall also remain stable at twenty-one dollars and fifteen cents per ton from March 1, 1989, through December 31, 1989, regardless of any cost increases that may be experienced by the Contractor from July 1, 1987, through December 31, 1989, and any extra income surrendered by the Contractor due to this initial price stabilization shall not be retroactively recovered as a part of any subsequent price increases. The intent of this provision is to expressly prohibit the Contractor from recapturing the price discount provided during the initial period of price stabilization, and is not intended to impose any other restrictions on future allowable price changes.

\$ PER TON TO BE PAID

1/1/88 - 12/31/88: \$15/ton
1/1/89 - 2/28/89: \$15/ton
3/1/89 - 12/31/89: \$21.15/ton
1/1/90 - 12/31/92: PREVIOUS YEAR'S PRICE + (PREVIOUS YEAR'S
PRICE x 50% of CPI CHANGE) +
ENVIRONMENTAL COST CHANGES
1/1/93 - 12/31/99: PREVIOUS YEAR'S PRICE + 100% of CPI CHANGE +
ENVIRONMENTAL COST CHANGES
1/1/00 - 12/31/06: \$ per ton as determined by the GENERAL PRICE
REVIEW that is to be undertaken in and
completed by the end of 1994.
1/1/07 - 12/31/12: \$ per ton as determined by the GENERAL PRICE
REVIEW that is to be undertaken in and
completed by the end of 2001.

Where:

"CPI CHANGE" = The net percentage change over the then most recent twelve month period for which the index figures are available for the Consumer Price Index for All Urban Consumers (all items) as published by the U.S. Department of Labor, Bureau of Labor Statistics, for the Buffalo Metropolitan Area.

"ENVIRONMENTAL COST CHANGES" = The applicable cost per ton adjustments (if any) as agreed upon by the parties to the Cheektowaga Contract or as determined by arbitration pursuant to the Cheektowaga Contract for any of the allowable environmental cost changes described in Exhibit B, including changes in EFW revenues or savings that result from changes in the statutory minimum unit rate under Section 66-c of the Public Service Law of the State of New York, currently fixed at six cents per kilowatt hour, applicable to electricity generated by the EFW; provided that the Municipality's share of any such cost changes will be in proportion to the amount of the Contractor's annual disposal capacity that is being used by the Municipality.

"PREVIOUS

YEAR'S PRICE" = The dollar per ton price paid in the previous year, with the dollar per ton price for 1989 deemed to be the price per ton to be paid from 3/1/89 through 12/31/89.

"GENERAL PRICE REVIEW"

= The overall review and adjustment of this Agreement's disposal price, which is to take place twice (in the year 1994 and in the year 2001) in accordance with Section 7, herein-below.

7. PRICE CHANGE PROCEDURES. If and when the Contractor believes that a change in the then current disposal price is necessary, proper written notice must be provided to the Town of Cheektowaga stating the dollar amount (expressed in dollars per ton) of the price change requested and explaining the specific reasons for such request. Any and all price changes, including the general price review to be conducted first in 1994 and again in the year 2001, shall only be determined either by: (i) mutual written agreement of the parties to the Cheektowaga Contract or (ii) a decision rendered by an arbitrator or panel of arbitrators in accordance with the Cheektowaga Contract, and in either event such price changes must be finalized on or before August first in order to be in effect on the following January first, due to the Town of Cheektowaga's budgetary considerations, with the exception that the general price review changes need only be finalized by the end of the year 1994 and by the end of the year 2001.

Except for the general price reviews to be undertaken in the year 1994 and the year 2001, changes in the disposal price are:

- a) to be limited to those cost changes referred to in Section 6, Section 27, and Exhibit B, as are further clarified in paragraphs "b" and "c" in this Section 7, hereinbelow;
- b) to specifically exclude changes in how the Contractor calculates its tipping fee disposal charges; for example, changes in how the Contractor accounts for debt service and operating costs related to its EFW are specifically considered to be insufficient reasons for a price change request and shall not be allowed hereunder; and
- c) to include consideration of any changes in energy revenues or energy savings at the EFW that result from changes in the applicable statutory minimum price per kilowatt hour for electricity generated by the EFW.

In the year 1994 the parties to the Cheektowaga Contract shall meet to determine, in good faith, whether and to what extent, if any, the formula, cost factors and rates of future compensation payable to the Contractor pursuant to this Agreement should be revised, with any such revised rates of compensation to be in effect from January 1, 2000, until December 31, 2006. A similar general price review will be undertaken in the year 2001, with any revisions from said second general price review to be in effect from January 1, 2007, until December 31, 2012.

8. CONTRACT TERM AND TERMINATION. This Agreement shall become effective as of the date hereinabove first noted.

The first day of the term of this Agreement shall be _____ and the last day of the term of this Agreement shall be December 31, 2012.

From January 1, 1988, until December 31, 1999, the parties may terminate this Agreement solely by mutual agreement, and such a "termination by mutual agreement" issue shall not be subject to arbitration.

From January 1, 2000, until December 31, 2012, either party may unilaterally terminate this Agreement after providing no less than five years' prior written notice to the other. The first date on which a notice of unilateral termination may be issued is December 31, 1994, and the earliest date on which such a unilateral termination could take effect is December 31, 1999.

Any decision by the Municipality, the Town of Cheektowaga, or any other participating municipality to exercise its termination rights shall not have the effect of terminating the Contractor's agreements with any other municipality which has not independently exercised its termination rights. In the event that the Town of Cheektowaga provides notice of or exercises its right to terminate the Cheektowaga Contract, or in the event that the Town of Cheektowaga's liability under the Cheektowaga Contract ceases, the participating municipality (that has executed one of these standard versions of the Cheektowaga Contract) with the largest population according to the then most recent United

States Census of the Population shall thereafter be considered to be the "Town" referred to in the Cheektowga Contract.

9. NOTICES AND BILLING INVOICES. Notices, billing invoices and other communications required under this Agreement, unless otherwise provided herein, will be deemed properly given when made in writing and sent by United States mail, postage prepaid, to the following addresses:

If to the Municipality:

If to the Contractor:

Occidental Chemical Corporation
EFW Business Manager
P. O. Box 344
Niagara Falls, NY 14302

or at such other places as the respective parties may, from time to time, designate in a written notice sent by certified mail to the other.

10. INSPECTION OF RECORDS. The Municipality shall have the right, at reasonable times and upon a prior written request therefor, to inspect and/or to be provided with copies of the Contractor's weight and invoice records for the purpose of verifying the accuracy of invoices submitted to the Municipality for services rendered hereunder. All information so obtained shall be confidential and shall not be released by the Municipality unless expressly authorized to do so in writing by the Contractor.

11. INSURANCE. Without limiting the Contractor's indemnification of the Municipality, the Contractor shall procure and maintain at its own expense, during the term of the Agreement insurance as hereinafter provided. Insurance must be placed with insurance companies authorized to do business in the State of New York. The policies shall be endorsed to provide at least thirty (30) days advance written notice of cancellation, material reduction, or non-renewal of coverage to the Municipality. At least one week before commencing with the work, the Contractor shall furnish the Municipality with certificates of insurance showing that he has procured the policies in compliance with the above paragraph and the following requirements.

INSURANCE REQUIREMENTS

The required insurance shall be written for not less than the following:

1. Worker's Compensation - all operations and employees
 - a. State of New York Statutory
 - b. Applicable Federal (i.e., Longshoremen's) Statutory
 - c. Employer's Liability \$100,000 Each Accident
2. Comprehensive General Liability (including Premises-Operations; Operations of Independent Contractors; Products and Completed Operations; Broad Form Property Damage; and Contractual Liability covering Indemnification provisions of the Agreement)

Bodily Injury	\$500,000 Each Occurrence/Aggregate
Property Damage	\$250,000 Each Occurrence/Aggregate

or

Bodily Injury and
Property
Damage Combined -
Single Limit \$500,000 Each Occurrence/Aggregate

3. Automobile Liability - all owned, non-owned and hired
autos

Bodily Injury and Property
Damage Combined -
Single Limit \$500,000 Each Occurrence

4. Excess/Umbrella Liability providing coverage in excess
of above required insurance -
\$3,000,000 Each Occurrence/Aggregate

5. Gradual Pollution or Environmental Impairment Liability
with limits not less than amounts required of the
Contractor by applicable Federal or State regulations
covering claims of injurious presence of contaminants,
irritants or pollutants into or upon land, air and
water areas.

6. If Contractor contemplates use of any Municipality owned
or operated land or other facilities, it shall also pro-
vide and pay for the following:

Owners' Protective Liability Covering as Named
Insureds the Municipality, its Officials and
Employees for operations of the Contractor and general
supervision of such operations by the Municipality.

Bodily Injury \$1,000,000 Each Occurrence
Property Damage \$500,000 Each Occurrence/Aggregate

7. Miscellaneous Coverages: The Contractor shall effect
and maintain at his own expense such additional
insurance policies as required by the various public
agencies, railroad companies, utility companies, etc.,
that have jurisdiction over or are adjacent to the
Contractor's operations.

12. INDEMNITY, DEFENSE OF ACTIONS OR SUITS. The Contractor
shall defend, indemnify and hold harmless the Municipality, and
agents and employees of the Municipality from and against all
claims, damages, losses and expenses, including attorneys' fees,
arising out of or resulting from the performance of the work,

provided that any such claim, damages, loss or expense: (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including the loss of use resulting therefrom, and (b) is caused in whole or in part by any negligent act or omission of the Contractor, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable. Nor shall the Municipality be in any manner responsible for any injury done or damages or compensation required to be paid under any present or future law, to any person or persons whatever, whether employees of the Contractor or otherwise, or for damage to any property, whether belonging to the Municipality or to others, occurring during or resulting from the said work, except that the Municipality shall be responsible for any injury done or damages or compensation required to be paid if such damages, etc., were reasonably caused by Municipality trucks during their site ingress, egress and solid waste unloading activities. Each party hereto also agrees that he will properly guard against all such injuries, damages and compensation. The Contractor will, at its own expense, defend, indemnify and save harmless, and make good any damage and/or physical injuries that shall in the course of the work under this Agreement be done or caused to any property, which shall include, but shall not be limited to, incidents or damage which give rise to claims of injurious presence of contaminants, irritants or pollutants in or upon land, air or water.

13. PERFORMANCE AND PAYMENT BONDS. The Contractor shall, within ten days after the execution of this Agreement, furnish a surety

bond in the penal sum equal to 100% of the estimated annual price payable by the Municipality to the Contractor for the first year of this Agreement, assuming for the purposes of this provision only that _____ tons will be disposed during said first year, as security for the faithful performance of this Agreement, and for the payment of all persons, firms or corporations to whom the Contractor may become legally indebted for materials or services of any nature, including utility and transportation services, employed by or used by him in supplying his services. Such bond shall bear the same date as, or a date subsequent to that of this Agreement. The current power of attorney for the person who signs for any surety company shall be attached to such bond. This bond shall be signed by a guaranty or surety company listed in the latest issue of the U.S. Treasury Circular 570.

Said performance and payment bonds shall thereafter be furnished annually by the Contractor at least thirty (30) days prior to the end of any given one (1) year period of this Agreement or any extension hereof, for a sum equal to 100% of the estimated annual price payable by the Municipality to the Contractor for the next ensuing year of this Agreement, at the applicable price(s) per ton expected to be paid during the ensuing year, assuming for the purposes of this provision only that the annual tonnages to be disposed during the ensuing year shall equal the total number of tons disposed during the previous twelve month period, or if tonnage records are not available for the previous

twelve month period, then the ensuing year's tonnage estimate shall be based on the average monthly tonnages disposed to date, multiplied by twelve. Failure to furnish said performance and payment bonds shall result in an immediate and valid claim against the then existing bond for the total penal sum which shall be remitted to the custody of the Municipality and not be released until replaced by another valid bond covering the extended contract period.

14. NON-PERFORMANCE. In the event the Contractor shall fail to provide the disposal service as required under this Agreement for a period in excess of five (5) consecutive days, including the obligation to provide for disposal at an alternate disposal facility in the event that the Contractor's EFW is not able to provide the required disposal service, and provided such failure is not due to an event of Force Majeure as hereinafter provided in Section 15 of this Agreement, the Municipality shall have an immediate and valid claim against the Contractor's then existing performance and payment bond for the total penal sum, which shall be remitted to the custody of the Municipality unless otherwise specifically agreed to in writing by the Municipality and the Contractor. In addition, any time the Contractor fails to provide the required disposal service at its EFW or at an alternate disposal facility providing back-up disposal services to the Contractor, and regardless of the reason for such failure, the Municipality may, at its option, make arrangements for obtaining alternative disposal services from other providers of such services. The Municipality may also continue using such alternative

disposal services until the Contractor is again able to carry out its obligations under this Agreement. Any additional alternate disposal expenses incurred by the Municipality in so doing shall be separately invoiced and substantiated by the Municipality for payment by the Contractor, except that if the Contractor's failure to provide the disposal service as required by this Agreement is due to an event of Force Majeure, then such additional alternate disposal expenses need not be paid by the Contractor. These requirements are considered an essential part of this Agreement since they are intended to ensure that the Contractor provides the Municipality with a guaranteed waste disposal service at contractually specified price rates throughout the entire term of this Agreement.

Provided, however, if the Contractor fails to resume providing the required disposal service at the end of thirty (30) calendar days, and if such failure is not due to a Force Majeure event, then all liability of the Municipality under this Agreement shall cease, and the Municipality shall be free to enter into disposal agreements or arrangements with other contractors. Such agreements or arrangements with other contractors shall not release the Contractor herein of its liability to the Municipality for such breach of this Agreement.

15. FORCE MAJEURE. If either party is rendered wholly or partially unable to perform any of its obligations under this Agreement because of an event of Force Majeure, that party shall

be excused from whatever performance is affected by the Force Majeure event to the extent so affected, provided:

- a) the nonperforming party promptly provides written notice to the other party of the particulars of the occurrence including an estimation of its expected duration and probable impact on the performance of its obligations hereunder, and continues to furnish timely regular reports with respect thereto during the period of Force Majeure;
- b) the suspension of performance shall be of no greater scope and no longer duration than is reasonably necessitated by the event of Force Majeure;
- c) the nonperforming party shall provide the other party with prompt notice of the cessation of the event of Force Majeure giving rise to the excusal from performance.

"Force Majeure" shall mean any occurrence that effectively prevents a party from performing any of its obligations under this Agreement, to the extent that such occurrence is demonstrably beyond the reasonable control of the nonperforming party; and shall include, but not be limited to, such occurrences as acts of war, whether declared or not; insurrection, rebellion, sabotage, acts of terrorists, public disorders, riots or violent demonstrations; explosions, fires, floods, earthquakes or other such natural calamities; strikes or other labor disputes whether or not on the part of employees of either party hereto; or future order of any government, court or regulatory body claiming juris-

diction, specifically including, but not limited to, the New York State Department of Environmental Conservation.

It is expressly agreed that the Contractor's failure or inability to maintain its existing or then current arrangements for ash residue disposal, for other landfill disposal services, for wastewater disposal services, and/or for other disposal services shall not be considered to be an event or events of Force Majeure. Aforesaid changes may, however, be sufficient reason for the Contractor to request a price change in accordance with Sections 6 and 7 of this Agreement.

16. BANKRUPTCY. Unless otherwise provided by applicable statute, rule or regulation, if the Contractor is adjudged a bankrupt, or if he makes general assignment for the benefit of his creditors, or if a receiver is appointed on account of his insolvency, the Municipality may terminate this Agreement, and all liability of the Municipality under this Agreement shall cease, and the Municipality shall be free to enter into disposal arrangements or agreements with other contractors.

17. ARBITRATION. Any disputes regarding disposal price changes requested by the Contractor shall be settled by arbitration between the Town of Cheektowaga and the Contractor, in accordance with the Cheektowaga Contract. Disputes that are not related to disposal price shall be submitted to arbitration only by mutual agreement of the parties hereto. In the event that either party hereto files a lawsuit challenging an arbitration

decision regarding the disposal price to be paid, the Contractor shall be required to continue providing the disposal services required by and in accordance with this Agreement, and the Municipality shall be required to pay for disposal services so rendered by the Contractor, based on the price decision made by the arbitrator(s) until such time as said price is modified by the courts, by agreement of the parties to the Cheektowaga Contract, or by a subsequent arbitration decision, or until such time as this Agreement is terminated.

18. RIGHT TO REQUIRE PERFORMANCE. The failure of the Municipality at any time to require performance by the Contractor of any provisions hereof, shall in no way affect the right of the Municipality thereafter to enforce same. Nor shall waiver by the Municipality of any breach of any provisions hereof be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any provision itself.

19. LAW TO GOVERN. This Agreement shall be governed by the laws of the State of New York, both as to interpretation and performance.

20. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement and understanding between the parties hereto, and it shall not be considered modified, altered, changed or amended in any respect unless in writing and signed by the parties hereto.

21. SEVERABILITY. If any provision of this Agreement shall be declared illegal, void or unenforceable, the other provisions shall not be affected, but shall remain in full force and effect.

22. ASSIGNMENT. The Contractor agrees to not assign, transfer, convey, sublet or dispose of this Agreement or of his right, title or interest therein or his power to execute same without the consent, in writing, of the Municipality, or of any monies which are to become due or payable to him because thereof, to any person, company or corporation without the previous consent, in writing, of the Municipality, and that until such consent in writing shall have been given, no claim or demand shall exist in favor of any person, company or corporation to any of the monies to be paid by the Municipality on account of the provisions of this Agreement, in favor of any person, association or corporation except the Contractor. The Municipality shall not unreasonably withhold such written consent. The Contractor may, however, assign its rights or delegate its duties hereunder without the Municipality's prior written consent in the case of a merger or sale of all or substantially all of the Contractor's assets in its EFW and ancillary facilities. The Municipality reserves the right, at its sole option, to assign, convey, or otherwise transfer any and all of its rights and interests in this Agreement to a part county solid waste district, a solid waste disposal authority, or other legal entity specifically created as a successor or assignee of the Municipality with regard to solid waste disposal in general and/or the terms and

conditions of this Agreement in particular. Any such assignment, conveyance, or other form of transfer shall not, however, obligate the Contractor to accept more wastes for disposal than it would have been required to accept, under this Agreement and under the disposal agreements with other participating municipalities, had such assignment, etc., not taken place.

23. NON-DISCRIMINATION IN EMPLOYMENT. During the performance of this Agreement, the Contractor shall not discriminate against any applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status. The Contractor will also comply with the provisions of Sections 290-299 of the Executive Law and with the Civil Rights Law.

24. OPTIONS PROVIDED TO OTHER MUNICIPALITIES. Pursuant to the inter-municipal agreement incorporated herein and attached hereto as Exhibit A, the following municipalities are expressly provided with the opportunity to exercise an option to participate in the terms and conditions of the Cheektowaga Contract: Village of Akron, Town of Alden, Village of Alden, Town of Clarence, Town of Elma, Town of Lancaster, Village of Lancaster, and the Town of Newstead. The parties hereto also agree that the following municipalities are also provided with the opportunity to exercise an option to participate in the terms and conditions of the Cheektowaga Contract, so long as prior to exercising said option these municipalities have joined the Northeast Communities Solid Waste Management Board: Village of Depew, Town of Marilla, Village of Sloan, Town of West Seneca, and the Village of

Williamsville. The time periods within which said municipalities must exercise their options to participate in the terms and conditions of the Cheektowaga Contract are contained in Exhibit C, which is attached hereto and incorporated herein by reference.

The Contractor agrees to promptly notify the Municipality of any price changes that are scheduled to take effect in accordance with the terms and conditions of this Agreement. The Municipality shall be allowed to participate in any price change negotiations and/or price related arbitration hearings only if and when mutually agreed to by the Town of Cheektowaga and the Contractor.

25. EFFECT OF PRIOR EXISTING DISPOSAL CONTRACT. The Municipality may or may not be able to start delivering waste to the Contractor's EFW on the first day of the term of this Agreement, under the terms of this Agreement, depending on whether and when the Municipality's prior existing disposal contract with another disposal firm is terminated. The parties hereto explicitly agree that the Municipality has the option to execute this Agreement but to be under no obligation to start delivering Municipality wastes to the Contractor's EFW until such time as the Municipality's prior existing disposal contract is terminated. Furthermore, the options provided to other municipalities to participate in the terms and conditions of the Cheektowaga Contract shall in no way be altered by aforesaid possible delays in the Municipality's actual commencement of solid waste deliveries to the Contractor's EFW.

26. OPTION TO USE TRANSFER STATION. The Municipality may request the Contractor's approval to route some or all of the Municipality trucks to the Cheektowaga and/or Tonawanda transfer station(s) owned by the Contractor, and for such time periods as are mutually agreed upon. In such instance(s), the Municipality shall pay the Contractor the applicable disposal price as provided for in Section 6, herein above, plus an additional fee of twenty dollars per ton (\$20/ton) in 1988 as compensation for the Contractor's transfer station and related hauling services provided to the Municipality. The initial twenty dollars per ton price for transfer and haul services in 1988 shall be changed for each subsequent calendar year in an amount equal to the CPI Change, as defined in Section 6 herein above, subject to further modification through changes negotiated by the Town of Cheektowaga and the Contractor in the event that the Contractor demonstrates that the CPI Change for a particular year does not adequately account for changes in fuel costs experienced by the transfer stations during said year. All other terms and conditions of this Agreement shall govern the parties' relationship in the event the Contractor approves of the Municipality's request(s) to so use the Contractor's transfer station(s).

27. REDUCTIONS IN ENVIRONMENTAL COST PASS THROUGHES. The Municipality will be entitled to receive the same disposal price reductions, if any, as are provided to the Town of Cheektowaga in accordance with Section 27 of the Cheektowaga Contract. The Municipality agrees to make a good faith effort to support the Town of Cheektowaga, if and when so requested by the Town of

Cheektowaga, relative to obtaining or helping to obtain State grants, low cost financing, or other governmental subsidies that could reduce the Contractor's costs.

IN WITNESS WHEREOF, the Municipality and the Contractor have executed this Agreement as of the day and year first above written.

MUNICIPALITY: _____

SEAL

By

(Signature)

Name & Title

Address

OCCIDENTAL CHEMICAL CORPORATION

SEAL

By

Title

Address

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

On this _____ day of _____, 198_, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he resides at _____, _____, New York; that he is the _____ of the _____, New York; that he knows the seal of said _____; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the _____ of said _____; and that he signed his name thereto by like order.

STATE OF NEW YORK)
COUNTY OF _____) SS.:

On this _____ day of _____, 198_, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he resides at _____; that deponent is the _____ of _____, the corporation described in and which executed the foregoing Agreement; that deponent knows the seal of said corporation; that the seal affixed to said Agreement is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that deponent signed his name thereto by like order.

AGREEMENT

(Pursuant to Article 5-G of the
General Municipal Law)

This AGREEMENT made and entered this 29th day of December 1986, by and between THE VILLAGE OF AKRON, THE TOWN OF ALDEN, THE VILLAGE OF ALDEN, THE TOWN OF CHEEKTOWAGA, THE TOWN OF CLARENCE, THE TOWN OF ELMA, THE TOWN OF LANCASTER, THE VILLAGE OF LANCASTER and THE TOWN OF NEWSTEAD, all being municipal corporations of the State of New York situated within the County of Erie, State of New York.

W I T N E S S E T H:

WHEREAS, the parties to this agreement have established the Northeast Communities Solid Waste Management Board for the purpose of jointly providing environmentally sound and cost effective alternatives for solid waste management; and

WHEREAS, it is the purpose of the parties, through the Northeast Communities Solid Waste Management Board to investigate all avenues for the disposal of solid waste in the northeast portion of Erie County; and

WHEREAS, the Northeast Communities Solid Waste Management Board, through the Town of Cheektowaga, is now investigating the feasibility of construction of a waste-to-energy facility and other alternatives; and

WHEREAS, each party to this agreement has the individual authority to contract for the disposal of solid wastes generated within its boundaries; and

WHEREAS, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to do jointly that which each may perform individually; and

WHEREAS, joint contracting for disposal of solid waste at transfer station, landfills or existing waste-to-energy facilities may be found to be economically desirable alternative for disposal of solid wastes;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Town of Cheektowaga shall be authorized to obtain on behalf of all parties to this agreement, contract proposals for solid waste disposal services.

2. Any proposals obtained by the Town of Cheektowaga shall be reported to the Northeast Communities Solid Waste Management Board, and any final agreement for such disposal shall be available to each Northeast Board municipality.

3. All parties to this contract shall be given the opportunity to participate in the contract negotiated by the Town of Cheektowaga, on an equal basis.

4. After execution of a contract by the Town of Cheektowaga, the option to participate must be exercised in a timely manner as follows:

- a. Those communities having municipal collection by municipal employees shall have six (6) months to exercise their option to participate in the contract negotiated by the Town of Cheektowaga.
- b. Those communities having community collection and disposal under municipal contract or operate a municipal convenience station where containers are removed under contract, shall have six (6) months from the expiration of the current contract to exercise their option to participate in the contract negotiated by Cheektowaga.

c. Those communities that do not control their solid waste must, within 18 months, take control of their solid waste and exercise their option to participate in the contract negotiated by the Town of Cheektowaga.

5. Any offer of contract terms for disposal of solid waste made to any party to this agreement shall be reported to the Northeast Communities Solid Waste Management Board by the party which receives an offer for solid waste disposal services.

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

VILLAGE OF AKRON

By: [Signature]

TOWN OF ALDEN

By: [Signature]

VILLAGE OF ALDEN

By: [Signature]

TOWN OF CHEEKTOWAGA

By: [Signature]

TOWN OF CLARENCE

By: [Signature]

TOWN OF ELMA

By: [Signature]

TOWN OF LANCASTER

By: [Signature]

VILLAGE OF LANCASTER

By: [Signature]

TOWN OF NEWSTEAD

By: [Signature]

ENVIRONMENTAL COST CHANGES

The Town of Cheektowaga and Contractor have agreed that there will be no changes in the \$15/ton disposal price from 1/1/88 - 2/28/89, and no changes in the \$21.15/ton disposal price during the last ten months in 1989 (3/1/89 - 12/31/89). Furthermore, the Town of Cheektowaga and Contractor have agreed that changes in the disposal price from 1/1/90 until 12/31/99 will be limited to changes in the Consumer Price Index and to any documented cost changes that are related to newly imposed environmental requirements. Such environmental cost changes shall be limited to the following, and the Contractor agrees to make a good faith effort to minimize both their occurrences and their adverse cost impacts on the Municipality:

1. Documented changes in the EFW's wastewater disposal costs.
2. Documented changes in the EFW's landfill disposal costs.
3. Documented changes in the EFW's operating costs that are required to be made for compliance with applicable permit conditions, laws, regulations, or other directives of governmental authorities having proper jurisdiction.

The bid prices submitted to the Town of Cheektowaga by the Contractor and dated July 20, 1987, included dollar per ton cost add-ons for two possible environmental cost changes, assuming for the purposes of the bid submittal that such changes would be in effect as of January 1, 1988. At a minimum, these dollar per ton cost add-on bid prices (which relate to: (i) compliance with proposed DEC requirements for incinerator operation/air emissions and (ii) the disposal of the EFW's ash residues in a dedicated "ash only" portion of a double lined landfill) and the Contractor's documentation explaining the bases for said bid prices, shall be used as a reference point during the negotiation and/or arbitration of any reasonably related price changes that may be requested by the Contractor.

The Contractor also agrees to provide whatever documentation is reasonably necessary, including copies of contracts and/or price agreements relating to its wastewater and landfill disposal costs, and related to the Contractor's electric energy revenues or savings in the event of a change in the applicable statutory minimum price per kilowatt hour, to enable the Town of Cheektowaga and/or an arbitrator to verify and otherwise evaluate any price changes requested by the Contractor during the term of this Agreement. It is also agreed that any environmental cost changes shall be determined using the Contractor's costs as of July 1, 1987, as the basis for comparison.

OPTIONS PROVIDED TO OTHER MUNICIPALITIES

In accordance with Section 24 of this Agreement and Exhibit A thereof, the options for additional municipalities to participate in the terms and conditions of the Cheektowaga Contract must be exercised no later than the dates or time periods listed below for each such municipality:

(Note: "CONTRACT DATE" as used below refers to the effective date of the Agreement between the Town of Cheektowaga and the Contractor.)

Village of Akron -- 18 months after the CONTRACT DATE.
Town of Alden -- 18 months after the CONTRACT DATE.
Village of Alden -- 6 months after the CONTRACT DATE.
Town of Clarence -- 18 months after the CONTRACT DATE.
Town of Elma -- 6 months after the CONTRACT DATE.
Town of Lancaster -- 18 months after the CONTRACT DATE.
Village of Lancaster -- 6 months after June 1, 1989.
Town of Newstead -- 18 months after the CONTRACT DATE.

The dates and time periods shown below for exercising their options shall apply only if the following municipalities first join the Northeast Communities Solid Waste Management Board:

Village of Depew -- Six months after June 1, 1990.
Town of Marilla -- 18 months after join Northeast Board.
Village of Sloan -- 18 months after join Northeast Board.
Town of West Seneca -- Six months after May 1, 1991.
Village of Williamsville -- Six months after June 1, 1989.

EXHIBIT D

COPY OF THE CHEEKTOWAGA CONTRACT

A copy of the executed long term disposal contract between the Town of Cheektowaga and the Occidental Chemical Corporation will be attached hereto as Exhibit D.

Item No. 7 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following individuals employed in the Facilities Department be and hereby are terminated as follows:

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

Effective

Dale Matecki

Immediately

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 9A Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, a vacancy in the position of Automotive Mechanic Foreman in the Central Garage was duly posted in accordance with the Collective Bargaining Agreement between the Town and the Town Supervisory Unit, and

WHEREAS, Arthur Ferdinand, a Central Garage Employee, has applied for and meets all of the qualifications for such position, NOW, THEREFORE, BE IT

RESOLVED that Arthur Ferdinand, , Cheektowaga, New York be and hereby is appointed to the position of Automotive Mechanic Foreman in the Central Garage, effective immediately, at a salary in accordance with the agreement between the Town and the Town Supervisory Unit.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 9B Motion by Councilman Solecki Seconded by

WHEREAS, there is a need to fill the vacancy of Working Foreman in the Sewer Maintenance Department, and

WHEREAS, Louis J. Baran has applied for said position, and

WHEREAS, the position of Working Foreman in the Sewer Maintenance must be filled as a temporary appointment since the permanent appointee, Thaddeus P. Brudz, is on a leave of absence from such position, NOW, THEREFORE, BE IT

RESOLVED that Louis J. Baran, , Cheektowaga, New York 14225 be and hereby is appointed to the temporary position of Working Foreman in the Sewer Maintenance Department, effective immediately.

THE ABOVE RESOLUTION FAILED DUE TO LACK OF A SECOND!!!!

Item No. 10 Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, this Town Board and the Town Highway Superintendent desire to institute a long range road improvement program, which road improvement program may require the reconstruction of Town highways according to a priority list of needs,

AND

WHEREAS, it is advisable to obtain professional services for the analysis of Town highways in order to determine the condition of said highways and the scope of work necessary to up-grade them to present standards, which analysis will address itself to drainage as well as road improvements, AND, BE IT FURTHER

RESOLVED that the proposal of Tallamy, Van Kuren, Gertis & Associates, as submitted to the Town Engineer and dated March 3, 1988, be and hereby is accepted and approved, AND, BE IT FURTHER

RESOLVED that said professional agreement as submitted by Tallamy, Van Kuren, Gertis & Associates, which professional services will be provided on an as-needed basis as requested by the Town Highway Superintendent and the town Board, with the first phase of the study and report not to exceed \$15,000, AND, BE IT FURTHER

RESOLVED that the cost for said professional services is to be paid out of the proceeds from the bonds for the resurfacing of various Town streets, as approved by resolution dated June 16, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Johnson Seconded by Councilman Kulyk

WHEREAS, there is need for obtaining technical services that are not included in the scope of any current project, and

WHEREAS, such services are needed in resolving erosion control problems, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is hereby authorized to secure the services of Merriman Conservation Consultants, 504 Ridge Avenue, East Aurora, New York 14052 as needed at the rate of twenty-eight dollars (\$28.00) Per hour for the services of a conservation consultant, said rate to apply for the calendar year of 1988, AND, BE IT FURTHER

RESOLVED that payment for said services shall be made only where authorized by the Town Engineer in writing to said consultant and that services are chargeable to the Miscellaneous Erosion Control Budget Item 008540.4561.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Kazukiewicz Seconded by Supervisor Swiatek

WHEREAS, by resolution dated February 1, 1988, this Town Board created an Ad Hoc Personnel Committee and made appointments to same, and

WHEREAS, this Town Board desires to add another member to such Committee, namely the new Commissioner of Personnel for the County of Erie, Richard A. Slisz, AND

WHEREAS, Richard A. Slisz has indicated a willingness to serve on such Committee, NOW, THEREFORE, BE IT

RESOLVED that Richard A. Slisz be and hereby is appointed as a member of the Ad Hoc Personnel Committee, effective immediately.

Item No. 12 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 13 Motion by Supervisor Swiatek Councilman Councilman Gabryszak

WHEREAS, in order to minimize risk; ensure that investments mature when cash is required to finance operations; and ensure a competitive rate of return for the Town from investments, this Town Board is desirous of adopting investment policies and guidelines, and

WHEREAS, pursuant to the request of the Town Supervisor, the public accounting firm of Deloitte, Haskins & Sells has prepared a proposed investment policy for adoption by this Town Board, such policy being formatted after the State proposed standard policy and being in line with a recommendation from the State Comptroller, and

WHEREAS, such Investment Policies and Guidelines are acceptable to this Town Board, NOW, THEREFORE BE IT

RESOLVED that the attached TOWN OF CHEEKTOWAGA INVESTMENT POLICIES AND GUIDELINES be and hereby is adopted by this Town Board, effective immediately, and BE IT FURTHER

RESOLVED that the term "Chief Fiscal Officer" found in such Investment Policies and Guidelines shall be held to refer to the Town Supervisor.

*SEE NEXT THREE (3) PAGES FOR COPY OF INVESTMENT POLICIES AND GUIDELINES

TOWN OF CHEEKTOWAGA
INVESTMENT POLICIES AND GUIDELINES

The objectives of the Investment Policy of the Town of Cheektowaga are to minimize risk; to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this policy, the Chief Fiscal Officer is hereby authorized to invest all funds including proceeds of obligations and reserve funds in:

- . Certificates of Deposit issued by a bank or trust company authorized to do business in New York State;
- . Time Deposit Accounts in a bank or trust company authorized to do business in New York State;
- . Obligations of New York State;
- . Obligations of the United States Government;
- . In Repurchase Agreements involving the purchase and sale of direct obligations of the United States.

All funds except Reserve Funds may be invested in:

- . Obligations of agencies of the federal government if principal and interest is guaranteed by the United States.

Only reserve funds may be invested in:

- . Obligations of the Town.

All other Town officials receiving money in their official capacity must deposit such funds in negotiable order of withdrawal accounts.

All investments made pursuant to this investment policy shall comply with the following conditions:

1. COLLATERAL

- a. Certificates of deposit shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of the United States or obligations of federal agencies the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Collateral shall be held by the seller bank's trust department or its designate. The market value of collateral shall at all times equal or exceed the principal amount of the

certificate of deposit. Collateral shall be monitored no less frequently than quarterly and market value shall mean the bid or closing price as quoted in the Wall Street Journal or as quoted by another recognized pricing service.

- b. Securities purchased through a repurchase agreement shall be valued to market at least quarterly.
- c. Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United States Government.

2. WRITTEN CONTRACTS

Written contracts are required for Repurchase Agreements, certificates of deposit, and custodial undertakings. All purchases will be confirmed in writing to the Town.

It is therefore, the policy of the Town to require written contracts as follows:

- a. Written contracts shall be required for all Repurchase Agreements. Only credit worthy banks and primary reporting dealers shall be qualified to enter into a Repurchase Agreement with the Town. The written contract shall provide that only obligations of the United States may be purchased, and the Town shall make payment upon delivery of the securities or appropriate book-entry of the purchased securities. No specific repurchase agreement shall be entered into unless a master repurchase agreement has been executed between the Town and the trading partners. While the term of the master repurchase agreement may be for a reasonable length of time, a specific repurchase agreement shall not exceed thirty (30) days.
- b. Written contracts shall be required for the purchase of all certificates of deposit.

3. FINANCIAL STRENGTH OF INSTITUTIONS

All trading partners must be credit worthy. Their financial statements must be reviewed at least annually by the Chief Fiscal Officer to determine satisfactory financial strength or the chief fiscal officer may use credit rating agencies to determine credit worthiness of trading partners. Concentration of investments in financial institutions should be avoided.

Investments in time deposits and certificates of deposit are to be made with banks or trust companies. Their annual reports must be reviewed by the Chief Fiscal Officer to determine satisfactory financial strength.

Repurchase agreements, shall be entered into only with banks or trust companies or registered and primary reporting dealers in government securities. Sound credit judgments must be made with respect to trading partners in repurchase agreements. It is not assumed that inclusion on a list of the Federal Reserve is automatically adequate evidence of credit worthiness.

Repurchase agreements should not be entered into with undercapitalized trading firms.

A margin of 5% or higher of the market value of purchased securities in repurchase agreements must be maintained.

4. OPERATIONS, AUDIT AND REPORTING

The chief fiscal officer shall authorize the purchase and sale of all securities and execute contracts for Repurchase Agreements and certificates of depository on behalf of the Town. Oral directions concerning the purchase or sale of securities shall be confirmed in writing. The Town shall pay for purchased securities upon the delivery or book-entry thereof.

The Town will encourage the purchase and sale of securities and certificates of deposit through a competitive or negotiated process involving telephone solicitation of at least three bids for each transaction.

At the time independent auditors conduct the annual audit of the accounts and financial affairs of the Town the independent auditors shall audit the investments of the Town for compliance with the provisions of these Investment Guidelines.

At least annually, the Town Board shall review and amend, if necessary these Investment Guidelines.

The provisions of these Investment Guidelines and any amendments hereto shall take effect prospectively, and shall not invalidate prior investment.

Item No. 13 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 14A Motion by Councilman Solecki Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has a population of approximately 110,000 and an annual budget of almost 35 million dollars, and

WHEREAS, the tow spends hundreds of thousands of dollars on the purchase of commodities of various kinds, and

WHEREAS, the Town is in need of a more specific and better organized purchasing system and

WHEREAS, a better purchasing system can save this Town thousands of dollars of taxpayers' moneys, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby establishes a Purchasing Committee, composed of the following individuals:

L. Charles Hintermeier	John J. Gross
Thomas N. Zale	James Brado
Robert E. Church	A.S. Tylanda, Jr.
William D. Sisk	Robert Buczynski
	Eugene A. Rudzinski

and, BE IT FURTHER

RESOLVED that the purpose of this Purchasing Committee shall be and include the following responsibilities and duties:

1. Review all current purchasing practices.
2. Review New York State and Erie County purchasing practices.
3. Interview Town department heads for suggestions for establishing policies and procedures for purchases.
4. Review all files and vouchers, which shall be accessible to such Committee.
5. Develop and recommend a policy and procedure on a purchasing program to the Town Board.

and, BE IT FURTHER

RESOLVED that, upon completion of its review and report to the town Board, the Purchasing Committee shall be dissolved and/or called back on an annual basis for follow-up review.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 14B Establish Cheektowaga Sports Panel and Appointments to same.
This item was withdrawn.

Item No. 15 Motion by Councilman Jaworowicz Seconded by Councilman Kazukiewicz

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1988 to the Erie County Board of Elections, and

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

WHEREAS, the Town of Cheektowaga includes 111 Election Districts; 43 Polling Places, of which 42 provide proper accessibility and 1 which does not, and

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

WHEREAS, conversion of the current inaccessible polling place, is neither economically feasible nor cost effective at this time, and

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

RESOLVED that the attached list of Town of Cheektowaga polling places for 1988 be approved for submittal to the Erie County Board of Elections, and BE IT FURTHER

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

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 16 Memorialize U. S. Army Corps of Engineers to complete its review of
Walden Galleria Mall
This item was withdrawn.

Item No. 17 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the County of Erie, by virtue of tax foreclosure proceedings, became the owner of the following listed three properties located in the Town of Cheektowaga:

Maryvale Drive	S.B.L. #92.09-3-10
Strasmer Road	S.B.L. #114.02-10-32
Strasmer Road	S.B.L. #114.02-10-33

and

WHEREAS, the Town Engineering Department has recommended that the Town purchase these properties from the County for drainage purposes, and

WHEREAS, such properties are of no use to the County and are available for purchase for the following moneys, which represent back taxes and charges owed on same:

Maryvale Drive (S.B.L. #92.09-3-10)	\$500.00
Strasmer Road (S.B.L. #114.02-10-32)	\$1400.00
Strasmer Road (S.B.L. #114.02-10-33)	\$900.00

NOW, THEREFORE, BE IT

Item No. 17 Cont'd.

RESOLVED that this Town Board hereby offers the County of Erie the above-mentioned moneys for the above listed respective properties, and BE IT FURTHER

RESOLVED that the moneys for such land purchases shall be appropriated from the Drainage Fund, and, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the Commissioner of Finance of the County of Erie and the County Executive, and BE IT FURTHER

RESOLVED that the County of Erie be and hereby is requested to respond to this offer by April 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, pursuant to the Job Training Partnership Act, the Town of Cheektowaga entered into a consortium with the City of Buffalo and the town of Tonawanda to administer job training programs with the Buffalo and Erie county Private Industry Council, Inc., and

WHEREAS, the County of Erie was a separate entity under the Job Training Partnership Act, and

WHEREAS, the cost effective management of the Job Training Partnership Act can best be achieved by cooperation among communities within the same labor market area to provide for a shared central administrative capability, and

WHEREAS, the County of Erie has expressed a desire to join the Towns of Cheektowaga and Tonawanda, the City of Buffalo and the Buffalo and Erie County Private Industry Council, Inc. to work together to implement and administer the job training programs, and

WHEREAS, the Town of Cheektowaga feels that such a joint cooperative program will be advantageous to all communities involved, and

WHEREAS, in accordance with the Job Training Partnership Act, the entire County of Erie, including the City of Buffalo and Towns of Cheektowaga and Tonawanda, has been designated as a Service Delivery Area, and the Service Delivery Area has appointed the Buffalo and Erie County Private Industry Council, Inc. to administer the area, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby agrees to enter a consortium with the County of Erie, City of Buffalo, Town of Tonawanda and Buffalo and Erie County Private Industry Council, Inc. to administer job training programs in the Service Delivery Area under the Job Training Partnership Act, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Contract Agreement to effectuate the consortium.

*SEE NEXT ELEVEN (11) PAGES FOR COPY OF AGREEMENT

CONTRACT AGREEMENT

This Agreement, made as of the 9th day of March , 1988, by and between the County of Erie, the City of Buffalo, the Town of Cheektowaga, and the Town of Tonawanda, hereinafter referred to as the "Participating Jurisdictions", and the Buffalo and Erie County Private Industry Council, Inc.

W I T N E S S E T H:

WHEREAS, the Job Training Partnership Act, hereinafter referred to as the "Act", was enacted on October 13, 1982, and

WHEREAS, this Act calls for a partnership between local government and a Private Industry Council to administer job training programs, and

WHEREAS, the cost effective management of the program can best be achieved by cooperation among communities within the same labor market area to provide for a shared central administrative capability, and

WHEREAS, the County of Erie, the City of Buffalo, the Town of Cheektowaga and the Town of Tonawanda have expressed a desire to work together in the implementation and administration of the program, and

WHEREAS, in accordance with the Act, the entire County of Erie, including the City of Buffalo, the Town of Cheektowaga and the Town of Tonawanda has been designated as a Service Delivery Area, hereinafter referred to as the "SDA", and

WHEREAS, the SDA in accordance with the Act has appointed a Private Industry Council, hereinafter referred to as the "PIC", to serve the area; and said PIC has been certified by the Governor of the State of New York, and

WHEREAS, the PIC is the successor in interest to the Buffalo and Erie County Private Industry Council, Inc., and

WHEREAS, the PIC at its meeting on March 9 , 1988, by resolution, proposed that the PIC serve as the grant recipient and entity to administer the job training plan, effective July 1, 1988, and

WHEREAS, the Participating Jurisdictions are in agreement with this proposal, and

WHEREAS, the proposed designation is consistent with the Act and all other applicable federal, state and local laws.

NOW, THEREFORE, it is mutually agreed by and among the Parties hereto:

1. The Parties to this Agreement will comply with the Act and all pertinent regulations and requirements applicable thereto.

2. The PIC agrees to operate and function as the Grant Recipient and Entity to administer the job training plan, and to develop and implement programs to carry out the program set forth thereunder.

3. (a) The PIC shall:

- (1) Be responsible for the proper implementation and conduct of the program,

(2) Prepare all contracts, subgrants and other necessary agreements, including the Biennial Plan, Master Plan and any modifications thereof, subject to approval of each of the chief elected officials of the Participating Jurisdictions. The chief elected officials of each of the Participating Jurisdictions and the chairperson of PIC will all sign the Job Training Plan and any modifications thereto,

(3) Receive funds for the program directly from the State of New York,

(4) Be empowered to expend funds in accordance with approved contracts and budgets,

(5) Employ, organize and train central staff for the purposes of administering the program,

(6) Develop procedures for program planning, assessment and fiscal management,

(7) Provide technical assistance to subgrantees,

(8) Assist in the coordination of client referrals to programs established hereunder,

(9) Establish a Management Information System which will prepare and submit all participant and fiscal reports required by the United States Department of Labor, State of New York and the Participating Jurisdictions,

(10) Assess and evaluate program performance,

(11) Provide staff assistance to the Participating Jurisdictions,

(12) Develop an administrative budget on an annual basis to cover all internal expenses of the PIC for submittal to and approval of the chief elected official of each participating jurisdiction,

(13) Be responsible for preparation of an annual report to the Governor providing a description of all activities, identification of client characteristics and performance standards attainment during the program year,

(14) Establish a separate bank account for all monies received under this Agreement.

(b) The PIC may, if requested to do so in writing by a Participating Jurisdiction, employ, organize and train field staff for the purpose of implementing programs under the Act within the boundaries of such Participating Jurisdiction.

4. The PIC will be responsible for the development, execution and implementation of all contracts and programs under the Biennial Plan in conjunction with the Participating Jurisdictions. All such contracts and programs shall be reviewed and approved by the Board of Directors of the PIC and by the chief elected official of each participating jurisdiction.

5. The chief elected official of the Participating Jurisdictions will nominate an executive director to be responsible for day to day operations of the program. This nomination shall be subject to the approval of the PIC.

6. (a) The Participating Jurisdictions may:

(1) Employ, organize and train field staff for the purpose of implementing programs under the Act, and

(b) The Participating Jurisdictions shall:

(1) Monitor and evaluate,

(2) Assist the PIC in establishing policies for the expenditure of funds for the program and reprogramming of funds,

(3) Select a certified public accounting firm to provide an annual, independent audit of all expenditures under this Agreement. These audits shall be conducted in accordance with all requirements for audits of these programs as established by the United States Department of Labor,

(4) Maintain client intake offices. These offices shall have sole responsibility for determining eligibility for JTPA programs. The intake offices in the Participating Jurisdictions will perform the appropriate client assessment,

(5) Designate an Equal Employment Opportunity Coordinator to oversee the affirmative action and the grievance procedure required under the Act,

(6) Prepare, on an annual basis, a budget for the maintenance of the aforementioned functions at the Participating Jurisdiction level, and submit this budget to the PIC for inclusion in the Biennial Plan,

(7) Maintain a separate accounting in each jurisdiction for all monies received under this Agreement.

7. The PIC agrees to comply with the Act, all rules, regulations and guidelines promulgated by the Congress and the United States Department of Labor under the Act, and any other

applicable laws of the United States of America and the State of New York, and all rules and regulations established by the Participating Jurisdictions in connection therewith, including specifically all labor laws and all laws against discrimination.

8. The PIC agrees to cooperate in the monitoring and evaluation of programs by the Participating Jurisdictions. Such monitoring and evaluation will focus on effectiveness, quality of service to clients and fiscal records.

9. The PIC shall establish and maintain such records, accounts and financial statements as shall be required for the proper implementation of the program, including all such records, accounts and financial statements required by the rules and regulations of the Department of Labor, the State of New York and the Participating Jurisdictions.

10. The PIC shall submit all such records, accounts, and financial statements, together with all other requested pertinent information to the Participating Jurisdictions whenever requested by it, to include a record of expenditures or services provided to residents of each participating jurisdiction.

11. The PIC agrees to make available for audit by the Participating Jurisdictions or their designees, the United States Department of Labor, and/or the State of New York, the books of accounts or records reasonably necessary to justify and verify payment by the PIC of funds under the terms of the aforesaid grant or any extension thereof.

12. The PIC shall be fully accountable for its performance under this Agreement, and agrees 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 this Agreement or its performance.

13. The chief elected officials of the Participating Jurisdictions shall appoint members to the PIC by unanimous agreement. Such appointments shall be made in the manner prescribed in Section 102 of the Act.

14. Neither the Participating Jurisdictions nor the PIC shall be liable for any payments other than those specified in the Act under rules and regulations provided therefore by the United States Department of Labor, or the State of New York.

15. Based on its own cash needs and statements of cash needs submitted to the PIC by the Participating Jurisdictions, the PIC will request payment from the State of New York. Requests for payment will be made payable to the PIC. Drawdowns shall not be made more frequently than daily and will be in amounts to meet only current disbursing needs. Copies of the requests for payment will be provided to the Participating Jurisdictions on a timely basis.

16. In the event that, upon termination of this Agreement, the PIC has received and holds unencumbered monies received hereunder, it shall submit to the Participating Jurisdictions a final statement of its costs, receipts hereunder, and funds encumbered, and shall refund all such monies to the State of New York within the time frame established by the State.

17. The PIC and the Participating Jurisdictions shall not be required to allocate or expend its own funds in the carrying out of the programs hereunder.

18. The Participating Jurisdictions will hold harmless and indemnify the PIC for any expenditures actually made by a participating jurisdiction should it be subsequently determined that said expenditures were unauthorized under the Act. Each participating jurisdiction will hold harmless and indemnify the other participating jurisdiction for any expenditure it makes which is subsequently determined to be unauthorized under the Act.

19. The PIC shall indemnify and hold harmless the Participating Jurisdictions for any expenditures not made in accordance with approved contracts or approved operating budgets of the parties to this Agreement. The Participating Jurisdictions shall be indemnified and held harmless by the PIC for cash received by the PIC in excess of amounts disbursed under approved contracts and budgets.

20. This Agreement shall be deemed executory only to the extent of monies available to the SDA by grants from the State of New York or the United States and no liability on account thereof shall be incurred by the SDA beyond monies available for the purpose hereof.

21. This Agreement, or any terms herein, shall be amended only by a written instrument executed by all parties.

22. This Agreement shall continue in effect unless and until terminated by any party. Any party may terminate this

Agreement at any time by giving thirty (30) days written notice to the other parties personally or by registered or certified mail. Provided, however, that in the event a participating jurisdiction elects to terminate this Agreement and at the time of such termination the PIC is not in material breach of its obligations hereunder, the PIC shall be entitled to reimbursement for any expenses which the PIC may have incurred or will incur in reliance on the full term of this Agreement, which expenses shall not have been reimbursed in accordance with the provisions hereof.

23. In the event that the PIC has reasonable cause to believe it cannot meet any or all of the obligations placed upon it by the terms of this Agreement, the PIC shall immediately so notify the Participating Jurisdictions in writing.

The Participating Jurisdictions shall make all reasonable efforts to assist the PIC in meeting its obligations under this Agreement. If within thirty (30) days of notification, the PIC remains unable to comply with its obligations under this Agreement, the parties hereto shall seek amendment or modification in accordance with the procedures set forth in Paragraph 24 for the purpose of the effective continuation of the Act. Nothing in this section shall be interpreted or construed as limiting the right of any of the parties to terminate this Agreement in the manner set forth.

24. Requests for amendment or modification of this Agreement shall be made in writing to all the parties, specifying the changes sought and the reasons therefor. The parties shall mutually review the request for amendment or modification in terms

of the Act and the intent of this Agreement. All amendments or modifications shall be in writing and duly executed by all the parties hereto.

25. Prior to or upon execution of this Agreement:

(a) The PIC shall provide the Participating Jurisdictions with satisfactory evidence of adequate insurance coverage including, but not limited to, general and special liability insurance, audit exception insurance and all state and federal mandated insurance,

(b) The PIC shall require all subcontractors and agents to provide to the PIC satisfactory evidence of insurance indemnifying the PIC and the Participating Jurisdictions as named insureds,

(c) The PIC shall provide for adequate and appropriate bonding and fidelity insurance covering its directors and employees.

(d) All insurance shall be in such kind, form and amount as the Participating Jurisdictions through mutual written agreement, shall require.

26. Neither the PIC nor the Participating Jurisdictions nor their agents or employees shall be considered as or represent themselves to be agents or employees of the other.

27. It is the intent of the parties that all decisions by the Participating Jurisdictions under this Agreement shall be unanimous.

28. Notices or communications shall be given personally or mail as follows:

To the Participating Jurisdictions:

Erie County Executive
95 Franklin Street
Buffalo, New York 14202

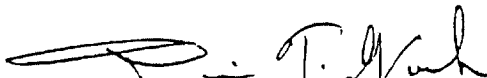
Mayor
City of Buffalo
City Hall
Buffalo, New York 14202


Supervisor
Town of Cheektowaga
Cheektowaga Town Hall
Broadway and Union Road
Cheektowaga, New York 14227

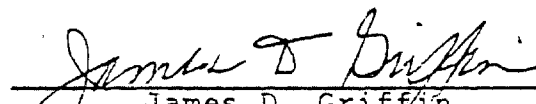
Supervisor
Town of Tonawanda
Municipal Building
2919 Delaware Avenue
Kenmore, New York 14217

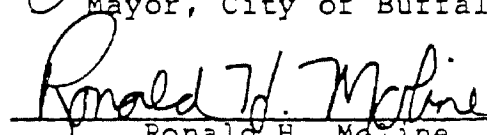
PIC Chairperson
Buffalo and Erie County Private Industry Council, Inc.
170 Franklin Street
Buffalo, New York 14202

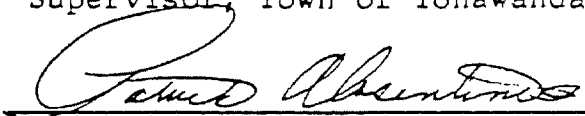
IN WITNESS WHEREOF, the parties hereto have set their hands and seals effective the day and year first above written.


Dennis T. Gorski
Erie County Executive


Frank E. Swiatek
Supervisor, Town of Cheektowaga


James D. Griffin
Mayor, City of Buffalo


Ronald H. Moine
Supervisor, Town of Tonawanda


Patrick A. Cosentino, II
Chairperson, Buffalo and
Erie County Private Industry
Council, Inc.

Item No. 18 Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 19A Motion by Supervisor Swiatek Seconded by Councilman Johnson

WHEREAS, the Office of Community Development for the Town of Cheektowaga is in need of a larger office, and

WHEREAS, there is office space available in an office building located at 3717 Union Road in the Town, and

WHEREAS, 3717 Union Road is easily accessible to the public and near to the Town Hall, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached lease agreement for the rental of offices in 3717 Union Road for the Office of Community Development for the Town.

Motion by Supervisor Swiatek Seconded by Councilman Kulyk to amend the above resolution and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AMENDED RESOLUTION

Motion by Supervisor Swiatek Seconded by Councilman Johnson

WHEREAS, the Office of Community Development for the Town of Cheektowaga is in need of a larger office, and

WHEREAS, there is office space available in an office building located at 3717 Union Road in the Town, and

WHEREAS, 3717 Union Road is easily accessible to the public and near to the Town Hall, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and he hereby is authorized to execute a lease with the Lu and Lu Land Leasing, Inc. for the rental of 810 square feet of office space on the second floor of the office building at 3717 Union Road, Cheektowaga, New York; and such lease shall contain the standard clauses and terms generally provided for in Lease of Business Premises form A35, as modified by the Town Attorney, and also be for a term of five (5) years, commencing on or about May 1, 1988, at the following annual rentals:

\$7,290.00 for year number 1
\$8,100.00 for year number 2
\$8,910.00 for year number 3
\$9,720.00 for year number 4, and
\$10,530.00 for year number 5

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 19B Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, by resolution dated October 19, 1987, this Town Board authorized the Supervisor to execute an agreement with the New York State Office of Parks, Recreation and Historic Preservation for a \$50,000 grant to the Town for the construction of one basketball court in Rehm Road Park and three tennis courts and paved parking area in Stiglmeier Park, and

WHEREAS, the deadline in such agreement for completion of the work was April 1, 1988, and

WHEREAS, the work is not expected to be completed until June 1, 1988, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a revised agreement, as prepared by the New York State Office of Parks, Recreation and Historic Preservation to change the completion date from April 1, 1988 to June 30, 1988, and the date for submission of final vouchers from April 15, 1988 to August 1, 1988, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute any and all vouchers and other papers necessary to effectuate this grant.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 19C Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

WHEREAS, Article 13-A of the Civil Practice Law and Rules (CPLR) of the State of New York ("proceeds of a Crime-Forfeiture") established a mechanism by which property obtained through the commission of a felony may be forfeited to a governmental authority, and

WHEREAS, the "claiming authority" authorized to commence a proceeding to recover property which constitutes the proceeds of a crime is the District Attorney for the County of Erie, and

WHEREAS, by resolution adopted on June 25, 1987, the Erie County Legislature approved certain policies and procedures with respect to the use and appropriation of all monies realized by and paid over to the County under the provisions of CPLR Article 13-A, including a policy that at least twenty-five percent (25%) of such monies be set aside by the County and used for law enforcement purposes by the municipal police agencies whose law enforcement investigatory efforts or other involvement resulted in the forfeiture(s), as determined by the District Attorney; and

WHEREAS, in the case of People v. Edward Fingers and Elizabeth Gauldin, the County has realized the sum of \$68,123.85 in net forfeiture monies and the District Attorney has reported that the law enforcement efforts and involvement of the Town of Cheektowaga Police Department brought about the forfeiture in that case; and

WHEREAS, by resolution adopted November 5, 1987 on the recommendation of the District Attorney, the County Legislature duly appropriated the sum of \$17,031.00, representing 25% of the net forfeiture monies realized by the County in the People v. Fingers/Gauldin case, and authorized the County Executive to enter into a grant award agreement with the Town providing for payment of such sum to the Town on the condition that the funds be used for Town law enforcement purposes, and

WHEREAS, this Town Board desires to avail itself of these funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Grant Award Agreement.

MEETING NO. 5
March 7, 1988

Item No. 19C Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

*SEE NEXT PAGES FOR COPY OF AGREEMENT

GRANT AWARD AGREEMENT
FORFEITED PROCEEDS OF CRIME

THIS AGREEMENT, made and entered into as of December 1, 1987, by and between the COUNTY OF ERIE, a municipal corporation of the State of New York, with offices at 95 Franklin Street, Buffalo, New York 14202 (hereinafter referred to as the "COUNTY") and the TOWN OF CHEEKTOWAGA, a municipal corporation of the State of New York, with offices located as Broadway and Union Roads, Cheektowaga, New York 14225 (hereinafter referred to as the "GRANTEE").

WITNESSETH:

WHEREAS, pursuant to Article 13-A of the New York Civil Practice Law and Rules (CPLR), the Erie County District Attorney is authorized to commence and prosecute civil forfeiture actions against criminal defendants to recover money and other property constituting the proceeds of crime; and

WHEREAS, depending upon the location and nature of the crimes involved, the judgments and orders of forfeiture issued in such civil actions provide for the disposal of such property and for the payment of such money in accordance with the priorities set forth in CPLR § 1349, including payment of the taxable costs and disbursements of the actions, satisfaction of liens and claims

COUNTY OF ERIE -- DEPARTMENT OF LAW

against the forfeited property, payment of restitution, reparations or damages to victim(s), payments to the New York State Substance Abuse Fund and, where the crime which constitutes the basis for the forfeiture was committed in Erie County outside the City of Buffalo, payment to the general fund of the COUNTY; and

WHEREAS, by resolution adopted on June 25, 1987, the Erie County Legislature approved certain policies and procedures with respect to the use and appropriation of all monies realized by and paid over to the COUNTY under the provisions of CPLR Article 13-A, including a policy that at least twenty-five percent (25%) of such monies be set aside by the COUNTY and used for law enforcement purposes by the municipal police agencies whose law enforcement investigatory efforts or other involvement resulted in the forfeiture(s), as determined by the District Attorney; and

WHEREAS, in the case of People v. Edward Fingers and Elizabeth Gauldin, the COUNTY has realized the sum of \$68,123.85 in net forfeiture monies and the District Attorney has reported that the law enforcement efforts and involvement of the Town of Cheektowaga Police Department brought about the forfeiture in that case; and

WHEREAS, by resolution adopted November 5, 1987 on the recommendation of the District Attorney, the County Legislature duly appropriated the sum of \$17,031.00, representing 25% of the net forfeiture monies realized by the COUNTY in the People v. Fingers/Gauldin case, and authorized the County Executive to enter

into a grant award agreement with the GRANTEE providing for payment of such sum to GRANTEE on condition that the funds be added, in a non-supplanting manner, to the operating budget of the Town of Cheektowaga's Police Department and used for law enforcement purposes; and

WHEREAS, the Cheektowaga Town Board duly adopted a resolution on March 7, 1988, a certified copy of which is attached hereto as Exhibit "A", authorizing the Cheektowaga Town Supervisor to execute this Agreement on behalf of the GRANTEE.

NOW, THEREFORE, the COUNTY and the GRANTEE hereby agree as follows:

1. As used in this agreement, the term "used for law enforcement purposes" shall mean the expenditure of the funds granted hereunder;

(a) for the acquisition of materials, supplies and/or equipment suitable by design or application for the investigation of crimes, criminal activities and criminal suspects, including but not limited to: audio and/or video recording and surveillance equipment; supplies and equipment for the testing, analysis and safekeeping of evidentiary materials.

(b) for the personal services of non-employee experts or other technical personnel retained in connection with the acquisition or analysis of investigatory and evidentiary materials or retained in connection with the installation,

operation or maintenance of the equipment described in subparagraph (a) above.

(c) for the purpose of purchasing illicit substances for evidentiary use ("buy money"), for the purpose of payments to confidential informants for information regarding criminal activities and actors ("informant money") and for the purpose of publicly offering cash rewards for information leading to criminal arrests and convictions ("reward money").

(d) for the personal services of police officer or other personnel employed by the GRANTEE's police department, but limited to overtime and related expenses associated with such extraordinary law enforcement activities as electronic surveillance for which no other funding is available.

2. Upon execution of this agreement, the COUNTY shall grant and pay over to the GRANTEE the sum of SEVENTEEN THOUSAND THIRTY-ONE DOLLARS (\$17,031.00).

3. GRANTEE, upon receipt of the funds granted hereunder shall add such funds to the operating budget of its police department in such a manner as to increase, rather than merely supplant, the amount of its budgetary appropriations available to be used for law enforcement purposes, as defined herein.

4. GRANTEE covenants that the funds granted hereunder shall be used for law enforcement purposes, as defined herein, in the fiscal year in which the funds are received by GRANTEE or within twelve months of their receipt, provided however, that such

COUNTY OF ERIE — DEPARTMENT OF LAW

funds shall not be applied so as to merely supplant any other available budgetary appropriations for such succeeding fiscal year.

5. The agreement shall be deemed executory only to the extent of monies available and appropriated for the performance hereof in the budget of the Erie County District Attorney's Office, Object 43 - Contractual Agencies and Services, and no liability on account of this agreement shall be incurred by the COUNTY beyond such monies.

6. GRANTEE agrees to keep, and upon request to make available to the Comptroller of the COUNTY, GRANTEE's financial and other records with respect to the funds granted and expenditures made hereunder. The Comptroller may require GRANTEE to separately account for such funds.

7. GRANTEE agrees to submit to the Erie County District Attorney's Office, a financial report, setting forth items or services procured, and their associated costs. Said report should include documentation substantiating all expenditures; i.e., invoices, payroll register, etc. Said report is to be submitted upon completion of all transactions and in no instance, more than one year from the completion of same.

8. GRANTEE agrees to defend, hold harmless and indemnify the COUNTY, together with its officers, agents and employees, against any and all liabilities, claims, demands, suits and

judgments arising out of the performance by the GRANTEE of its obligations hereunder.

9. GRANTEE 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 all pertinent authorities having jurisdiction.

10. GRANTEE shall be fully accountable for its performance under this agreement and it shall require its officers to answer under oath all questions relative to GRANTEE's performance hereof, and to any transactions, acts or omissions, had, done or omitted in connection herewith if called before any judicial, county, state or federal agency empowered to investigate this agreement or its performance.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first written above.

~~TOWN OF CHEEKTOWAGA~~

FRANK E. SWIATEK

Its Supervisor

Date: July 19 '88

COUNTY OF ERIE

DENNIS T. GORSKI

Erie County Executive

Date: 8/8/88

APPROVED AS TO CONTENT

FRANK J. CLARK, First
Deputy District Attorney

APPROVED AS TO FORM

SEAN L. TUPPEN

Assistant County Attorney

Doc. No. 88-825 DA

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 March, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman ~~Thomas M. Johnson, Jr.~~ Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

ABSENT: 0

Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

WHEREAS, Article 13-A of the Civil Practice Law and Rules (CPLR) of the State of New York ("proceeds of a Crime-Forfeiture") established a mechanism by which property obtained through the commission of a felony may be forfeited to a governmental authority, and

WHEREAS, the "claiming authority" authorized to commence a proceeding to recover property which constitutes the proceeds of a crime is the District Attorney for the County of Erie, and

WHEREAS, by resolution adopted on June 25, 1987, the Erie County Legislature approved certain policies and procedures with respect to the use and appropriation of all monies realized by and paid over to the County under the provisions of CPLR Article 13-A, including a policy that at least twenty-five percent (25%) of such monies be set aside by the County and used for law enforcement purposes by the municipal police agencies whose law enforcement investigatory efforts or other involvement resulted in the forfeiture(s), as determined by the District Attorney; and

WHEREAS, in the case of People v. Edward Fingers and Elizabeth Gauldin, the County has realized the sum of \$68,123.85 in net forfeiture monies and the District Attorney has reported that the law enforcement efforts and involvement of the Town of Cheektowaga Police Department brought about the forfeiture in that case; and

WHEREAS, by resolution adopted November 5, 1987 on the recommendation of the District Attorney, the County Legislature duly appropriated the sum of \$17,031.00, representing 25% of the net forfeiture monies realized by the County in the People v. Fingers/Gauldin case, and authorized the County Executive to enter into a grant award agreement with the Town providing for payment of such sum to the Town on the condition that the funds be used for Town law enforcement purposes, and

WHEREAS, this Town Board desires to avail itself of these funds,
NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Grant Award Agreement.

Upon roll call

Supervisor Swiatek	Voting	AYE
Councilman Johnson	Voting	AYE
Councilman Jaworowicz	Voting	AYE
Councilman Gabryszak	Voting	AYE
Councilman Kulyk	Voting	AYE
Councilman Kazukiewicz	Voting	AYE
Councilman Solecki	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

Item No. 19D Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is the owner of a 75 foot wide parcel of property fronting on Losson Road, which property serves as access to the Volunteer Firemen's Memorial Park, and

WHEREAS, National Fuel Gas Distribution Corporation has requested a 15 foot wide easement/right-of-way from the Town over the front of such property in order to extend its gas main to other properties along Losson Road, and

WHEREAS, the Town has no objection to granting such an easement for gas main extension purposes, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Right Of Way agreement with National Fuel Gas Distribution Corporation on behalf of the Town.

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

RIGHT OF WAY

FOR MUTUAL CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the undersigned, GRANTOR, (whether one or more), hereby grants to NATIONAL FUEL GAS DISTRIBUTION CORPORATION, a New York corporation, GRANTEE, 10 Lafayette Square in Buffalo, New York, its successors and assigns, within the right of way described below, the right to lay, maintain, alter, operate, relocate, remove and change the size of a pipeline and to install cathodic protection devices, cable, regulators, connections, valves, fittings, and accessories and do such other activity as is necessary and/or convenient for system maintenance, transportation and distribution of gas, over, under and/or through GRANTOR'S lands, situated in the

Town of Cheektowaga
County of Erie, and State of New York, bounded or described as follows:
Northerly by lands of Como Park Boulevard
Easterly by lands of L. McEvoy
Southerly by lands of Losson Road; R. Miller; M.J. Ogiony Inc.; L. McEvoy; B. Prokop (L. Sebastian)
Westerly by lands of M.J. Ogiony Properties Inc.
(Reference only: Deed Liber(s) 9581 Page(s) 150 Lot 52
Twp. 10 Rng. 7 Tax Map Section: 114.19-2-89.1)

The right of way herein granted is bounded or described as follows:
Within 15' of the northerly boundary of Losson Road as shown on Print F28191
attached hereto and made a part hereof.

GRANTEE, its successors and assigns, is further granted the right, from time to time, to lay additional pipelines within the right of way.

GRANTEE, its successors and assigns, shall have unimpaired ingress, egress and access to and from the right of way as is necessary and/or convenient to the exercise of the rights granted herein. GRANTOR agrees not to permit or create any permanent obstruction of any kind within the right of way.

GRANTOR retains full use and enjoyment of said premises except as limited by the rights herein granted to the GRANTEE.

Signed this day of March, 1988.

GRANTOR: TOWN OF CHEEKTOWAGA	GRANTOR:
Signature	Signature
Name Frank E. Swiatek (Print)	Name (Print)
Broadway and Union Road	
Cheektowaga, New York	
Address	Address

STATE OF NEW YORK)
COUNTY OF ERIE) SS:

On this day of March, 1988, before me personally came Frank E. Swiatek, 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 Town of Cheektowaga, the corporation described in, and which executed the foregoing instrument; and that he signed his name thereto by order of the board of directors of said corporation.

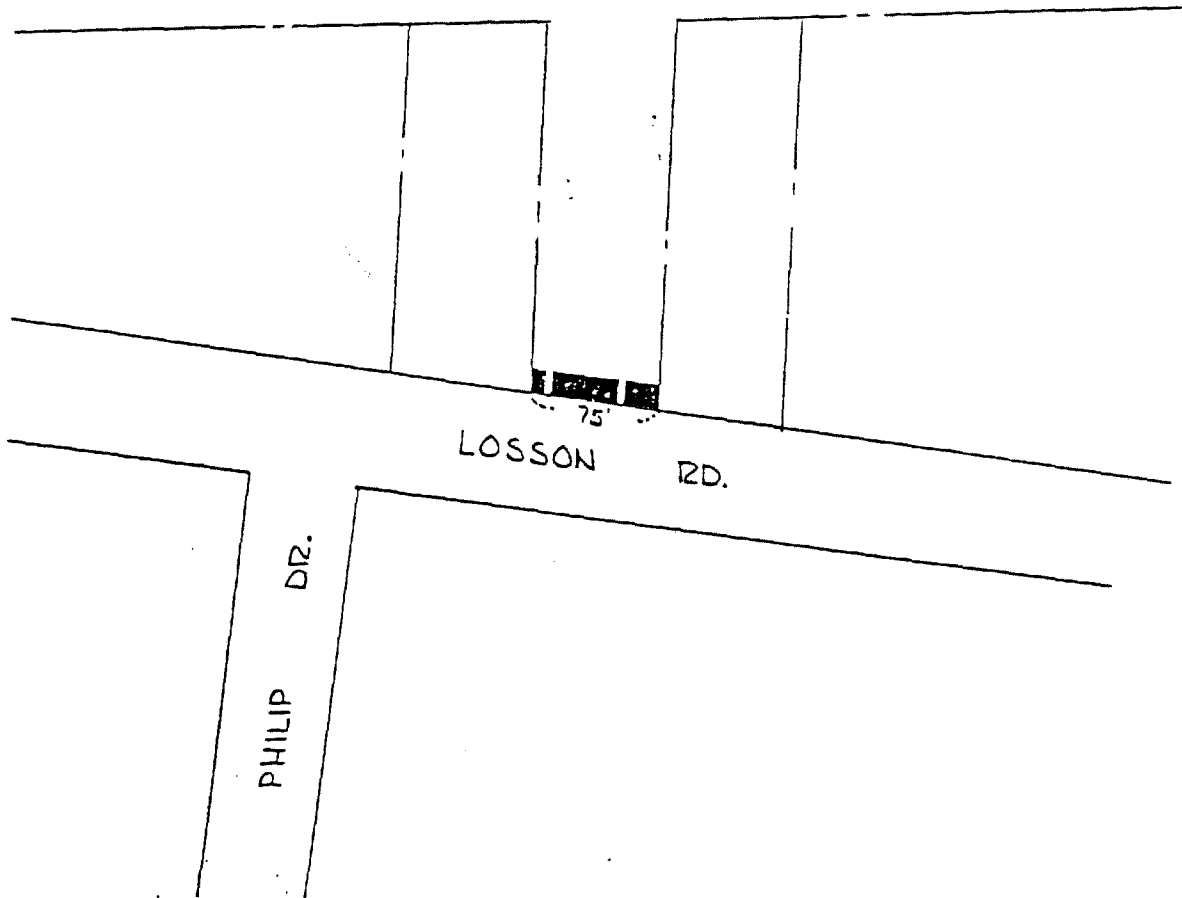
Notary Public

RIGHT OF WAY

Return To:	Box 78
Land Dept. Job No.	36842
Line Name	Losson Road
L.D. No.	
E.R. No.	044-11-01087-8
From:	Town of Cheektowaga
To:	NATIONAL FUEL GAS DISTRIBUTION CORP. 10 Lafayette Square, Room 710 Buffalo, N.Y. 14203

TOWN OF CHEEKTOWAGA
ERIE COUNTY

TOWN OF CHEEKTOWAGA



PROP. EASEMENT AREA 15'

11-01087-88

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

EASEMENT SKETCH
TOWN OF CHEEKTOWAGA

REVISIONS	DRAWN <u>D. POSLUSZNY</u>
A	TRACED
B	CHECKED <u>J. Setlock</u>
C	APPROVED <u>R. J. Orsola</u>
D	
DATE <u>2-17-88</u>	SCALE <u>NONE</u>

F28191

Item No. 19D Cont'd.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

WHEREAS, on April 17, 1978 the town adopted and enacted the "Public Improvement Permit Ordinance" which requires the submission of pemrit fees from developers, with said fees being imposed to recover the cost of inspection of the construction of improvements that are to be dedicated to the town or be eventually maintained by the town, and

WHEREAS, inspection of public improvements since enactment of this ordinance has been provided by the Town Engineer, Town Highway Superintendent and when necessary, by engineering consultants authorized by the town, utilizing the public improvement permit fee for payment of consultant inspection services, and

WHEREAS, in order to provide funds to engage the services of consulting engineering firms to inspect such public improvements when necessary, it is appropriate that the public improvement permit fees collected be placed in a separate account to be drawn against when necessary in order to pay for contracted inspection assistance, NOW, THEREFORE, BE IT

RESOLVED that the Supervising Accountant be and hereby is directed to establish a Public Improvement Permit Account into which public improvement permit fees are to be deposited, said account to be used solely to fund the payment of invoices associated with the inspection of public improvements by contracted professional consultants.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

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, Castine, Kidawski, Leising and Sharp, Inc., the developer of the Edgeport Subdivision, has submitted the required Public Improvement Permit Application, plans and specifications and permit fee for improvements to be constructed within this subdivision which are to be dedicated to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Public Improvement Permit be and hereby is approved for the construction of improvements within the Edgeport Subdivision, and, BE IT FURTHER

RESOLVED that the subject permit fee amounting to \$4,164.97 be deposited in a Public Improvement Permit Account that was established for receipt and disbursement of public improvement permit fees.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the Maryvale School System, is proud to have been designated the National Model School for the promotion of responsible citizenship and the "Bill of Responsibility" awareness program, and

WHEREAS, this designation is in cooperation with the Freedoms Foundation, at Valley Forge, Pennsylvania, and

WHEREAS, the Inter-Council of Organizations sponsored by the Cheektowaga Chamber of Commerce is desirous of erecting a Commemorative in the Cheektowaga Town Park, at the corner of Harlem Road and the Town Park Road, and

WHEREAS, the proposed Commemorative will include a plaque of the Bill of Responsibilities, mounted on a monument frame of timbers, and

WHEREAS, the Commemorative will be dedicated on July 4, 1988, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board, approve the use of a parcel of land approximately 30' by 40' for a Commemorative Site in the Cheektowaga Town Park for the Inter-Council of Organizations.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

WHEREAS, the Town of Cheektowaga Employee's Association had been granted permission to use two Town-owned trailers for union offices, and

WHEREAS, by letter dated February 4, 1988, the town Employee's Association notified the Town that it was buying it's own trailer and thus would no longer need to use the Town-owned trailers, and

WHEREAS, such trailers were inventory of the Town Clerk's Office, and

WHEREAS, the Director of the Facilities Department requested the town Clerk to transfer these trailers to his department for use in the Town parks, and

WHEREAS, the Town Clerk has agreed to the transfer of such trailers to the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED that, upon abandonment of such trailers by the Town Employee's Association, the two Town-owned trailers shall be transferred to and become part of the inventory of and responsibility of the Facilities Department.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board awarded a contract for the Mafalda Drive Drainage Project to M. Falgiano Construction Company, Inc., and

WHEREAS, the excavated material from the cemetery road pavement where the proposed storm sewer is located was found to be an unsatisfactory base for road-way reconstruction and a negotiated price for select material backfill in excess of the contract requirement of 700 C.Y. was decided upon as outlined in the letter from M. Falgiano Construction Company, Inc., dated November 24, 1987 (copy attached), NOW, THEREFORE, BE IT

Item No. 24 Cont'd.

RESOLVED that this Town Board approves Change Order #1 at an additional cost of \$10,000.00 as an addition to the contract of M. Falgiano Construction Company, Inc., 95 Leslie Street, Buffalo, New York 14211, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign said Change Order #1 on behalf of this Town Board.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Supervisor Swiatek Seconded by Councilman Jaworowicz

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

GENERAL FUND

FROM:	599.00	(Appropriated Fund Balance)	\$44,321.00
TO:	1430.4502	(Negotiators-Legal)	6,000.00
	5132.4432	(Highway Building-Improvements)	4,154.00
	5132.4469	(Highway-Landfill Costs)	1,267.00
	8540.4579	(Drainage Study-Lemoine, etc.)	27,000.00
	8210.4579	(Preliminary Plans-Sloan)	5,900.00

SPECIAL FUND

FROM:	8125.4550	(Photographic Mapping)	\$6,000.00
TO:	8125.1404	(Engineering Overtime)	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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Supervisor Swiatek Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 7, 1988 are hereby approved and made a part hereof.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$117,400.13
HIGHWAY FUND	44,813.72
FEDERAL REVENUE SHARING FUND	25,801.48
CAPITAL FUND	266,047.75
TRUST & AGENCY FUND	480.00
HUD FUND	21,320.35
PART TOWN FUND	1,961.65
INSURANCE RESERVE FUND	51,152.86
SPECIAL DISTRICT FUND	49,325.40
	<u>\$578,303.34</u>

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

- Item No. 27 Building Permits.
Received and filed.
- Item No. 28 Annual Financial Report for Town of Cheektowaga for 1987.
Received and filed.
- Item No. 29A Cheektowaga Public Library Board: Minutes of February 1988 meeting.
Received and filed.
- Item No. 29B Cheektowaga Traffic Safety Commission: Minutes of February 1988 meeting.
Received and filed.

IV. GENERAL COMMUNICATIONS

- Item No. 30A Notice of Claim: Lorraine Stenclik for Drescher's Candies vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph Naples & Associates, Insurance Carrier; Christopher Kowal, Highway Superintendent.
Received and filed.
- Item No. 30B Notice of Claim: Kenneth R. Cameron vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Laverack and Haines, Insurance Carrier; Christopher Kowal, Highway Superintendent.
Received and filed.

* * * * *

Motion by Councilman Kulyk Seconded by Councilman Johnson to suspend the rules to include the following item, and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

* * * * *

V. SUSPENSION OF RULES

- Item No. 31 Appointment of Cheektowaga representative and alternate on Northeast Communities Solid Waste Management Board

Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the Northeast Communities Solid Waste Management Board has requested that each of its member communities designate a primary representative, and, an alternate representative with full power & authority to serve in the absence of its primary representative;

NOW, THEREFORE, BE IT RESOLVED that Councilman Richard B. Solecki be appointed to serve as the Town of Cheektowaga representative on the Northeast communities Solid Waste Management Board; and that Ronald C. Zoeller, General Foreman,

MEETING NO. 5
March 7, 1988

Item No. 31 Cont'd.

Cheektowaga Sanitation Department be and hereby is appointed as the Town's alternate delegate on the Northeast Communities Solid Waste Management Board.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 32 Motion by Supervisor Swiatek Seconded by Councilman Kazukiewicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

March 7, 1988

PUBLIC HEARINGS held at 6:30 P.M.

NO.

ITEM

Meeting No. 6 March 21, 1988

- 1 Obtain views of Town residents regarding Community Development and housing needs
- 2 Rezoning from R-Residential to RC-Restricted Business District on property located at 2657 Harlem Road
- 3 Special Use Permit for self-service car wash on property located at 1249 Walden Avenue

Meeting No. 7 April 4, 1988

- 1 Special Use Permit at 2033 William Street for automobile repair specializing in electronic engines

Meeting No. 8 April 18, 1988

- 1 Rezoning of property located at 4976 Transit Road from RC-Restricted Business District to C-Retail Business District
- 2 Rezoning of vacant area to rear of 6354, 6360, 6366 Transit Road from R-Residential District to C-Retail Business District
- 3 Rezoning of property at 4220 Genesee Street from M-1 - Light Manufacturing District to CM-General Commercial District and Special Use Permit for sale of used cars

Meeting No. 10 May 16, 1988

- 1 Rezoning of 68 Floral Place from R-Residential District to CM-General Commercial District
- 2 Special Use Permit - 1055 Walden Avenue for Convenience Store with self-service gasoline facility

PUBLIC HEARINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 8 April 18, 1988</u>		
2	Amendment to Traffic Ordinance - Art. X "Parking, Standing, Stopping" - Olcott Place	1-2
3	Amendment to Traffic Ordinance - Art. X "Parking, Standing Stopping" - Floral Place	2
<u>Meeting No. 10 May 16, 1988</u>		
2	ZONING ORDINANCE AMENDMENTS:	
	a. Article II - Business District Regulations	1
	b. Article IX - Board of Appeals; Art. X - Amendments	2
3	Amendment to Environmental Impact Review Ordinance - Sections 23A-10 and 23A-9	2

RESOLUTIONS

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Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of March, 1988 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Director II; Robert Lis, Chief of Police; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Al Lonczak, Deputy Highway Superintendent; Ron Marten, Building and Plumbing Inspector; Jerry Gabryszak, Community Development Director; Pat Wojcik, Senior Citizens Recreation Instructor; Don Wegner, Zoning Board Chairman; Ted Brudz, Wastewater Treatment Plant Foreman.

Item No. 2a Motion by Councilman Kulyk, Seconded by Councilman Kazukiewicz

WHEREAS, William W. Dawson, Jr. applied for a Special Permit for used car sales on property located at 2631 Broadway, 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 4th day of January, 1988 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 of the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following conditions:

1. No major repairs, painting or collision work is to be allowed.
2. All vehicles at this location must qualify for a New York State Inspection sticker
3. No display of vehicles in any specified green area,

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 a Special Permit for the above-referenced property located at 2631 Broadway, and has rendered a determination that the Special Permit will not have a significant effect on the environment on the conditions that:

1. a drainage plan be submitted and be acceptable to the Town Engineer
2. no collision or repair work be performed on the premises,

Item No. 2a cont'd

and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee, and

WHEREAS, a drainage plan acceptable to the Town Engineer has been submitted,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Review Committee; and further subject to the following conditions:

1. the ingress/egress driveway on Wallace Avenue be eliminated
2. the ingress/egress driveway on Broadway be 25 feet side to allow sufficient space for dual movement
3. no more than 20 cars be displayed at any given time
4. no vehicles shall be displayed in spaces reserved on the plot plan for customer use
5. applicant strictly comply with the drainage plan submitted to the Town Engineer

Upon Roll Call....

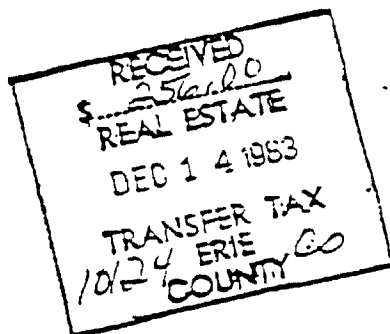
AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Kulyk, Kazukiewicz and Solecki

NAYES: Councilman Gabryszak

ABSENT: 0

AFFIDAVIT - NEXT PAGE

and assigns forever, 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 23, Township 10, Range 7 of the Holland Land Company's Survey as further distinguished as Subdivision Lots No. 11 to 14 both inclusive as shown on a map in the Erie County Clerk's Office under Cover of Maps 342.



LINE 9290 PAGE 460

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

.....*Mary Novak*....., 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.....*MAR 24 1988*.....;
last publication.....*MAR 24 1988*.....;
and that no more than six days intervened be-
tween publications.

.....*Mary Novak*.....
Sworn to before me this*24th*.....
day of*March*....., 19.....*88*.....
.....*Justine D. Dembik*.....

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

JUSTINE D. DEMBIK
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES FEB. 16, 19*90*

LEGAL NOTICE

Extracts from Minutes of Cheektowaga Town Board

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 21st day of March, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilmen -

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard B. Solecki

ABSENT: 0

Motion by Councilman Kulyk
Seconded by Councilman Kazukiewicz

WHEREAS, William W. Dawson, Jr. applied for a Special Permit for used car sales on property located at 2631 Broadway, 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 4th day of January, 1988 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 Plan-

ning Board has recommended approval of the Special Permit subject to the following conditions:

1. No major repairs, painting or collision work is to be allowed.
2. All vehicles at this location must qualify for a New York State Inspection sticker
3. No display of vehicles in any specified green area, 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 2631 Broadway, and has rendered a determination that the Special Permit will not have a significant effect on the Environment on the conditions that:

1. a drainage plan be submitted and be acceptable to the Town Engineer
2. no collision or repair work be performed on the premises, and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee, and

WHEREAS, a drainage plan acceptable to the Town Engineer has been submitted,

NOW, THEREFORE BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Review Committee; and further subject to the following conditions:

1. the ingress/egress driveway on Wallace Avenue be eliminated
2. the ingress/egress driveway on Broadway be 25 feet wide to allow sufficient space for dual movement
3. no more than 20 cars be displayed at any given time
4. no vehicles shall be displayed in spaces reserved on the plot plan for customer use

5. applicant strictly comply with the drainage plan submitted to the Town Engineer

and assigns forever, 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 23, Township 11, Range 7 of the Holland Land Company's Survey as further distinguished as Subdivision Lots No. 11 to 14 both inclusive as shown on a map in the Erie County Clerk's Office under Cover of Maps 342.

Upon roll call...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	NAYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE

AYES: 6

NAYES: 1

ABSENT: 0

STATE OF NEW YORK COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on March 21 1988 and minutes of said meeting have 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 2a, inclusive, of said book.

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

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

IN WITNESS/WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21st day of March, 1988.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: March 24, 1988

MEETING NO. 6
March 21, 1988

Item No. 2b Motion by Councilman Jaworowicz, Seconded by Councilman Kazukiewicz

WHEREAS, the Chief has recommended that Section 13 of Chapter 78 of the Code of the Town of Cheektowaga ("Vehicles, Removal and Storage") should be amended to reflect more reasonable fees for towing services provided by authorized Town towers, and

WHEREAS, by resolution dated February 22, 1988, this Town Board called for a public hearing concerning a proposal to amend such ordinance and gave due notice thereof, and

WHEREAS, a public hearing concerning such proposal to amend Section 13 of Chapter 78 of the Town Code was duly held on March 7, 1988, at which time all persons wishing to speak concerning such proposal were given an opportunity to speak, and

WHEREAS, the fees listed in Section 13 of said Chapter 78 have not been increased since Chapter 78 was enacted, and

WHEREAS, the proposed new fees are comparable and lower than what other municipalities allow, NOW, THEREFORE, BE IT

RESOLVED that Section 78-13 - Fee Schedule, shall be amended to read as follows:

§78-13 Fee Schedule.

Authorized town towers shall not charge more than the following fees for the following respective services:

A. Passenger vehicles and light trucks

(1) Standard tow [Vehicles up to ten thousand (10,000) pounds].....	\$40.00
(2) Flatbed	\$55.00
(3) Additional fees for labor, recover and towing:	
(a) Truck and driver hourly rate	\$60.00
(b) Dolly wheels	\$15.00
(c) Trailer for motorcycle, all terrain vehicle/cycle, snowmobile	\$15.00
(d) Winching	\$15.00
(4) Storage (per day)	\$ 7.00
(5) Releasing vehicle after 5:00 p.m. weekdays, or other than required business hours on Saturdays, Sundays and holidays	\$15.00

B. Heavy trucks, buses, tractor-trailers, machinery.

(1) Hook-up and tow vehicle over ten thousand (10,000) pounds	\$75.00
(2) Additional labor fees for heavy vehicle recovery and towing:	
(a) Air hookup	\$10.00
(b) Mechanically released brakes (per axle) ...	\$10.00
(c) Drop trailer for tractor	\$12.00
(d) Remove axle (per axle)	\$10.00
(e) Remove drive shaft	\$25.00
(f) Remove bumper	\$25.00
(3) Trailer towed behind vehicle	\$30.00
(4) Winching (hourly rate per truck)	\$75.00
(5) Additional labor (hourly per person)	\$30.00
(6) Flatbed (per hour)	\$75.00
(7) Storage (per twenty-four-hour day):	
(a) Tractor, trailer or bus	\$12.00
(b) Truck over twenty (20) feet long	\$12.00

Item No. 2b cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Mary Norak....., 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..... MAR 24 1988 ;
last publication..... MAR 24 1988 ;
and that no more than six days intervened be-
tween publications.

Mary Norak.....
Sworn to before me this 24th
day of March....., 1988.
Justine D. Dembik.....
Notary public in and for Erie County, N. Y.

JUSTINE D. DEMBIK
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES FEB. 16, 1990

(a) Remove axle
(per axle).....\$10.00
(e) Remove drive
shaft.....\$25.00
(f) Remove
bumper.....\$25.00
(3) Trailer towed behind
vehicle.....\$30.00
(4) Winching (hourly rate
per truck).....\$75.00
(5) Additional labor
(hourly per person).....\$30.00
(6) Flatbed (per
hour).....\$75.00
(7) Storage (per twenty-
four-hour day):
(a) Tractor,
trailer or bus.....\$12.00
(b) Truck over
twenty (20) feet long.....\$12.00
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 March
22, 1988; and that a certified copy
thereof be published in the CHEEK-
TOWAGA TIMES, a newspaper pub-
lished in the Town of Cheektowaga
and having a general circulation
therein; and the affidavit of such
publication shall be filed with the
Town Clerk, and BE IT FURTHER

RESOLVED, that the aforemen-
tioned changes to said Chapter 78
shall take effect ten (10) days after
such publication, but said changes
shall take effect from the date of their
service as against a person served
personally with a copy thereof
certified by the Town Clerk under the
corporate seal of the Town and show-
ing the date of their passage and entry
into the minutes.

Upon roll call...

Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE
AYES:	7
NAYES:	0
ABSENT:	0

LEGAL NOTICE

Extracts from Minutes of Cheektowaga Town Board

At a regular meeting of the Town
Board of the Town of Cheektowaga,
Erie County, New York held at the
Town Hall, corner of Broadway and
Union Roads, in said Town on the 21st
day of March, 1988 at 7:00 o'clock p.m.
Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilmen -
Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard B. Solecki

ABSENT: 0

Motion by Councilman Jaworowicz
Seconded by Councilman Kazuk-
iewicz

STATE OF NEW YORK COUNTY OF ERIE

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

1. A regular meeting of the Town
Board of the Town of Cheektowaga, a
town located in the County of Erie,
State of New York, was duly held on
March 21 1988 and minutes of said
meeting have 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 2h, inclu-
sive, 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 inso-
far 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 at-
tended said meeting.

IN WITNESS/WHEREOF, I have
hereunto set my hand and have here-
unto affixed the corporate seal of said
Town, this 21st day of March, 1988.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1988

WHEREAS, the Chief has recommended that Section 13 of Chapter 78 of the Code of the Town of Cheektowaga ("Vehicles, Removal and Storage") should be amended to reflect more reasonable fees for towing services provided by authorized Town towers, and

WHEREAS, by resolution dated February 22, 1988, this Town Board called for a public hearing concerning a proposal to amend such ordinance and gave due public notice thereof, and

WHEREAS, a public hearing concerning such proposal to amend Section 13 of Chapter 78 of the Town Code was duly held on March 7, 1988, at which time all persons wishing to speak concerning such proposal were given an opportunity to speak, and

WHEREAS, the fees listed in Section 13 of said Chapter 78 have not been increased since Chapter 78 was enacted, and

WHEREAS, the proposed new fees are comparable and lower than what other municipalities allow, NOW, THEREFORE, BE IT

RESOLVED, that Section 78-13 - Fee Schedule, shall be amended to read as follows:

Section 78-13. Fee Schedule.

Authorized town towers shall not charge more than the following fees for the following respective services:

A. Passenger vehicles and light trucks

(1) Standard tow [vehicles up to ten thousand (10,000) pounds].....\$40.00

(2) Flatbed.....\$55.00

(3) Additional fees for labor, recovery and towing:

(a) Truck and driver hourly rate.....\$60.00

wheels.....\$15.00 (b) Dolly

(c) Trailer for motorcycle, all-terrain vehicles/cycle, snowmobile.....\$15.00

(d) Winching.....\$15.00

(4) Storage (per day).....\$7.00

(5) Releasing vehicle after 5:00 p.m. weekdays, or other than required business hours on Saturdays, Sundays and holidays.....\$15.00

B. Heavy trucks, buses, tractor-trailers, machinery.

(1) Hook-up and tow vehicle over ten thousand (10,000) pounds.....\$75.00

(2) Additional labor fees for heavy vehicle recovery and towing:

(a) Air hookup.....\$10.00

(b) Mechanically released brakes (per axle).....\$10.00

(c) Drop trailer from tractor.....\$12.00

(d) Remove axle (per axle).....\$10.00

(e) Remove drive shaft.....\$25.00

(f) Remove bumper.....\$25.00

(3) Trailer towed behind vehicle.....\$30.00

(4) Winching (hourly rate per truck).....\$75.00

(5) Additional labor (hourly per person).....\$30.00

(6) Flatbed (per hour).....\$75.00

(7) Storage (per twenty-four-hour day):

(a) Tractor, trailer or bus.....\$12.00

(b) Truck over twenty (20) feet long.....\$12.00

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 March 22, 1988; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED, that the aforementioned changes to said Chapter 78 shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

Upon roll call...	
Swiatek	AYE
Johnson	AYE
Jaworowicz	AYE
Gabryszak	AYE
Kulyk	AYE
Kazukiewicz	AYE
Solecki	AYE
AYES:	7
NAYES:	0
ABSENT:	0

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on March 21, 1988 and minutes of said meeting have 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 2b, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21st day of March, 1988.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1988

LEGAL NOTICE

Extracts from Minutes of
Cheektowaga Town Board

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 21st day of March, 1988 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilmen -

Thomas M. Johnson, Jr.

Patricia A. Jaworowicz

Dennis H. Gabryszak

Andrew A. Kulyk

Leo T. Kazukiewicz

Richard B. Solecki

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Kazukiewicz

ewicz

Item No. 3a Motion by Councilman Kulyk, Seconded by Councilman Kazukiewicz

WHEREAS, R.M.F. Holding Corp. has made application and requested the rezoning of property located at vacant area to rear of 6354, 6360, 6366 Transit Road from R-Residential to C-Retail Business District for expansion of Tops Market, said applicant being the owner of property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 4, 1988 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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Mary Novak*....., 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.....*MAR 24 1988*..... ;
last publication.....*MAR 24 1988*..... ;
and that no more than six days intervened be-
tween publications.

.....*Mary Novak*.....
Sworn to before me this*24th*.....
day of*March*....., 19*88*.....
.....*Justine D. Dembik*.....
Notary public in and for Erie County, N. Y.

JUSTINE D. DEMBIK
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES FEB. 16, 19*90*

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 4th day of April, 1988 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of R.M.F. Holding Corp. to Rezone from R Residential District to C Retail Business District on property located at vacant area to rear of 6354, 6360, 6366 Transit 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 parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number seventy-five (75), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point 500 feet westerly of a point in the center line of Transit Road distant 1018.10 feet northerly, as measured hereon, from its intersection with the south line of said Lot 75; said point of beginning being on the northerly line of lands conveyed to John H. Brinkman by deed recorded in liber 761 of deeds page 393; thence southerly parallel with the center line of Transit Road, 433 feet more or less to the north line of lands conveyed to Walter Klaia by deed recorded in liber 5023 of deeds page 571; thence easterly along the north line of lands so conveyed to Walter Klaia by deed aforesaid, 125 feet to a point on the westerly boundry of the existing retail business district; thence northerly along said westerly business district boundry 433 feet to a point on the northerly line of lands conveyed to John H. Brinkman by deed recorded in liber 761 of deeds at page 393; thence westerly along the north line of lands so conveyed to John H. Brinkman 125 feet back to the place of beginning.

By order of the Town Board
Supervisor Frank E. Swiatek
Councilmen:

Thomas M. Johnson, Jr.
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Leo T. Kazukiewicz
Richard b. Solecki

RICHARD M. MOLESKI

Town Clerk

PUBLISH: March 24, 1988

Item No. 3b Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, Tadeusz Glowacki has made application and requested a Special Use Permit for Automobile repair specializing in electronic engines located at 2033 William Street, 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 April 4, 1988 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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Mary Novak*....., 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.....*MAR 24 1988*..... ;
last publication.....*MAR 24 1988*..... ;
and that no more than six days intervened be-
tween publications.

.....*Mary Novak*.....
Sworn to before me this*24th*.....
day of*March*....., 19*88*..
.....*Justine D. Dembik*.....
Notary public in and for Erie County, N. Y.

JUSTINE D. DEMBIK
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES FEB. 16, 19*90*

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 4th day of April, 1988 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Tadusz Glowacki for a Special Permit to use property for automobile repair specializing in electronic engines on property located at 2033 William 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 concerns will be given an opportunity to be heard in regard to such proposed application.

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 seventy-five (75), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, being further distinguished as Subdivision Lots Number one hundred sixty-seven (167) and one hundred sixty-eight (168) as shown on a map filed in Erie County Clerk's Office under Cover Number 263, being sixty (60) feet front and rear, situate on the south line of William Street.

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 one hundred forty-seven (147), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, being further distinguished as the northerly eighty-five (85) feet of Subdivision Lots Number one (1) and two (2) in Block "B" as shown on a map filed in Erie County Clerk's Office under Cover Number 917, being sixty-eight and five inches (68.5) feet front and rear, situate on the southeast corner of William and Charles Streets.

By order of the Town Board
Supervisor Frank E. Swiatek
Councilmen

Thomas M. Johnson, Jr.
Patrick A. Jaworski
Dennis H. Gabryszak
Andrew A. Kulyk
Len T. Karukiewicz
Richard b. Solecki

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: March 24, 1988

MEETING NO. 6
March 21, 1988

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

WHEREAS, bids were duly received on March 7, 1988 as the result of advertisement, therefore, for the furnishing of all corrugated metal, metal slotted and reinforced concrete pipe requirements of the Town of Cheektowaga for the year of 1988. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 16, 1988, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of pipe to the Town for the year of 1988 as per said unit prices and as recommended by the Town Engineer is hereby awarded to the following for corrugated metal and metal slotted pipe and reinforced concrete pipe:

Chemung Supply Corporation
P.O. Box 527
Elmira, New York 14902
(607) 733-5506

6" dia. C.M.P.	\$ 2.16/ft.
8" dia. C.M.P.	\$ 2.84/ft.
10" dia. C.M.P.	\$ 3.54/ft.
36" dia. C.M.P.	\$14.42/ft.
42" dia. C.M.P.	\$21.34/ft.
48" dia. C.M.P.	\$24.19/ft.
43" dia. C.M.P.	\$28.22/ft.
60" dia. C.M.P.	\$39.12/ft.
72" dia. C.M.P.	\$45.94/ft.
84" dia. C.M.P.	\$52.79/ft.
42" X 27" C.M.P.	\$14.99/ft.
50" X 31" C.M.P.	\$18.12/ft.
58" X 36" C.M.P.	\$25.29/ft.
65" X 36" C.M.P.	\$28.99/ft.
72" X 44" C.M.P.	\$34.23/ft.
12" C.M.P. End Section	\$25.79 each
15" C.M.P. End Section	\$33.67 each
18" C.M.P. End Section	\$45.11 each
24" C.M.P. End Section	\$69.24 each
12" - 2 1/2" slotted drain	\$20.67/ft.
12" - 6" slotted drain	\$25.98/ft.
12" slotted drain band	\$17.93 each
15" - 2 1/2" slotted drain	\$23.22/ft.
15" - 6" slotted drain	\$28.12/ft.
15" slotted drain band	\$19.94 each
18" - 2 1/2" slotted drain	\$25.74/ft.
18" - 6" slotted drain	\$30.29/ft.
18" slotted drain band	\$21.97/each
6" C.M.P. Perf. U.D.	\$ 2.33/ft.
10" C.M.P. Perf. U.D.	\$ 3.81/ft.
12" C.M.P. Perf. U.D.	\$ 4.22/ft.
48" C.M.P. Paved/lined	\$26.89/ft.

K & S Contractors Supply
1971 Gunnville Road
Lancaster, New York 14086
759-6911

24" dia. C.M.P.	\$ 9.29/ft.
30" dia. C.M.P.	\$11.73/ft.
43" X 27" C.M.P. paved inv.	\$17.87/ft.
50" X 31" C.M.P. paved inv.	\$21.11/ft.
58" X 36" C.M.P. paved inv.	\$30.02/ft.
65" X 36" C.M.P. paved inv.	\$35.40/ft.
72" X 44" C.M.P. paved inv.	\$38.97/ft.

Item No. 4a cont'd

21" C.M.P. end section	\$ 54.21 each
30" C.M.P. end section	\$126.85 each
36" C.M.P. end section	\$190.82 each
15" C.M.P. perf. U.D.	\$ 5.20/ft.
12" R.C.P. Class III	\$ 7.45/ft.
12" R.C.P. Class IV	\$ 7.55/ft.
15" R.C.P. Class III	\$ 9.55/ft.
15" R.C.P. Class IV	\$ 9.74/ft.
18" R.C.P. Class III	\$ 12.64/ft.
18" R.C.P. Class IV	\$ 13.25/ft.
21" R.C.P. Class III	\$ 15.20/ft.
21" R.C.P. Class IV	\$ 16.86/ft.
24" R.C.P. Class III	\$ 17.48/ft.
30" R.C.P. Class III	\$ 25.60/ft.
30" R.C.P. Class IV	\$ 27.88/ft.
36" R.C.P. Class III	\$ 34.30/ft.
36" R.C.P. Class IV	\$ 37.86/ft.
42" R.C.P. Class III	\$ 49.98/ft.
42" R.C.P. Class IV	\$ 50.59/ft.
48" R.C.P. Class III	\$ 59.14/ft.
48" R.C.P. Class IV	\$ 65.65/ft.
54" R.C.P. Class III	\$ 81.75/ft.
54" R.C.P. Class IV	\$ 90.20/ft.
60" R.C.P. Class III	\$ 96.90/ft.
60" R.C.P. Class IV	\$108.30/ft.
66" R.C.P. Class III	\$122.69/ft.
84" R.C.P. Class III	\$195.25/ft.

Lane Metal Products Company, Inc.
Box 711
Bath, New York 14810
(607) 776-3366

6" dia. C.M.P.	\$ 2.16/ft.
12" dia. C.M.P.	\$ 4.08/ft.
25" dia. C.M.P.	\$ 4.98/ft.
18" dia. C.M.P.	\$ 5.98/ft.
21" dia. C.M.P.	\$ 7.02/ft.
8" dia. perf. U.D.	\$ 3.04/ft.
12" C.M.P. paved/lined	\$ 7.20/ft.
15" C.M.P. paved/lined	\$ 8.75/ft.
18" C.M.P. paved/lined	\$ 10.20/ft.
21" C.M.P. paved/lined	\$ 11.75/ft.
24" C.M.P. paved/lined	\$ 13.50/ft.
30" C.M.P. paved/lined	\$ 16.45/ft.
36" C.M.P. paved/lined	\$ 19.60/ft.
42" C.M.P. paved/lined	\$ 23.20/ft.

Concrete Pipe & Products Company
875 Howard Road
Rochester, New York 14624
(716) 436-0810

24" R.C.P. Class IV	\$ 20.20/ft.
66" R.C.P. Class IV	\$130.80/ft.
72" R.C.P. Class III	\$145.60/ft.
72" R.C.P. Class IV	\$154.70/ft.
84" R.C.P. Class IV	\$211.75/ft.

* See next page for letter

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

716-686-3447
716-686-3448

March 16, 1988

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Corrugated Metal and
Reinforced Concrete Pipe

Gentlemen:

At a public bid opening on March 7, 1988, bids were received and publicly opened for the purchase of corrugated metal and reinforced concrete pipe in various sizes for the 1988 calendar year. Five (5) bidders submitted bids for the eighty six (86) pipe and related items as outlined in the specifications.

It is recommended that the bid for the various sizes of corrugated metal, reinforced concrete pipe and related items be awarded to the lowest responsible bidder meeting the requirements of the specifications as outlined on the attached resolution.

Very truly yours,

TOWN OF CHEEKTOWAGA

William R. Pugh, P.E.
Asst. Town Engineer

WRP:dms

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

WHEREAS, bids were received on March 7, 1988 for the purchase of custodial supplies, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 16, 1988, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of custodial supplies for the year of 1988 be awarded to D.J. Mead and Hubbs & Howe, Inc., 2200 Harlem Road, Cheektowaga, New York 14225 at the following total bid prices:

CATAGORY I - Paper Products

Total bid price for Items 1 & 2 \$80.00

CATEGORY II - Polythylene Liners

Total bid price for Items 1, 2 & 3 \$69.80

CATEGORY III - Cleaner/Disinfectant

Total bid price for Items 1 & 2 \$53.68

* See next page for letter

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk,
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0



Town of Cheektowaga

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

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

March 16, 1988

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Custodial Supplies

Gentlemen:

Bids were received and opened on March 7, 1988 for the purchase of custodial supplies for the year of 1988. Three (3) bidders submitted bids as follows:

	Category I Paper Products	Category II Liners	Category III Cleaner/Disinfectant
D. J. Mead and Hubbs & Howe, Inc.	\$80.00	\$69.80	\$53.68
Dobmeier Janitor Supply, Inc.	\$57.53*	\$77.41	\$57.50
Supplies Unlimited	No Bid	No Bid	\$59.50

* Price does not compare favorably to that of D. J. Mead and Hubbs & Howe, Inc. when the bids are broken down by quantities based on rolls per case and lineal footage.

The bids were reviewed by the Engineering Department. It is, therefore, recommended that the bid prices for custodial supplies be awarded to D. J. Mead and Hubbs & Howe, Inc., 2200 Harlem Road, Cheektowaga, New York 14225 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski
Henry B. Borkowski
Engineering Aide

HBB:dms

MEETING NO. 6
March 21, 1988

Item No. 4c Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, bids were received on March 7, 1988 for the purchase of dimensional and pressure treated lumber, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 14, 1988, NOW, THEREFORE, BE IT

RESOLVED that the contract for the purchase of dimensional and pressure treated lumber for the year of 1988 be awarded to Forest Materials, Inc., 1665 Harlem Road, Cheektowaga, New York 14206 and the following total bid prices:

ITEM I - Dimensional Lumber

Average bid price per foot of twelve various sizes: \$.84

ITEM II - Plywood

Average bid price per sheet of eleven various sizes: \$14.27

ITEM III - Nova Board and Particle Board

Average bid price per sheet of six various sizes: \$16.21

ITEM IV - Pressure Treated Lumber

Average bid price per foot of nine various sizes: \$ 1.19

* See next page for letter

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.

TOWN ENGINEER

716-686-3447

716-686-3448

March 14, 1988

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Dimensional and Pressure
Treated Lumber

Gentlemen:

Bids were received and opened on March 7, 1988 for the purchase of dimensional lumber and pressure treated lumber for the year of 1988. Only one (1) complete bid was received from Forest Materials, Inc., as indicated on the attached Town Board resolution dated March 21, 1988.

Two (2) other lumber suppliers, Dickinson Lumber Ltd. and Wicker Lumber Company, submitted partial bids. Within a majority of the four (4) groups, they quoted "unit" bid prices for some items while designating other as non-stock or not available. The Bid Condition was "on basis of 'total' bid price of each of the four (4) items" (or groups). On the rare items where total bid prices were listed, the prices were not competitive.

It is, therefore, recommended that the bid be awarded to Forest Materials, Inc., 1665 Harlem Road, Cheektowaga, New York 14206.

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski

Henry B. Borkowski
Engineering Aide

HBB:dms

MEETING NO. 6
March 21, 1988

Item No. 4d Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the removal and disposal of two (2) 4,000 gallon underground fuel storage tanks located at the Town Highway Garage and Facilities Maintenance Department on Union Road, which bids were received and publicly opened at 10:00 A.M. on March 10, 1988, and

WHEREAS, bids were referred to the Engineering Department for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated March 16, 1988, and

WHEREAS, said report recommends that the contract be awarded to Marshall Tank Company for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the removal and disposal of two (2) 4,000 gallon underground fuel storage tanks located at the Town Highway Garage and Facilities Maintenance Department on Union Road be and hereby is awarded to Marshall Tank Company, 51 Botsford Place, Buffalo, New York, 14216 for the bid price of \$8,900.00, 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 Marshall Tank Company for the removal and disposal of the aforesaid underground fuel storage tanks.

* * * * *

MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN SOLECKI to amend the above resolution and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

* * * * *

AMENDED RESOLUTION

Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the removal and disposal of two (2) 4,000 gallon underground fuel storage tanks located at the Town Highway Garage and Facilities Maintenance Department on Union Road, which bids were received and publicly opened at 10:00 A.M. on March 10, 1988, and

WHEREAS, bids were referred to the Engineering Department for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated March 16, 1988, and

WHEREAS, said report recommends that the contract be awarded to Marshall Tank Company for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

MEETING NO. 6
March 21, 1988

Item No. 4d cont'd

RESOLVED that the contract for the removal and disposal of two (2) 4,000 gallon underground fuel storage tanks located at the Town Highway Garage and Facilities Maintenance Department on Union Road be and hereby is awarded to Marshall Tank Company, 51 Botsford Place, Buffalo, New York, 14216 for the bid price of \$8,900.00, with modification for possible removal of contaminated soil at a unit price of \$160.00 per ton, 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 Marshall Tank Company for the removal and disposal of the aforesaid underground fuel storage tanks.

* See next three (3) pages for report

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.

TOWN ENGINEER

716-686-3447

716-686-3448

March 16, 1988

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid for Removal
and Disposal of Two (2)
Underground Fuel Storage
Tanks

Gentlemen:

On March 10, 1988, bids were publicly opened and read aloud for the removal and disposal of two (2) four thousand gallon underground fuel storage tanks. The subject tanks are described as follows:

TANK "A" 4,000 gallon steel underground tank located east of the Facilities Maintenance Building at 3155 Union Road (former Incinerator Bldg.)

TANK "B" 4,000 gallon steel underground tank located south of the Town Highway Garage at 3145 Union Road

Tank "A" was last utilized by our Sewer Maintenance Department approximately four (4) years ago, has not yet been tested in accordance with 6 NYCRR Part 613, and removal is recommended due to the unforeseen future need. The low bid for removal and disposal of Tank "A" from Marshall Tank Company is \$3,900.00.

Tank "B" is located at the Highway Department and began taking on water in late 1986, and as such is considered to be a leaking tank by the N.Y.S.D.E.C. The low bid for removal and disposal of this tank from Marshall Tank Company is \$5,000.00.

In addition to the total removal and disposal cost of \$8,900.00 for both Tank A & B, should soils contaminated with petroleum product be encountered during tank removal, said soils must be removed and would be done so at a unit price of \$160.00 per ton as bid by the low bidder, Marshall Tank Company, under Bid Item "C".

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS

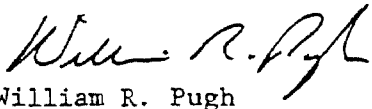
March 16, 1988
Page 2

So as to avoid any further delay and possible legal action against the Town by the N.Y.S.D.E.C., it is recommended that the subject work be awarded to Marshall Tank Company who submitted the lowest bid totalling \$8,900.00 for removal of Tanks A & B. Should contaminated soils be encountered during tank excavation, said soil will be removed and properly disposed of at \$160.00 per ton as an addition to the contract amount of \$8,900.00.

In all, eleven (11) bids were submitted for the tank removal and disposal. A bid tabulation is attached for your review.

Very truly yours,

TOWN OF CHEEKTOWAGA


William R. Pugh
Assistant Town Engineer

WRP:dms

CC: C. Bryan
C. Kowal
J. Matecki

TOWN OF CHEEKTOWAGA
BID OPENING - MARCH 7, 1988

REMOVAL & DISPOSAL OF 2
UNDERGROUND FUEL STORAGE TANKS

BID TABULATION

	BID ITEM "A"	BID ITEM "B"	BID ITEM "A & B"	BID ITEM "C"
Adam Construction	\$ <u>14,000.00</u>	\$ <u>13,100.00</u>	\$ <u>27,100.00</u>	\$ <u>110.00</u>
Braasch Construction, Inc.	\$ <u>8,500.00</u>	\$ <u>8,500.00</u>	\$ <u>17,000.00</u>	\$ <u>64.00</u>
D.J. Preston Inc.	\$ <u>5,953.00</u>	\$ <u>10,987.00</u>	\$ <u>16,940.00</u>	\$ <u>65.00</u>
Elmwood Tank & Piping Corp.	\$ <u>6,106.90</u>	\$ <u>9,425.30</u>	\$ <u>15,532.20</u>	\$ <u>80.00</u>
Environmental Oil Inc.	\$ <u>4,830.00</u>	\$ <u>11,163.00</u>	\$ <u>15,993.00</u>	\$ <u>125.00</u>
Environmental Technology	\$ <u>No Bid</u>	\$ _____	\$ _____	\$ _____
Fleischmann Service Corp.	\$ <u>No Bid</u>	\$ _____	\$ _____	\$ _____
Hazardous Waste Management Corp.	\$ <u>7,988.25</u>	\$ <u>11,988.25</u>	\$ <u>19,976.50</u>	\$ <u>82.50</u>
K & T Pump & Tank, Inc.	\$ <u>No Bid</u>	\$ _____	\$ _____	\$ _____
Marshall Tank Company	\$ <u>3,900.00</u>	\$ <u>5,000.00</u>	\$ <u>8,900.00</u>	\$ <u>160.00</u>
Niagara Tank & Pump	\$ <u>No Bid</u>	\$ _____	\$ _____	\$ _____
Nichter Construction Co., Inc.	\$ <u>9,712.00</u>	\$ <u>18,287.00</u>	\$ <u>27,999.00</u>	\$ <u>175.00</u>
SLC Consultants/Constructors	\$ <u>6,985.00</u>	\$ <u>7,690.00</u>	\$ <u>12,620.00</u>	\$ <u>145.00</u>
Geo. Sanders Inc.	\$ <u>4,829.00</u>	\$ <u>6,979.00</u>	\$ <u>11,121.00</u>	\$ <u>53.90</u>
Videseal Corp.	\$ <u>39,500.00</u>	\$ <u>39,500.00</u>	\$ <u>79,000.00</u>	\$ <u>100.00</u>

MEETING NO. 6
March 21, 1988

Item No. 4e Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received on March 7, 1988 as the result of advertisement, therefore, for the furnishing of traffic control signs, street name signs and brackets for the 1988 calendar year. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said report is hereto attached and contained in a letter to the Town Board dated March 10, 1988, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of traffic control signs, street name signs, and brackets for the 1988 calendar year, per said unit prices, be awarded to the follows:

Chemung Supply Corporation

Box 527
Elmira, New York 14902
(607) 733-5506

ITEM I - Square & Diamond Signs - Finished

	<u>CLASS A</u>	<u>CLASS B</u>
24" X 24"	\$12.74 each	\$24.54 each
30" X 30"	\$19.89 each	\$37.99 each
36" X 36"	\$28.89 each	\$54.74 each
48" X 48"	\$56.53 each	\$97.34 each

ITEM II - Octagon Signs - Finished

	<u>CLASS A</u>	<u>CLASS B</u>
30" X 30"	\$18.36 each	\$37.97 each
36" X 36"	\$27.64 each	\$54.74 each

ITEM III - Rectangle Signs - Finished

	<u>CLASS A</u>	<u>CLASS B</u>
12" X 18"	\$ 5.08 each	\$ 9.12 each
18" X 24"	\$ 9.56 each	\$18.24 each
18" X 30"	\$11.94 each	\$22.79 each
24" X 30"	\$15.94 each	\$30.42 each
24" X 36"	\$19.12 each	\$36.47 each
30" X 36"	\$23.89 each	\$45.63 each
36" X 12"	\$ 9.56 each	\$14.99 each
36" X 48"	\$38.26 each	\$72.99 each

ITEM IV - Triangle Signs - Finished

	<u>CLASS A</u>	<u>CLASS B</u>
36"	\$15.10 each	\$29.47 each

ITEM V - Street Name Signs - Finished

	<u>CLASS A</u>	<u>CLASS B</u>
24" X 8"	\$11.37 each	\$15.54 each
30" X 8"	\$14.46 each	\$19.42 each
36" X 8"	\$17.27 each	\$23.29 each
42" X 8"	\$20.17 each	\$27.17 each
48" X 8"	\$22.97 each	\$30.99 each

Item No. 4e cont'd

ITEM VI - Street Sign Brackets

2" Round Post - 5 1/4" ext.	\$ 6.21 set
2" Square Post - 5 1/4" ext.	\$ 6.21 set
2" Round Post - 5 1/4" flat	\$ 6.21 set
2" Square Post - 5 1/4 flat	\$ 6.21 set

Trafico, Inc.

209 East Erie Street
Blauvelt, New York 10913
(914) 359-8575

ITEM IV - Triangle Signs - Finished

	<u>CLASS A</u>	<u>CLASS B</u>
48"	\$25.17 each	\$44.91 each

* See next page for report

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0



Town of Cheektowaga

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

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

March 10, 1988

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Traffic Control
Signs, Street Name Signs
and Brackets


Gentlemen:

On March 7, 1988, bids were received and publicly opened for the purchase of traffic control signs, street name signs and brackets for the Town of Cheektowaga for the 1988 calendar year. Two (2) bidders submitted bids in the various categories of regulatory signs, street name signs and sign brackets. Although bids were received from only two (2) bidders, price increases over 1987 bids, when five (5) bidders submitted bids, reflect reasonable increases.

It is, therefore, recommended that bids be awarded to the lowest responsible bidder for each respective item as indicated on the attached Town Board resolution dated March 21, 1988.

Very truly yours,

TOWN OF CHEEKTOWAGA


William R. Pugh
Asst. Town Engineer

WRP:dms

MEETING NO. 6
March 21, 1988

Item No. 4f Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, after advertisement therefor, bids were duly received on March 18th, 1988 for one (1) New and Unused 1988 Model Year, Rubber Tire Asphalt Paver, and

WHEREAS, the Town Highway Superintendent has reviewed and evaluated such bids and has recommended that such bid be awarded to Gateway Equipment Corporation, being the lowest responsible bidder meeting specifications for One (1) New and Unused Barber-Greene Rubber Tire Asphalt Paver Model 220B, for a total bid price, after trade-in, of \$114,000.00, NOW, THEREFORE, BE IT

RESOLVED that the bid for a new and unused 1988 Model Rubber Tire Asphalt Paver be and hereby is awarded to Gateway Equipment Corporation, 8033 Transit Road, E. Amherst, N.Y. 14051, at a net price after trade-in of \$114,000.00 for a 1988 Barber-Greene Model 220B.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 4g Award of Bid - Two-wheel drive 3/4 ton pick-up truck
This item was withdrawn.

Item No. 4h Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, after advertisement therefor, bids were duly received on March 18th, 1988 for one (1) New and Unused 1988 Model Combination Vacuum Catch Basin and Sewer Cleaner with a High Pressure Jet Rodder on a New Truck Chassis, and

WHEREAS, the Town Highway Superintendent has reviewed and evaluated such bids and has recommended that such bid be awarded to Foster's, being the lowest responsible bidder meeting specifications for One (1) New and Unused 1988 VAC-CON Model V-290 Sewer and Catch Basin Cleaner, for a total bid price, after trade-in of \$95,820.00, NOW, THEREFORE, BE IT

RESOLVED that the bid for a new and unused 1988 VAC-CON Model V-290 Sewer and Catch Basin Cleaner be and hereby is awarded to Foster's, 475 E. Bluff Drive, Penn Yan, NY 14527, at a net price after trade-in of \$95,820.00.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 5a Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, the Highway Department is in need of a storage building for storing road salt, and

WHEREAS, plans and specifications have been completed and the project is ready for bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for general construction work for a salt storage building, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed proposals will be received by the Town of Cheektowaga on April 4, 1988 at 11:00 A.M., Local Time, at the Town Hall, at which time they will be publicly opened and read.

Item No. 5a cont'd

* * * * *

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 4th day of April, 1988 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 a salt storage building in Cheektowaga for the Cheektowaga Highway Department, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by the Cheektowaga Engineering Department.

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 are Instructions to Bidders may be examined at the above office. Copies are available in the Town Clerk's Office, Broadway and Union Road, Cheektowaga, New York 14227 and may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$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 a Salt Storage Building".

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

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

MEETING NO. 6
March 21, 1988

Item No. 5a cont'd

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 120 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: March 21, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Mary Novak*....., 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.....*MAR 24 1988*.....;
last publication.....*MAR 24 1988*.....;
and that no more than six days intervened be-
tween publications.

.....*Mary Novak*.....
Sworn to before me this*24th*.....
day of*March*....., 19*88*.
.....*Justine D. Dembik*.....
Notary public in and for Erie County, N. Y.

JUSTINE D. DEMBIK
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES FEB. 16, 19*90*

LEGAL NOTICE

Notice to Bidders

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 4th day of April, 1988, 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 a salt storage building in Cheektowaga for the Cheektowaga Highway Department, complete in place, tested and ready for use, in

accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by the Cheektowaga Engineering Department.

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. Copies are available in the Town Clerk's Office, Broadway and Union Road, Cheektowaga, New York 14227 and 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 a Salt Storage Building".

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal 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 required 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 120 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
PUBLISH: March 24 1988

Item No. 5b Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, the Town Board determined that there is a need for the provision of additional parking facilities at the Senior Citizens' Center, and

WHEREAS, funds are available in the Facilities Department budget for said construction, and

WHEREAS, the Town Engineer advises that plans and specifications have been completed and recommends that bids be taken at this time, 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 Senior Citizens' Center Parking Lot Project, 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 7th day of April, 1988 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* * * * *

SENIOR CITIZENS CENTER PARKING LOT PROJECT
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 7th day of April, 1988, 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 new pavements, catch basins and storm sewers, including appurtenances and related work, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for 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 Senior Citizens Center Parking Lot".

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.

Item No. 5b cont'd

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal 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 150 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: March 21, 1988

PUBLISHED: March 24, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....Mary Nowak....., 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 for1..... weeks;
first publication.....MAR 24 1988..... ;
last publication.....MAR 24 1988..... ;
and that no more than six days intervened be-
tween publications.

.....Mary Nowak.....
Sworn to before me this24th.....
day ofMarch....., 1988.....

.....Justine D. Dembik.....

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

JUSTINE D. DEMBIK
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES FEB. 16, 1990

**LEGAL NOTICE
Notice to Bidders**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 7th day of April, 1988, 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 new pavements, catch basins and storm sewers, including appurtenances and related work, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

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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 Senior Citizens Center Parking Lot".

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.

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The work shall be completed within 150 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
PUBLISH: March 24, 1988

of the City of Buffalo, New York,
being duly sworn, deposes and says
that she/he is Principal Clerk of
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 1 time, the insertion
being on the 24th day of March 1988

D. Helen Perry

of _____ March 19 88

Harold Mann

Notary Public, Erie County, N.Y.

SENIOR CITIZENS CENTER
PARKING LOT PROJECT
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
NOTICE TO BIDDERS

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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.

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that she/he is Principal Clerk of 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 1 time, the insertion being on the 24th day of March 1988

D. Eileen Perry

Sworn to this 25th day

of 88

Harold C. Mann

Notary Public, Erie County, N.Y.

Item No. 6a Motion by Councilman Kazukiewicz, Seconded by Councilman Jaworowicz

WHEREAS, the Greater Buffalo International Airport ("GBIA") is located in the corporate limits of the Town of Cheektowaga, and

WHEREAS, residents of the Town must live with the noise, pollution, etc. associated with having an airport in our community, and

WHEREAS, the Town receives no recognition in having an international airport in the Town; instead, the City of Buffalo receives all the recognition and publicity, and

WHEREAS, this Town Board wants visitors to the GBIA to know that they are in the Town of Cheektowaga as well as in the City of Buffalo, and

WHEREAS, all the materials published by the NFTA in all articles, whether it be the newspaper, radio, TV, bulletins or magazines do not recognize the name of our Town, NOW, THEREFORE, BE IT

RESOLVED that all this occurs in the future, and BE IT FURTHER

RESOLVED that this Town Board hereby memorializes the Niagara Frontier Transportation Authority ("NFTA") to post signs on its property and to otherwise acknowledge to its visitors that the GBIA is located in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that this Town Board hereby also memorializes the County of Erie to recognize the Town of Cheektowaga as the location of the GBIA in any of its promotional brochures, etc. concerning this area, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the NFTA, the County Executive and the Clerk of the County Legislature.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

Item No. 6b Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, five of the members of the Town Traffic Safety Commission are employees of the New York State Department of Transportation ("NYSDOT"), and

WHEREAS, their knowledge of traffic safety is invaluable to this Town with respect to traffic matters relating to Town and County highways, and

WHEREAS, a directive (Section D.1.a(1.)(f) of M.A.P. 4.15-1) recently issued by the NYSDOT seeks to prohibit employees of the NYSDOT from serving on local government commissions which deal with transportation-related matters and/or from voting on transportation-related issues, and

WHEREAS, such directive may require the resignation of the aforementioned members of the Town Traffic Safety Commission, and

WHEREAS, such directive should not apply to the Traffic Safety Commission members because they are strictly an advisory body and they do not review matters affecting State highways, and

WHEREAS, this Town Board feels that it should have the right to appoint qualified members to the Traffic Safety Commission and that there is no conflict of interest for employees of the NYSDOT to serve on the Town Traffic Safety Commission, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the NYSDOT to permit the five employees of the NYSDOT serving on the Town Traffic Safety Commission to continue to serve on such Traffic Safety Commission, and BE IT FURTHER

Item No. 6b cont'd

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to NYSDOT, Commissioner Franklin E. White, Governor Mario Cuomo, Assemblyman Paul Tokasz, State Senator Dale M. Volker, Assemblyman Vincent Graber, Chairman Assembly Transportation Committee, and the State Association of Traffic Safety Boards.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga has supported the Meals on Wheels Program for our elders for over six years, and

WHEREAS, we are presently serving 228 elderly residents daily with two home-delivered meals, and

WHEREAS, there is a need to expand the program with an emergency "temporary" route to serve our elders on a short-term basis, and

WHEREAS, there is a need for an additional route to serve our elders,
NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga will present a grant of \$10,000 to the Meals on Wheels Program for the year 1988 to insure the continuance and expansion of this program in our Town.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

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

WHEREAS, both salaried and volunteer firefighters countywide are trained at the Fire Training Center, located at 3359 Broadway in the Town of Cheektowaga, and

WHEREAS, according to James B. Keane, Erie County Commissioner of Emergency Services, the smoke house section of the Training Center was damaged in a training maneuver in early 1987, and

WHEREAS, since that time, training at the smoke house has ceased, and

WHEREAS, in order for our county's fire fighters to be effectively trained in all areas of firefighting, it is necessary that the smoke house be restored, NOW, THEREFORE, BE IT

RESOLVED that this Town Board is in support of the restoration of the smoke house at the Cheektowaga Fire Training Center, so that Erie County's fire-fighters may be thoroughly trained in all aspects of firefighting, and BE IT FURTHER

RESOLVED that this Body requests the County Executive to appropriate the \$49,280 in funding required to restore the smoke house to its previous condition, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to the County Executive, Budget Director and Commissioner of Emergency Services.

MEETING NO. 6
March 21, 1988

Item No. 8 cont'd

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Gabryszak, seconded by Councilman Kazukiewicz

WHEREAS, Cub Scout #618, Cub Scouts of America, has requested permission to conduct an overnight campout on August 27, 1988 and August 28, 1988 at John C. Stiglmeier Park, and

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

RESOLVED that the Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, said waiver extended to Cub Scout Pack #618, Cub Scouts of America for the use of John C. Stiglmeier Park on August 27, 1988 and August 28, 1988, and BE IT FURTHER

RESOLVED that a copy of said resolution be forwarded to the Chief of Police, Facilities Department Director and Recreation Director.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 10 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 renewal license application(s) submitted for ambulance(s), and has recommended that the Town Board license such ambulance(s), and

WHEREAS, the Town Board, pursuant to Section A-5 of the Ambulance Ordinance desires to license such ambulance(s); NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the Emergency Medical Services Board concerning the licensing of such ambulance(s) be and hereby are accepted and approved; and BE IT FURTHER

RESOLVED that the application(s) for ambulance license(s) set forth on the attached page are hereby approved for licensing by this Town Board, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby authorized, directed and empowered to issue ambulance license(s) to the applicant(s) set forth on the attached page.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

AMBULANCE VEHICLE LICENSES (SO

<u>COMPANY</u>	<u>MAKE</u>	<u>YEAR</u>	<u>LICENSE NUMBER</u>	<u>CALL NO.</u>
Town's Ambulance	Chevrolet	1978	AA 3263	559
Town's Ambulance	Chevrolet	1980	AA 3265	567
Town's Ambulance	Chevrolet	1985	AA 1202	566
Town's Ambulance	Ford	1981	AA 1233	569
Town's Ambulance	Dodge	1977	6262 AA	565
Town's Ambulance	Chevrolet	1981	AA 3261	558
Town's Ambulance	Ford	1987	AA 1220	555
Town's Ambulance	Ford	1980	AA 1201	560
Town's Ambulance	Dodge	1974	AA 3262	557
Town's Ambulance	Chevrolet	1986	AB 7888	564
Town's Ambulance	Chevrolet	1987	AA 1219	554
Town's Ambulance	Dodge	1978	AA 3264	568
Town's Ambulance	Chevrolet	1982	AA 1205	561
Town's Ambulance	Ford	1987	AA 1221	556
Town's Ambulance	Chevrolet	1986	AA 1232	563
Gold Cross	Chevrolet	1985	AA 3421	570
Gold Cross	Chevrolet	1977	AA 3418	571
Gold Cross	Ford	1985	AA 3433	572
Gold Cross	Chevrolet	1985	AA 3427	573
Gold Cross	Ford	1983	AA 3425	574
Gold Cross	Ford	1980	AA 3420	575
Gold Cross	Ford	1985	AA 3417	576
Gold Cross	Ford	1983	AA 3423	577
Gold Cross	Ford	1979	AA 3422	578
Gold Cross	Ford	1983	AA 3432	579
Gold Cross	Cadillac	1970	AA 3429	580
Gold Cross	Ford	1986	AA 3435	581
Gold Cross	Chevrolet	1986	AA 3431	582
Gold Cross	Ford	1978	AA 3419	583
Gold Cross	Dodge	1976	AA 1211	584
Gold Cross	Ford	1979	AA 1241	585

MEETING NO. 6
March 21, 1988

Item No. 11a Motion by Councilman Gabryszak,. Seconded by Councilman Solecki

WHEREAS, the Town recently constructed a utility building in Stiglmeier Park north of the Losson Park Community Center and east of Softball Diamond No. 1, and

WHEREAS, Southline Athletic Association, Inc. has expressed its desire to enter into a license agreement with the Town to use a portion of such building for a concession stand during the summer months, and

WHEREAS, Southline Athletic Association has agreed to pay the Town adequate consideration for such license, NOW, THEREFORE, ~~BE~~ IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached License Agreement with Southline Athletic Association on behalf of the Town.

* See next four (4) pages for agreement

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk Kazukiewicz and Solecki
NAYES:	0
ABSENT:	0

LICENSE AGREEMENT

THIS AGREEMENT, made and entered into the 21st day of March, 1988, by and between the TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a domestic municipal corporation having its principal place of business at Broadway and Union Road, Cheektowaga, New York, hereinafter referred to as the "TOWN",

and

SOUTHLINE ATHLETIC ASSOCIATION, INC., a domestic not-for-profit corporation duly organized under the laws of the State of New York, having its principal office for the transaction of business at No. 53 MAYBERRY DR. E. CHEEKTOWAGA, New York, hereinafter referred to as the "LICENSEE".

WITNESSETH:

WHEREAS, the Town is the owner of the John C. Stiglmeier Park located on Losson Road, Cheektowaga, New York, and

WHEREAS, the LICENSEE is desirous of renting a portion of a building located in John C. Stiglmeier Park.

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

1. PREMISES: The Town hereby grants a license to the LICENSEE to use the southerly 222 square feet of the existing 1440 square foot utility building located north of the Losson Park Community Center and east of Softball Diamond No. 1 in John C. Stiglmeier Park (hereinafter referred to as "Utility Building").

2. TERM: The term of this license shall be for a period of twenty (20) years. After the termination of this License Agreement, the TOWN shall give LICENSEE the right of first refusal to enter into another License Agreement for the use of the Utility Building.

3. RENT: The LICENSEE agrees to pay to the TOWN a total rental of \$8,250.00 which sum shall be paid as follows:

On the execution of this agreement	\$2,062.50
On or before October 1, 1988	\$2,062.50
On or before October 1, 1989	\$2,062.50
On or before October 1, 1990	\$2,062.50

In the event that any of the above mentioned rental payments are not made at the time specified for such payment, the TOWN shall have the right to cancel this license without notice to the LICENSEE.

4. USE OF PREMISES:

A. The LICENSEE's use of the said utility building is limited to storing its equipment and supplies and selling concessions to spectators of sporting events during the months of May, June, July and August for the term of this agreement.

B. The LICENSEE shall keep the utility building area used in good and clean condition, and shall not permit the accumulation of rubbish or debris on the premises.

C. The LICENSEE shall return the premises, at the termination of this license, in the same condition as at the commencement of the term of this license, normal wear and tear excepted; and shall be responsible for all damages which are caused by or through the acts or omissions of the Licensee, its agents, employees, and/or invitees.

D. No alcoholic beverages will be allowed in or on the premises.

E. The LICENSEE shall comply with all laws, rules and regulations of any municipal authority, including police, fire, safety and health regulations and the reasonable requirements of the TOWN.

5. UTILITIES: The LICENSEE shall reimburse the TOWN for the actual costs incurred by the Town in providing all water, heat, gas, oil and electrical current for the usage of the LICENSEE in the areas assigned herein during the months of May, June, July and August.

6. INSURANCE: The LICENSEE shall procure and pay for public liability insurance in the amounts of \$100,000.00 per person and \$300,000.00 per accident for personal injury and \$50,000.00 for property damage. The LICENSEE shall also procure and pay for products liability insurance in the amounts of \$500,000.00 per occurrence/aggregate. The TOWN shall be named as an additional insured under such policy or policies and shall be granted ten (10) days written notice of any cancellation thereof.

In the event of cancellation of any of the policies referred to herein, the TOWN shall have the right to cancel this license.

7. DAMAGE OR DESTRUCTION OF PREMISES: In the event of total or partial destruction of the utility building by fire or other peril, or by any act of nature, during the term of this license or subsequent to its execution, the TOWN shall have the option of terminating this license by giving the LICENSEE written notice to that effect or by repairing the premises with due diligence and continuing this license in effect.

8. NONLIABILITY OF OWNER: This license is made upon the express condition that the TOWN shall be free from all liabilities

in claims for damages and/or lawsuits for or by reason of any injury or injuries to any person or persons or property of any kind whatsoever, from any cause or causes whatsoever while in or upon said premises during the term of this license or occasioned by any occupancy or use of said premises or any activity carried on the LICENSEE in connection therewith; and LICENSEE hereby covenants and agrees to indemnify and hold harmless the TOWN from all liabilities, charges, claims, expenses (including attorney fees) and costs on account of or by reason of such injuries, liabilities, claims, lawsuits or loses however occurring and damages arising from same.

9. MISCELLANEOUS PROVISIONS: This license agreement contains the entire agreement between the parties hereto, and there are no understandings, agreements or representations, express or implied, not specified herein respecting this license.

The rights of the parties hereto shall be deemed cumulative and not alternative. Waiver of strict compliance or performance of any term or condition hereof shall not be deemed a waiver of any other provisions of this license; and any waiver of any breach of any term or condition hereof shall not be deemed to extend to any other breach or any subsequent breach of the same or any other term, condition or provision.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this license agreement as of the day and year first written above.

SOUTHLINE ATHLETIC ASSOCIATION, INC.

By 

TOWN OF CHEEKTOWAGA

By 

Supervisor

MEETING NO. 6
March 21, 1988

Item No. 11b Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, there is a vacant triangular parcel of land lying between 98 and 102 Jessica Lane, and

WHEREAS, the public need dictates that the Town obtain this land in order to have a sidewalk erected over same, and

WHEREAS, pursuant to the Eminent Domain Procedure Law of the State of New York, this Town Board retained an appraiser to appraise such land, and

WHEREAS, the completed appraisal shows the fairmarket value of such land to be \$500.00, and

WHEREAS, the Town Board feels such appraised value is fair and wishes to make an order to the owners of such property, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Offer to Purchase for \$500.00, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward the executed Offer to Purchase to Mr. and Mrs. Stephen Haniszewski.

* See next three (3) pages for description and Offer to Purchase

Upon Roll Call....

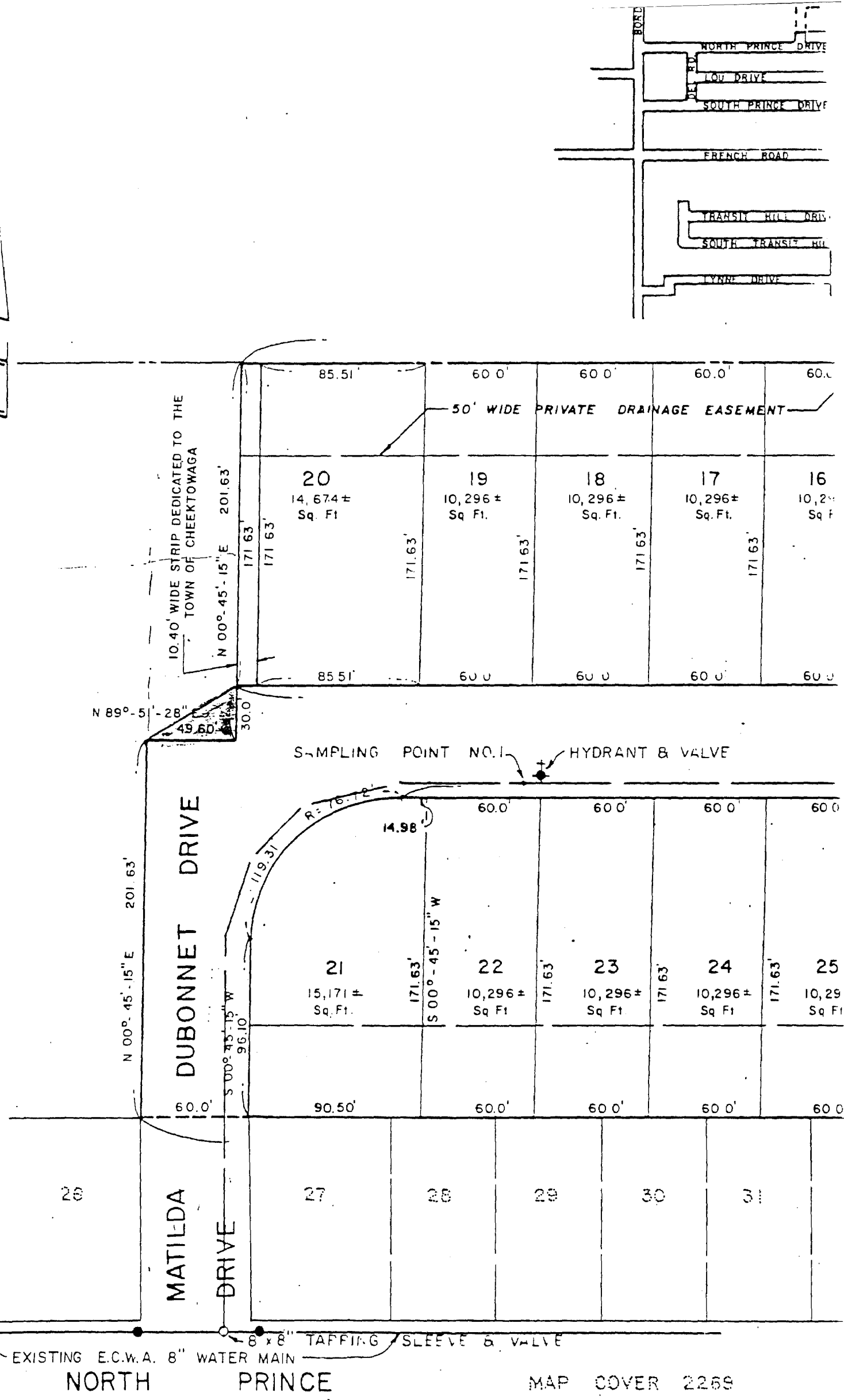
AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 43, Township 10 and Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the north line of Jessica Lane 10.40 feet west of its intersection with the southwest corner of Sublot No. 20, as shown on a map filed in the Erie County Clerk's Office under Cover No. 2463; thence S 58° 55' 56" W a distance of 58.37 ± feet to a point on the west line of Dubonnet Drive, as it appears on map cover 2463; thence N 89° 51' 28" E a distance of 49.00 feet along the north line of Dubonnet Drive as it appears on map cover 2463; thence N 00° 45' 15" E a distance of 30.0 feet along the west line of Jessica Lane to the point or place of beginning; the above describing a triangular shaped parcel containing 744± S.F. (.017 acre).



MAP COVER 2269

OFFER TO PURCHASE

Dated: March 21, 1988

TO: MR. AND MRS. STEPHEN HANISZEWSKI
284 Roat Drive
Angola, New York 14006

RE: Construction of a sidewalk over a portion
of 603 Borden Road, Cheektowaga, New York,
as is more particularly described on Schedules A and B annexed hereto

Dear Mr. and Mrs. Haniszewski:

The Town of Cheektowaga, County of Erie, State of New York has established the sum of \$500.00 as fair and just compensation for the real property described in the attachments hereto, to be acquired by the exercise of the power of eminent domain by the Town of Cheektowaga pursuant to the Eminent Domain Procedure Law of the State of New York ("EDPL").

In accordance with §303 of such law, the Town of Cheektowaga offers to you as just compensation for the property to be taken the sum of \$500.00 which offer constituted the highest approved appraisal for the just compensation of the property, and payment will be made together with the appropriate interest.

The sum of \$500.00 represents the following damage to you:

Total direct damage.....\$500.00

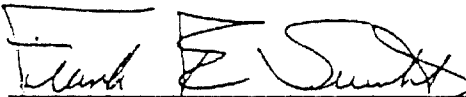
You may accept this offer as payment in full; or you may reject this offer as payment in full and instead elect to accept such offer as an advance payment. Such election shall in no way prejudice your right to claim additional compensation; however, your failure to file a claim within the time of filing claims as provided in subdivision (A) of §503 of the EDPL shall be deemed an acceptance of the amount paid as full settlement of such claim.

Upon acceptance of this offer, the Town of Cheektowaga shall enter into an agreement or stipulation with you providing for payment pursuant to such agreement, either as payment in full or as an advance payment. Your right to the advance payment shall not be conditioned on the waiver of any other right.

Please take notice that this offer shall be deemed to be rejected by you in the event that you fail or refuse to notify the Town of Cheektowaga, in writing, within 90 days of this offer, as is provided for in §304 of the EDPL, that the advance payment is accepted by you. In such event, the obligation of the Town of Cheektowaga to pay interest on this offer shall be suspended until the time you accept the offer as payment in full or as an advanced payment.

If this offer is accepted as an advance payment and it exceeds the award of the Court for your property, the Town of Cheektowaga may apply to the Court, within thirty days of such award, for judgment against you for the amount of such excess, together with appropriate interest thereon.

Very truly yours,


Frank E. Swiatek, Supervisor

Item No. 11c Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

WHEREAS, the professional engineering firm of Nussbaumer & Clarke, Inc., Consulting Engineers, was authorized to prepare plans and specifications for Town Hall Site Improvements, which plans and specifications included the construction of a Senior Citizens' Center parking lot, and

WHEREAS, there was a need to alter the plans and specifications because of a need to change the scope of work as determined by the Facilities Department Director and the Town Engineer requiring increased professional services and in order to bring the project within the constraints of the budget available for the construction of a Senior Citizens' Center parking lot, and

WHEREAS, there is need to engage the services of Nussbaumer & Clarke, Inc. for this additional provisional requirement in order to bid the Senior Citizen's Center parking lot and as recommended by the Facilities Department Director and the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted to the Town Engineer and dated March 15, 1988, be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said proposal on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the cost for said professional services in the amount of \$9,000.00 be chargeable to the Facilities Department budget item #7110.062.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 11d Motion by Councilman Gabryszak, seconded by Councilman Kulyk

WHEREAS, the Town of Cheektowaga will sponsor a Polish-American Festival from August 19th through August 21st, 1988; and

WHEREAS, the Town of Cheektowaga 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 Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Supervisor Swiatek, seconded by Councilman Gabryszak

WHEREAS, the Supervising Accountant has notified this Town Board that he will be resigning from his position in the near future, and

WHEREAS, instead of filling the position of Supervising Accountant, this Town Board has opted to create a new position of Director of Administration and Finance, and

WHEREAS, the Erie County Department of Personnel has approved the PO-17 for the position of Director of Administration and Finance, NOW, THEREFORE, BE IT

RESOLVED that the position of Director of Administration and Finance be and hereby is created in the Town.

Item No. 12 cont'd

THE ABOVE RESOLUTION WAS CALLED FOR AN AMENDMENT BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN GABRYSZAK and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

THE AMENDED RESOLUTION IS AS FOLLOWS:

Motion by Supervisor Swiatek, seconded by Councilman Gabryszak

WHEREAS, the Supervising Accountant has notified this Town Board that he will be seeking a leave of absence from his position in the near future, and

WHEREAS, instead of filling the position of Supervising Accountant, on a temporary basis, this Town Board has opted to create a new position of Director of Administration and Finance, and

WHEREAS, the Erie County Department of Personnel has approved the PO-17 for the position of Director of Administration and Finance, NOW, THEREFORE, BE IT

RESOLVED that the position of Director of Administration and Finance be and hereby is created in the Town.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 13a Motion by Supervisor Swiatek, Seconded by Councilman Johnson

WHEREAS, by resolution dated March 21, 1988, this Town Board created the position of Director of Administration and Finance, and

WHEREAS, this position was duly advertised in the newspaper, and

WHEREAS, this Town Board has interviewed prospective candidates for such position, and

WHEREAS, Ralph Majchrowicz applied for and meets all of the qualifications for such position, NOW, THEREFORE, BE IT

RESOLVED that Ralph Majchrowicz, Cheektowaga, New York 14227 be and hereby is appointed to the position of Director of Administration and Finance, effective immediately, and BE IT FURTHER

RESOLVED that such appointment shall be provisional, pending a determination by the State Civil Service Department as to whether such position shall be competitive or non-competitive, and BE IT FURTHER

RESOLVED that the salary for such position shall be \$29,729.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

MEETING NO. 6
March 21, 1988

Item No. 13b Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

WHEREAS, there is a need to fill the vacancy of Working Foreman in the Sewer Maintenance Department, and

WHEREAS, Robert M. Skibniewski, has applied for such position, and

WHEREAS, the position of Working Foreman in the Sewer Maintenance Department must be filled as a temporary appointment since the permanent appointee, Thaddeus P. Brudz, is on a leave of absence from such position, NOW, THEREFORE, BE IT

RESOLVED that Robert M. Skibniewski, residing at Cheektowaga, New York 14227 be and hereby is appointed to the temporary position of Working Foreman in the Sewer Maintenance Department, effective immediately.

MOTION BY COUNCILMAN KAZUKIEWICZ, SECONDED BY COUNCILMAN JAWOROWICZ TO AMEND THE ABOVE RESOLUTION, and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

THE AMENDED RESOLUTION IS AS FOLLOWS:

Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

WHEREAS, there is a need to fill the vacancy of Working Foreman in the Sewer Maintenance Department, and

WHEREAS, Robert Czubaj, has applied for such position, and

WHEREAS, the position of Working Foreman in the Sewer Maintenance Department must be filled as a temporary appointment since the permanent appointee, Thaddeus P. Brudz, is on a leave of absence from such position, NOW, THEREFORE, BE IT

RESOLVED that Robert Czubaj, residing at Sloan, New York 14212 be and hereby is appointed to the temporary position of Working Foreman in the Sewer Maintenance Department, effective immediately.

MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN SOLECKI, TO TABLE THE ABOVE AMENDMENT.

* * * * *

THE ORIGINAL RESOLUTION WAS THEN BROUGHT UP AGAIN FOR A VOTE:

Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

WHEREAS, there is a need to fill the vacancy of Working Foreman in the Sewer Maintenance Department, and

WHEREAS, Robert M. Skibniewski, has applied for such position, and

WHEREAS, the position of Working Foreman in the Sewer Maintenance Department must be filled as a temporary appointment since the permanent appointee, Thaddeus P. Brudz, is on a leave of absence from such position, NOW, THEREFORE, BE IT

RESOLVED that Robert M. Skibniewski, residing at Cheektowaga, New York 14227 be and hereby is appointed to the temporary position of Working Foreman in the Sewer Maintenance Department, effective immediately.

MOTION BY COUNCILMAN KULYK, SECONDED BY COUNCILMAN JAWOROWICZ TO TABLE THIS RESOLUTION.

Item No. 13c Motion by Councilman Johnson, Seconded by Councilman Kulyk

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

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

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

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

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

RESOLVED that the following individuals are hereby appointed to the Board of Directors of the Cheektowaga Economic Development Corporation for a term of three years, said term effective until the subsequent reappointment for said Board positions on or about April 1, 1991; and that the appointment of Mr. Cutting be contingent on the formal acceptance of said appointment.

Joseph Funk
Virginia Krauss
Robert Buczynski
Richard Cielinski
David Cutting

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 13d Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, two vacancies exist on the Cheektowaga Traffic Safety Commission, NOW, THEREFORE, ~~BE~~ IT

RESOLVED that the following individuals be appointed to said unexpired terms:

Mary L. Penkalski

Cheektowaga, N.Y. 14227
Term to expire December 31, 1989

Ronald Kmiotek

Cheektowaga, N.Y. 14227
Term to expire December 31, 1990

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 13e Appointment of Working Foreman in Sewer Maintenance Department
This item was withdrawn.

MEETING NO. 6
March 21, 1988

Item No. 14 Motion by Councilman Gabryszak, Seconded by Councilman Kulyk

BE IT RESOLVED that Edward Szemraj of Cheektowaga, New York, is hereby reappointed to serve a full five-year term as a member of the Cheektowaga Library Board; said appointment is being made retroactive to January 1, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, the Alfonse M. D'Amato "Police Valor Award Medal" each year is presented by the Police Conference of New York, Inc. to a police officer in recognition and appreciation of the valor displayed by such officer, and

WHEREAS, this year, the Alfonse M. D'Amato Police Valor Award Medal will be given to Town Police Officer Gerald Barber and Lieutenant Richard Chamberlin, and

WHEREAS, the Chief of Police in charge of the recipients of this award is requested to attend and participate in the award ceremony, and

WHEREAS, the Chief of Police has requested permission to attend this award ceremony, which will take place from May 9-12, 1988 in Swan Lake, New York, NOW, THEREFORE, BE IT

RESOLVED that the Chief of Police be and hereby is authorized to attend the aforementioned award ceremony, and BE IT FURTHER

RESOLVED that the Chief of Police shall be reimbursed for reasonable expenses associated with his attendance at such award ceremony in any amount not to exceed \$300.00, and is hereby granted permission to use his assigned vehicle to attend such ceremony.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the New York State Association of Traffic Safety Boards held its quarterly meeting in Albany, New York on February 23 and 24, 1988, and

WHEREAS, the Cheektowaga Traffic Safety Commission Chairman, Mr. Carl Perlino had attended said meeting and has asked to be reimbursed for his expenses associated with the meeting, NOW, THEREFORE, BE IT

RESOLVED that Mr. Carl Perlino be and hereby shall be reimbursed for all necessary and reasonable expenses not to exceed \$250.00.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Gabryszak, Seconded by Councilman Solecki

BE IT RESOLVED that Maureen Schneider, working in the capacity of Part-Time Recreation Instructor in the Recreation Department, be authorized for

MEETING NO. 6
March 21, 1988

Item No. 17 cont'd

payment at her current rate of pay for any additional work hours performed over twenty hours per week, retroactive to the week of February 22, 1988.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk

WHEREAS, subdivision 1-a of Section 64 of the Town Law of the State of New York provides that the Town Board may establish a petty cash fund for any town officer or head of a department or office in the Town, and

WHEREAS, the Chief of Police has requested that a petty cash fund be established for the Detective Bureau, NOW, THEREFORE, ~~BE~~ IT

RESOLVED that a petty cash fund in the amount of \$200.00 be and hereby is established in the detective Bureau of the Police Department, such account to be maintained and regulated by the Detective Captain.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz

~~BE~~ IT RESOLVED that the folloiwng vouchers and warrants submitted to the Town of Cheektowaga prior to March 21, 1988 are hereby approved and made a part hereof:

FUND	AMOUNT
GENERAL FUND	\$244,943.58
HIGHWAY FUND	70,624.00
TRUST & AGENCY FUND	12,996.14
PART TOWN FUND	2,666.82
RISK RETENTION FUND	24,819.70
SPECIAL DISTRICT FUND	168,744.41
CAPITAL FUND	55,505.54
HUD FUND	7,534.96
	<u>\$587,835.15</u>

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

II. FROM THE TABLE

Item No. 20 Authorize Chairman of Traffic Safety Board to attend meeting.
This item was withdrawn.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 21a Minutes of Cheektowaga Planning Board for February, 1988.
Received and Filed.

Item No. 21b Minutes of Cheektowaga Planning Board for March, 1988.
Received and Filed.

IV. SUSPENSION OF RULES

* * * * *

Motion by Councilman Solecki, Seconded by Councilman Jaworowicz
to suspend the rules to include the following two (2) items

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

* * * * *

Item No. 22 Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, bids were called for One (1) New and Unused 1988 Model
Two-Wheel Drive, 3/4 Ton Pickup Truck to be opened on March 18, 1988, and

WHEREAS, no bids were received and it will be necessary to re-bid,
NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a
Notice to Bidders for the purchase of One (1) new and unused 1988 Model Two-Wheel
Drive, 3/4 ton Pick-up Truck for use by the Highway Department. Information for
bidders and specifications may be obtained from the office of the Superintendent of
Highways located at 3145 Union Road, Cheektowaga, N.Y. 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 item at 11:00 A.M. on March 31st, 1988.

* * * * *

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General
Municipal Finance Law, that the Town of Cheektowaga Highway Department will received
proposals for One (1) New and Unused 1988 Model Two-Wheel Drive, 3/4 Ton Pick-up
Truck at a public bid opening March 31st, 1988 at 11:00 A.M. to be held in the
Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the
office of Christopher J. Kowal, Superintendent of Highways at his office located at
3145 Union Road, Cheektowaga, N.Y. Proposals must be enclosed and sealed in an opa-
que envelope plainly marked "BID FOR ONE NEW AND UNUSED 1988 TWO-WHEEL DRIVE 3/4 TON
PICKUP TRUCK".

MEETING NO. 6
March 21, 1988

Item No. 22 cont'd

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI
Town Clerk

DATED: March 21, 1988

PUBLISHED: March 24, 1988

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Mary Novak*....., 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.....*MAR 24 1988*.....;
last publication.....*MAR 24 1988*.....;
and that no more than six days intervened be-
tween publications.

.....*Mary Novak*.....
Sworn to before me this*24th*.....
day of*March*....., 19*88*.....
.....*Justine D. Dembik*.....

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

JUSTINE D. DEMBIK
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES FEB. 16, 19*90*

LEGAL NOTICE

Notice to Bidders

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for One (1) New and Unused 1988 Model Two-Wheel Drive, 3/4-Ton Pickup Truck at a public bid opening March 31st, 1988 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE NEW AND UNUSED 1988 TWO-WHEEL DRIVE 3/4 TON PICKUP TRUCK".

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD MOLESKI

Town Clerk

PUBLISH: March 24, 1988

AND D. DEMBICK

MEETING NO. 6
March 21, 1988

Item No. 23 Motion by Supervisor Swiatek, Seconded by Councilman Solecki

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

GENERAL FUND

FROM:	1910.4711 (Contingency)	\$10,000.00
TO:	5132.4168 (Highway Garage-Tank Removal)	5,600.00
	7110.4168 (Facilities-Tank Removal)	4,400.00

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
Kazukiewicz and Solecki
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Kazukiewicz, Seconded by Councilman Kulyk

WHEREAS, the next regularly scheduled Town Board meeting will be held on April 4, 1988, and

WHEREAS, April 4, 1988 is Dyngus Day, a traditional holiday, and many festivities take place on such day, and

WHEREAS, it is expected that many Town residents will elect to attend Dyngus Day functions rather than the Town Board meeting, and

WHEREAS, the Town Board desires to change its meeting date to accommodate the public, NOW, THEREFORE, BE IT

RESOLVED that the next regularly scheduled Town Board meeting date be and hereby is changed from Monday, April 4, 1988 to Tuesday, April 5, 1988.

MOTION BY COUNCILMAN SOLECKI, SECONDED BY COUNCILMAN JOHNSON TO TABLE THE ABOVE ITEM.

Item No. 25 Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk to adjourn the meeting in memory of Bernard Rogacki, delegate to the Town Board from the Walden Street Taxpayers Association.

RICHARD M. MOLESKI
Town Clerk