

MEETING NO. 23
October 2, 1989

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of October, 1989 at 7:30 o'clock P.M., Eastern Daylight Saving 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; Bill Pugh, Assistant Town Engineer; Don Wegner, Chairman of Zoning Board of Appeals; Sal LaGreca, Employment and Training Director II; Chris Kowal, Highway Superintendent; Ron Marten, Building and Plumbing Inspector; Robert M. Lis, Chief of Police; Pat Wojcik, Senior Services Coordinator.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on October 16, 1989 at 7:30 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 5th day of October, 1989, 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 October 16, 1989 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Item No. 2 continued

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
WEDGEWOOD DR.	North-south	Castlewood Dr.	Eastbound	S.W. Corner
CASTLEWOOD DR.	East-west	Wedgewood Dr.	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Wedgewood Dr.	Southbound	N.W. Corner
WINDWOOD CT. (north leg)	North-south	Windwood Court (west leg)	Westbound	N.E. Corner
WINDWOOD CT. (south leg)	North-south	Windwood Court (west leg)	Westbound	N.E. Corner
CHARNWOOD DR.	North-south	Campwood Court	Westbound	N.E. Corner
CHARNWOOD DR.	North-south	Charnwood Court	Westbound	N.E. Corner

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

CHARNWOOD DR.	North-south	Coralwood Court	Westbound	N.E. Corner
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ARTICLE IX

Speed Regulations

Section 76-90 of the traffic ordinance shall be amended by adding thereto the following:

A. Established speed limits

(2) The speed limit for the following named town road shall be established at thirty-five (35) miles per hour.

Galleria Drive	From the north curblin of Walden Avenue to the west curblin of Union Road.
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ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

F. Miscellaneous parking signs

(15) No Stopping

GALLERIA DRIVE	North Side	From the north curblin of Walden Avenue to the west curblin of Union Road
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GALLERIA DRIVE	South Side	From the north curblin of Walden Avenue to the west curblin of Union Road
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Richard M. Moleski,
Town Clerk

Dated: October 2, 1989

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.

.....Scott..Benson....., 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..... OCT 05 1989 ;
last publication..... OCT 05 1989 ;
and that no more than six days intervened be-
tween publications.

.....*Scott Benson*.....

Sworn to before me this OCT 05 1989

day of, 19.....

.....*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, 1991

**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 October 16, 1989 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
WEDGEWOOD DR.	North-south	Castlewood Dr.	Eastbound	S.W. Corner
CASTLEWOOD DR.	East-west	Wedgewood Dr.	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Wedgewood Dr.	Southbound	N.W. Corner
WINDWOOD CT. (north leg)	North-south	Windwood Court (west leg)	Westbound	N.E. Corner
WINDWOOD CT. (south leg)	North-south	Windwood Court (west leg)	Westbound	N.E. Corner
CHARWOOD DR.	North-south	Campwood Court	Westbound	N.E. Corner
CHARWOOD DR.	North-south	Charnwood Court	Westbound	N.E. Corner

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

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ARTICLE IX

Speed Regulations

Section 76-90 of the traffic ordinance shall be amended by adding thereto the following:

- A. Established speed limits
- (2) The speed limit for the following named town road shall be established at thirty-five (35) miles per hour.

From the north curbline of Walden Ave. to the west curbline of Union Rd.

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

- F. Miscellaneous parking signs
- (15) No stopping

GALLERIA DR. North side

from the north curbline of Walden Ave. to the west curbline of Union Road
from the north curbline of Walden Ave. to the west curbline of Union Road

GALLERIA DR. South side

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: October 5, 1989

Erie County
 Office of the
 County Clerk
 100 State Street
 Buffalo, NY 14202
 Tel: 716-854-3000

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

.....Scott Benson....., 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..... OCT 05 1989 ;
last publication..... OCT 05 1989 ;
and that no more than six days intervened be-
tween publications.

.....*Scott Benson*.....

Sworn to before me this OCT 05 1989

day of, 19.....

.....*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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on October 13, 1989 at 11:00 A.M. Eastern Daylight Savings Time, at the Town Hall, corner of Broadway & Union Road, for the purchase of tires for use by Central Garage.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK
PUBLISH: October 5, 1989**

EVE J. ALTY
Notary Public, State of New York
Qualified in Erie County, New York
My Commission Expires...

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

WHEREAS, the Town of Cheektowaga is in need of a van mounted television system for internal inspection of sanitary sewer lines, NOW, THEREFORE, BE IT

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

RESOLVED that sealed bids will be received by the Town of Cheektowaga on October 16, 1989 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, at which time they will be publicly opened and read.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on October 16, 1989 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, for one vision system for internal inspection of sanitary sewer lines.

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: October 2, 1989

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.

Scott Benson

....., 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..... OCT 05 1989 ;
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and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this ... OCT 05 1989 ...

day of, 19.....

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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on October 16, 1989 at 11:00 A.M. Eastern Daylight Saving Time, at the Town Hall, corner of Broadway & Union Road, for one van-mounted television system for internal inspection of sanitary sewer lines.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK
PUBLISH: October 5, 1989**

EVE J. ALLIS
Notary Public, State of New York
Qualified in Erie County
My commission expires March 31, 1990

MEETING NO. 23
October 2, 1989

Item No. 5a Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 240 and 244 Dean Road, Cheektowaga, New York, SBL #92.15-3-15 and according to the Assessor's Office is owned by Sally Pantano, Lancaster, New York, 14086, and

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

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

Upon Roll Call....

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

Item No. 5b Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located north of 89 Pinehurst Avenue, Sublot #10, Cheektowaga, New York, SBL #91.19-3-42 and according to the Assessor's Office is owned by Raymond C. Axford, Cheektowaga, New York 14225, AND

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

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

Upon Roll Call....

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

Item No. 5c Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located north of 54 Hillpine Road, Sublot #72, Cheektowaga, New York, SBL #114.17-6-9 and according to the Assessor's Office is owned by Los-Green Incorporated, 405 Convention Tower, Buffalo, New York 14202, and

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

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

MEETING NO. 23
October 2, 1989

Item No. 5c continued

Upon Roll Call....

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

Item No. 5d Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located 213 Hillpine Road, Cheektowaga, New York, SBL # 114.17-5-31 and according to the Assessor's Office is owned by Los-Green Incorporated, 405 Convention Tower, Buffalo, New York 14202, and

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

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

Upon Roll Call....

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

Item No. 6 Motion by Councilman Jaworowicz Seconded by Unanimous

WHEREAS, in July of 1977, a Cheektowaga police officer was shot and killed by Harold Pointer, and

WHEREAS, due to the fact that New York State had no death penalty for killing police officers, Harold Pointer was sentenced to imprisonment and has been paroled after serving only 12 years in prison, and

WHEREAS, this Town Board feels strongly that the death penalty should be instituted in New York State for those convicted of killing police officers, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Legislature and Governor Cuomo to adopt legislation to require the death penalty for those convicted of killing police officers, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Assemblyman Paul A. Tokasz, Senator Dale M. Volker and Governor Mario M. Cuomo.

Upon Roll Call....

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

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

WHEREAS, Frank Ciminelli Construction Company has applied to the Town of Cheektowaga for an environmental review of its request to develop 16 acres of land located on the north side of Aero Drive west of Scott Place into an industrial park having 18 buildings, and

Item No. 7 continued

WHEREAS, the appropriate governmental agencies (State, County and Town) have been solicited by the Town for lead agency status and their comments, and

WHEREAS, there has been agreement by such agencies that the Town Board of the Town of Cheektowaga is to be designated lead agency in matter concerning this industrial park project, and

WHEREAS, the Erie County Department of Environment and Planning, the New York State Department of Environmental Conservation and the Town Environmental Advisory Committee have recommended that a Draft Environmental Impact Statement be prepared for this project, and

WHEREAS, this Town Board, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, also feels that a Draft Environmental Impact Statement should be prepared for this project for the following reasons:

1. A New York State freshwater wetlands is located within the site boundaries;
2. The site is within 100 year floodplain;
3. The project site is located within an archaeologically sensitive area;
4. Even though the parcel is outside of the known boundaries of the Pfohl Brothers landfill (an inactive hazardous waste disposal site), due to its close proximity, the possibility of contaminant migration from this site cannot be ruled out; and
5. The environmental assessment of this project should not be segmented and reviewed on a phase-by-phase basis as is being presented.

NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby determines that a Draft Environmental Impact Statement must be prepared and submitted to the Town, based on this Town Board's determination that such industrial park project could have a significant effect on the environment, and BE IT FURTHER

RESOLVED that Frank Ciminelli Construction Company be directed to submit a Draft Environmental Impact Statement to the Town Environmental Advisory Committee and this Town Board for review, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, prepare, file and publish a positive declaration for this project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.10(b) of the SEQR regulations, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, notify Frank Ciminelli Construction Company and other interested and involved agencies of this requirement.

Upon Roll Call....

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

Item No. 8a Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, pursuant to the Environmental Impact 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

MEETING NO. 23
October 2, 1989

Item No. 8a continued

WHEREAS, the Town Board, pursuant to the Environmental Impact 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 September 7, 1989, rendered the determinations shown on the attached memo dated September 13, 1989, 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 September 13, 1989 memo attached hereto:

Item I	74 Anderson Road
Item II	354 Cayuga Road
Item IV	2333 William Street
Item IX	3031 William Street

Upon Roll Call....

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

* SEE NEXT PAGES

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

RECEIVED

SEP 13 1989

TOWN ATTORNEY



TOWN OF CHEEKTOWAGA
Erie County, New York

TO: Supervisor Frank Swiatek
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: William R. Pugh, P.E.
Assistant Town Engineer

DATE: September 13, 1989

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 September 7, 1989 in the Town Hall Council Chambers.

ITEM I 74 Anderson Road - Proposed 3920 S.F. Addition
to Muller Tool Inc.

Applicant: Ferry Builders Inc.

Determination: **Non-Significant** - The proposed addition to the north side of the existing structure was discussed at length at a previous meeting held on August 10, 1989. The business operation consists of machine shop type activity and is consistent with other nearby uses in the immediate area. The drainage and landscape plans requested of the applicant have been submitted to the appropriate departments and have been deemed satisfactory.

ITEM II 354 Cayuga Road - Proposed 7200 S.F. Office
Building

Applicant: Salvatore DeSanto (Santo Tours)

Determination: **Non-Significant** - The subject property is zoned "RC" and the applicant proposes the construction of a two (2) story office building for Santo Tours. The business consists of a multi-shift operation which primarily conducts business with individual travel agencies wholesaling travel packages via computer systems and over the telephone, thus having little walk-in business. The parking area is located to the rear of the parcel and is sufficient in size to accommodate overlapping shift demand. A five (5') foot stockade fence is to be installed along the west property line, abutting residential development to screen the parking lot.

An existing drainage system which parallels the west property line and is tributary to Princeton Court is to be improved with provisions made to reduce the burden on the downstream system. A drainage easement is to be granted the Town along the west and south property lines as requested by the Town Engineer. A detailed landscape plan has been submitted to the Planning Board for final approval.

ITEM III Aero Drive Industrial Park - Proposed development of 60 acres of vacant land with 18 structures totaling 652,000 S.F.

Applicant: Frank Ciminelli Construction Co.

Determination: Tabled - The subject site is located north of Aero Drive west of Scott Place and is zoned "M-1". The proposed warehousing facility is permissible under the current zoning classification and the use is similar in nature to existing truck terminal type of facilities in the immediate area. The parcel is located within the designated floodplain, contains wetlands designated by N.Y.S.D.E.C. and is in close proximity to the Pfohl Bros. Landfill site. This Committee is awaiting a response from the N.Y.S.D.E.C. Region 9 Office relative to the aforesaid issues. The E.C.D.E.P., by letter dated August 17, 1989, has responded to this project referral and has cited the potential for impacts associated with Ellicott Creek, its floodplain and the State designated wetlands. This communication further notes the project site as being located in an archeologically sensitive area, as designated by N.Y.S.D.E.C. It is anticipated that the review process for this proposal is going to require a highly co-ordinated effort between the various agencies, particularly the N.Y.S.D.E.C. due to their regulatory authority over Ellicott Creek, the designated wetlands, their knowledge of the Pfohl Bros. hazardous waste site investigation, etc., and the review of this item is to remain tabled until N.Y.S.D.E.C. input is received.

ITEM IV 2333 William Street - Proposed conversion of a single family home into an office

Applicant: Walter Gurowicz

Determination: Non-Significant - The applicant proposes to relocate the existing Real Estate/Insurance/Accounting Business located at the southeast corner of William and Harlem to an existing single family residence located on William Street immediately east of the current facility. The State of New York has acquired the

existing facility through condemnation proceedings to be demolished during the William Street Reconstruction Project. The current residence which the applicant desires to convert is located in a proper zoning district and the use is compatible with the surrounding area. Upon demolition of the existing building by the D.O.T., paved parking and landscaping shall be provided for the relocated office. The Non-Significant determination has been rendered by this Committee based on implementation of site plan improvements, i.e., parking, drainage, landscaping, to be constructed upon demolition of existing structure by the N.Y.S.D.O.T. Driveway widths are to be twenty-five (25') feet in width and landscaping is to be subject to D.O.T. approval and that of the Town Planning Board. Future drainage design and construction is also to be co-ordinated in conjunction with the William Street Reconstruction Project with final approval by the Town Engineer. All existing parking at the existing facility is to be retained for use exclusively by the relocated facility until such time as the structure is demolished and the new parking lot constructed.

ITEM V Southwest Corner of Walden - Proposed Plaza, 164,000 S.F.
 Avenue and Dick Road

Applicant: The Price Club

Determination: Tabled - The proposed site contains approximately 16 acres and the applicant proposes a 114,000 S.F. Price Club Membership Warehouse and future 50,000 S.F. Home Furnishings Store. The Price Club operation is a cash and carry business similar to BJ's Membership Warehouse located in Tonawanda. They sell food, clothing, office supplies, other hard goods and they will have a 7 bay tire changing operation. This operation is present only because The Price Club sells automobile tires and they will mount them for customers. Storage of the old tires is confined within the building.

A detailed traffic study has been prepared by the applicant with copies submitted to the N.Y.S.D.O.T and E.C.H.D. for review. The traffic study recommends the installation of a traffic signal at the north access to the site on Walden Avenue and further recommends restricted left turning movements at the east access on Dick Road.

hydrant locations at the eastern boundary of the plaza site in response to concerns relating to fire protection and fire fighting access to the rear of the structure.

ITEM VIII 2421 Harlem Road - Proposed rezoning from "C",
Retail Business District to "M"

Applicant: Harold Kopp

Determination: Tabled - The applicant is requesting a zoning change for the former American Wallpaper and Paint facility located on Harlem Road at the corner of Freda Avenue, from "C", Retail Business District, to "M-1", Light Manufacturing, to accommodate his business which involves the assembly of small electrical devices. This electrical assembly business utilizes all pre-manufactured parts normally delivered to the site via U.P.S. The business consists of a five (5) day work week, eight (8) hour day with a future employee work force estimated at thirteen (13). In addition to the electrical assembly business, the applicant has indicated his desire to lease a portion of the structure for retail sales. Residents of neighboring streets in attendance at the meeting expressed concern relating to the site's ability to accommodate employee parking, delivery traffic and traffic generated from a yet unknown leased retail business.

The existing site is currently consumed by both the building and blacktopped parking, being devoid of any landscaping. The applicant was requested to provide the Committee with a more detailed site plan which would designate the parking for employee and leased retail usage. The Committee further requested that a concerted effort be made to provide green areas/landscaping on this revised site plan.

ITEM IX 3031 William Street - Proposed 4800 S.F. Office
Building

Applicant: Robert H. Wahl

Determination: Non-Significant - The applicant proposes to construct a single story masonry office building on a currently vacant site located on the south side of William Street east of Cayuga Creek Road. The office is proposed to house the Aetna Life Insur-

ance Co. which will conduct on-site appraisals of damaged automobiles within an enclosed two (2) bay garage attached to the main office structure. The site is located within the Cayuga Creek Floodplain/Floodway and has been designed to comply to Town regulations. Final drainage plan review and landscape plan review will be conducted by the Engineering Department and Planning Board respectively.

cc: SEQR Members

MEETING NO. 23
October 2, 1989

Item No. 8b Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, pursuant to the Environmental Impact 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 Impact 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 September 21, 1989, rendered the determinations shown on the attached memo dated September 26, 1989, 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 September 26, 1989 memo attached

Item V	Sonwill Drive
Item VII	3155 Broadway
Item XI	2377 Harlem Road

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGES

RE: EQR - September 21, 1989
September 26, 1989
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ITEM X Diamond Estates I - Proposed 150 Lot
 Subdivision Located
 On Losson Road

Applicant: Diamond "D" Development Inc.

Determination: Tabled;
This is a Type I Action and therefore has been referred to the NYSDEC and ECDEP.

The Developer proposes to construct approximately 150 single family homes on a 45 acre site located on the South side of Losson Road just West and adjacent to the Marrano Subdivision. This site had been previously proposed as a subdivision but the Developers had not followed through to finalize its design and get approval for construction. The item will remain tabled until comments are received from the involved agencies.

ITEM XI 2377 Harlem Road - Proposed Wonder Bread
 Thrift Shop

Applicant: Continental Baking Co.

Determination: Non-Significant;
At the present time a smaller Wonder Bread Thrift Shop exists on the site. The applicant proposes to demolish the existing building and construct a larger store on the site. The store will continue to be a Wonder Bread Thrift Shop but will provide a larger sales and storage area. This site had recently been reduced in size by the NYSDOT as part of their Harlem Road reconstruction project. A 6 ft. fence will be constructed along the East property line to screen the commercial business from the first house on Lena Avenue and additional landscaping will be provided on the site. This landscaping must be presented to the Planning Board for their approval. The item is non-significant in that the volume of business will not change nor will there be a need for additional parking. The zoning for the property is at present Retail Business. The proposal will not effect the adjacent properties and will only serve to improve the aesthetics along this stretch of Harlem Road.

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September 26, 1989
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At this point in time the Committee does not feel that there are sufficient outstanding impacts that would require a Draft Environmental Impact Statement and will therefore table this item until the agencies comment and the traffic study is received by the Town.

ITEM VII 3155 Broadway - Proposed Warehouse For
Plaslok Corp.

Applicant: Plaslok Corporation

Determination: Non-Significant;
The Corporation proposes to construct a warehouse for the storage of finished products and drums of raw material. Raw materials are in the form of pellets or powders used in the manufacture of plastic materials. The structure will be located at the rear of the property and will be in an M2 zoning.

The use is compatible with the existing uses in the area as well as the Master Plan zoning for this section of Broadway. The Corporation will have to construct a water line and yard hydrant on the property as required by the Building Code. The applicant must also contact the Chairman of the Planning Board to determine whether or not additional landscaping will be needed since their property has a very small frontage and access to Broadway.

ITEM VIII 1989 Harlem Road - Special Permit For Sales
Of New & Used Motor
Vehicles

Applicant: Corsi Fleet Service

Determination: Non-Significant With Conditions;
The applicant proposes to sell motor vehicles from the former Wren Trucking operation on Harlem Road near Broadway. A new site plan was submitted which shows additional landscaping with trees, to be finalized by the Planning Board. Customer parking and display areas are shown on the plan and are to be paved.

RE: EQR - September 21, 1989
September 26, 1989
Page: 3

for the Engineering Department. The Committee believes that this action will have no adverse impact on the environment but is requesting that the Town Attorney research the question as to the applicability of the Landscape Ordinance to this project. In other words, does the entire Plaza come before the Planning Board for review of landscaping or only the small portion that is owned by the applicant, Value Home Center?

ITEM IV Walden/Dick Road - Proposed Price Club Plaza

Applicant: The Price Club

Determination: Tabled
For Traffic Safety Commission and/or New York State DOT comments on the traffic plan that was submitted for review.

ITEM V Sonwil Drive - Proposed Warehouse

Applicant: ADF Construction

Determination: This item had been before the Committee previously. It is a proposal to construct a warehouse at the end of Sonwil Drive which is at present a private road. The Committee does not find any adverse impacts connected with the construction of the warehouse but the owner has come to an agreement with the Town whereby the road known as Sonwil Drive will become a Town highway in the near future. In connection with the construction of the warehouse Sonwil Drive would be extended and it was suggested to the applicant that he work closely with the Highway and Engineering Departments on the details for the road extension.

Therefore this project is considered non-significant with the condition that the applicant have the drainage plan finalized by the Engineering Department and coordinate the road extension with the Highway Superintendent.

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Item No. 9 Authorize Supervisor to execute agreement with Camp Fire Council and Erie County, Inc.
This item was withdrawn.

Item No. 10 Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, in 1988, New Erie Industrial Center, Inc. petitioned for the Town to construct a street improvement on the south side of Broadway in the New Erie Industrial Park, and

WHEREAS, thereafter, this Town Board approved such petition, bonding for such street improvement and awarded a contract for such work to be performed, and

WHEREAS, the Town, as owner of the street improvement, has acknowledged completion and acceptance of such street, and

WHEREAS, this Town Board desires to name such street and have same open to the public, NOW, THEREFORE, BE IT

RESOLVED that the new Town roadway located on the south side of Broadway east of Harlem Road and in the New Erie Industrial Park be and hereby is named "ALLIED DRIVE", and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward copies of this resolution to the following:

Town Assessor
Town Planning Board
Erie County Clerk
Erie County DPW, Division of Highway
U.S. Post Office
New Erie Industrial Center
Police Department
Fire Dispatch Office

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, Losson Park Village, Inc., developer of the Losson Park Village Subdivision, as a condition of Phase I highway acceptance, deposited funds in an escrow account with the Town to guarantee the installation of bridge railings at the stream crossing on Towers Boulevard, AND

WHEREAS, the subject railings have been recently installed in a manner deemed satisfactory by the Town Superintendent of Highways, NOW, THEREFORE, BE IT

RESOLVED that monies in the amount of \$9,000.00 being held in escrow by the Town in Account No. 06083001000000, shall be returned to Losson Park Village Inc., based on the satisfactory completion of the aforesaid work.

Upon Roll Call....

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

Item No. 12 Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, one of the objectives of the Northeast Communities Solid

MEETING NO. 23
October 2, 1989

Item No. 12 continued

Waste Management Board is to find environmentally sound cost efficient alternatives for the management of solid wastes, and

WHEREAS, by resolution dated November 18, 1985, this Town Board authorized the Town to act as lead agency for all activities involved in preparation of engineering work, and

WHEREAS, the Northeast Board, including the Town of Cheektowaga have appropriated sufficient funds for the preparation of such engineering work, including a \$200,000 grant in contract with the Northeast Board and N.Y.S.D.E.C., and

WHEREAS, the firm of Barton and Loguidice, P.E., consulting engineers, were retained to do the necessary study within budgeted funding, 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 for the Northeast 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 \$2,575.46 for services for the period 4/2/89 through 6/3/89 and, \$16,802.50 for R & D Services for the period ending April 30, 1989, from the Northeast Board's account and to pay said sums to Barton and Loguidice, P.E., for services rendered to date per agreement dated June 4, 1986 and Amendment No. 5.

Upon Roll Call....

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

Item No. 13 Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, the Greater Niagara Frontier Council - Boy Scouts of America is holding its Annual Fall Camporee October 13-15, 1989, AND

WHEREAS, the Greater Niagara Frontier Council has requested the use of John C. Stiglmeier Park for over 500 Boy Scouts and Leaders who will be attending the weekend Camporee, 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 the Greater Niagara Frontier Council - Boy Scouts of America on Friday, October 13 through October 15, 1989 to allow the use of John C. Stiglmeier Park for their Annual Fall Camporee, 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

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Item No. 14a Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, the children of our community are entitled to the fun and excitement associated with "Halloween Night", including going from door to door in their immediate neighborhoods with their happy challenges of trick-or-treat; AND

WHEREAS, it would appear that parents generally favor the early evening hours, since it tends to limit participation to the younger children, for whom the observance was originally intended and thereby discourages interference and disruption by the very small percentage of older children, who, under cover of darkness and with their identities concealed with costumes, might otherwise spoil the fun for the smaller children, NOW, THEREFORE, BE IT

RESOLVED that Tuesday, October 31, 1989, shall be known as "Halloween Night" in the Town of Cheektowaga, and that the Town Board ask both children and their parents to cooperate in limiting the time of "trick-or-treating" activities to the period between 6:00 P.M. and 8:30 P.M. We further ask that, whenever possible, parents of the very young insure that they or other responsible adults accompany them and to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

Upon Roll Call....

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

Item No. 14b Motion by Councilman Johnson Seconded by Unanimous

WHEREAS, October 8-14, 1989, has been designated as National Fire Prevention Week, AND

WHEREAS, it is the purpose of Fire Prevention Week to enhance the awareness of fire prevention techniques at home, in school, and in the workplace, and to improve the public's understanding of the fire prevention facilities in the Town of Cheektowaga through the Volunteer Fire Districts, AND

WHEREAS, programs are undertaken throughout the Town in schools and at fire companies to educate both students and property owners, AND

WHEREAS, it is the Town Board's intention to support such an educational process in every way possible and to focus the public's attention on the programs available during Fire Prevention Week, NOW, THEREFORE, BE IT

RESOLVED that October 8-14, 1989, be and hereby is proclaimed as Fire Prevention Week in 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 Abolish and create positions in Sanitation Department.
This item was withdrawn.

Item No. 16 Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, the records of the County of Erie Department of Personnel reflect only six (6) Pump Operator positions in the Town of Cheektowaga, AND

WHEREAS, in fact the Town has seven (7) persons in said job title, including those in a provisional status, AND

WHEREAS, it is therefore necessary for the Town to create such an additional position, NOW, THEREFORE BE IT

MEETING NO. 23
October 2, 1989

Item No. 16 continued

RESOLVED that a position of Pump Operator be hereby created.

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
Councilman Johnson

WHEREAS, there is a vacancy in the newly-created position of Recreation Attendant-Senior Services, AND

WHEREAS, notice of such vacancy has been posted in accordance with the provisions of the agreement between the Town and the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED that Virginia Carlin of Cheektowaga, New York, be appointed to the position of Recreation Attendant in the Senior Services Department, effective October 3, 1989, at a salary and pursuant to the terms and conditions of the Town of Cheektowaga Employees Association Contract.

Upon Roll Call....

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

Item No. 17b Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, pursuant to the terms of the agreement entered into between the Town of Cheektowaga and the Town of Cheektowaga Fire Alarm Committee, the Fire Dispatchers employed by the Fire Alarm Committee are to become employees of the Town effective October 1, 1989, NOW, THEREFORE, BE IT

RESOLVED that James Pilat, John F. Arnold, Robert L. Fetzer, Richard C. Littler and Robert W. Rackl shall be employees of the Town of Cheektowaga, effective October 1, 1989, in the position of Public Safety Dispatcher, AND, BE IT FURTHER

RESOLVED that Kenneth Paa be an employee of the Town of Cheektowaga, effective October 1, 1989, in the position of Senior Public Safety Dispatcher.

Upon Roll Call....

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

Item No. 18a Motion by Councilman Solecki Seconded by Councilman Gabryszak

BE IT RESOLVED that the following Seasonal and/or Part-Time employees be and hereby are terminated in the Facilities Department:

Building Maintenance Division:

David Nowicki

Effective:

9/30/89

Pool Mechanic:

Walter J. Gardon

9/30/89

Parks Division:

Salvatore Carlino

James Kazmierczak

Immediately

9/6/89

MEETING NO. 23
October 2, 1989

Item No. 18a continued

Upon Roll Call....

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

Item No. 18b Motion by Councilman Kulyk Seconded by Councilman Solecki

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal and/or Part-Time employees in the Departments listed:

<u>Sewer Department</u>	<u>Effective</u>
Raymond Nowak	10/07/89
James Ferdinand	10/07/89
<u>Tax Office</u>	
Joyce McCracken	Immediately
Elizabeth Wichlacz	"
<u>Town Clerk's Office</u>	
Cheryl Krieger	10/02/89
<u>Sanitation</u>	
James McCloskey	10/06/89

Upon Roll Call....

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

Item No. 19 Motion by Councilman Gabryszak Seconded by Councilman Kulyk

WHEREAS, Mr. Gordon Hagmier was appointed to the position of Temporary General Mechanic on August 22, 1989, to fill a vacancy due to illness, AND

WHEREAS, said vacancy has been filled due to the return of the full time General Mechanic in the Facilities Department Parks Division, NOW, THEREFORE, BE IT

RESOLVED that Gordon Hagmier of Cheektowaga, is hereby terminated for the position of Temporary General Mechanic effective September 25, 1989.

Upon Roll Call....

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

Item No. 20a Motion by Councilman Gabryszak Seconded by Councilman Solecki

BE IT RESOLVED, that the following individual be hired by the Facilities Department for Part-Time employment:

Parks Division: ACCT. #01-7110-0001-1491 at \$4.35 per hour

Gordon Hagmier 9/25/89

Upon Roll Call....

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

MEETING NO. 23
October 2, 1989

Item No. 20b Motion by Councilman Solecki Seconded by Councilman Jaworowicz

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:

SANITATION DEPARTMENT - \$5.00 per hour

EFFECTIVE

Anthony Wdowik
Randy Palmisano

9/25/89
Immediately

POLICE DEPARTMENT - \$4.35 per hour

Deborah S. Cyrankowski
Lisa M. Racki

Immediately
Immediately

TAX OFFICE - (Day Shift) \$4.75 per hour

Rita Trzaska

9/25/89

TAX OFFICE - (Night Shift) \$4.25 per hour

Eleanor Budzinski

9/25/89

AND BE IT FURTHER

RESOLVED that Ann Marie Wojciechowski, hired as a Staff Assistant, Line Item 01-1010-0001-1353, be and hereby is transferred to a Part-Time Clerical position in the Council Office, Line Item #01-1010-0001-1391, at the same hourly rate, retroactive to September 11, 1989.

Upon Roll Call....

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

Item No. 21a Motion by Councilman Kulyk Seconded by Councilman Johnson

WHEREAS, Frank Orlikowski has used all his accumulated time as of October 3, 1989, AND

WHEREAS, he is currently under doctor's care and unable to return to work, AND

WHEREAS, he has requested extended sick leave, pursuant to the provisions of the Town's agreement with the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED that Frank Orlikowski is hereby granted extended sick leave of fifteen (15) days, pursuant to §8.02(e) of the Town of Cheektowaga Employees Association Agreement, which days are to be repaid to the Town upon his return to work; said extension to be effective October 4, 1989.

Upon Roll Call....

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

Item No. 21b Motion by Councilman Kulyk Seconded by Councilman Kazukiewicz

WHEREAS, Frank Galeza has used all his accumulated time as of September 22, 1989, AND

WHEREAS, he is currently under doctor's care and unable to return to work, AND

Item No. 21b continued

WHEREAS, he has requested extended sick leave, pursuant to the provisions of the Town's agreement with the Town of Cheektowaga Employees Association, and has supplied a medical note regarding his condition, NOW, THEREFORE, BE IT

RESOLVED that Frank Galeza is hereby granted extended sick leave of fifteen (15) days pursuant to §8.02(e) of the Town of Cheektowaga Employees Association Agreement, which days are to be repaid to the Town upon his return to work; said extension to be effective September 25, 1989.

Upon Roll Call...

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

Item No. 22a Motion by Councilman Solecki Seconded by Councilman Johnson

WHEREAS, the Town wishes to dispose of a number of surplus motor vehicles no longer needed for Town use, and

WHEREAS, sale of surplus property by the Town is authorized by Section 64 of the Town Law of the State of New York and

WHEREAS, Buffalo Thruway Auto Auction, Inc., will sell such motor vehicles at a public auction in accordance with its letter dated September 27, 1989, a copy of which is attached hereto, NOW, THEREFORE, BE IT

RESOLVED that the Town hereby retains Buffalo Thruway Auto Auction Inc., 2727 Broadway, Cheektowaga, New York as per the attached proposal, to conduct a sale of the surplus Town vehicles identified on the attached list at a public sale to the highest responsible bidder at a date to be determined later, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute any and all documents that may be required to effectuate the sale and transfer of all said vehicles.

Upon Roll Call....

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

* See next page for list

Buffalo Thruway



Auto Auction, Inc.

(716) 892-2111

September 27, 1989

2727 BROADWAY
P.O. BOX 25
BUFFALO, NEW YORK 14225

Dear Sirs:

The Buffalo Thruway Auto Auction is located at 2727 Broadway, about one mile west of the Cheektowaga Town Garage. We conduct an Auto Auction every Tuesday which attracts about five hundred qualified buyers. We are prepared to sell any vehicles the Town of Cheektowaga has, and will provide the following: a secured fenced in lot to display the vehicles, all advertising, both in local papers and by way of slingers which are sent to all of our qualified buyers, an auctioneer, all necessary paperwork. These vehicles will be offered at an auction which is open to the public. We will be able to provide all of the above for the cost to the Town, of Twenty Five dollars (\$25.00) per vehicle sold. Our past record should indicate to the Town we are able to sell these vehicles with the highest return to the Town.

The following is a list of what we have to offer:

1. The location is approximately 1 mile, which in labor cost of moving is very important.
2. We send out mailers to over 2,000 Dealers in Western New York, Northern Pennsylvania, announcing your sale.
3. We have approximately 500 people on Auction Day.
4. We have a fenced in secured yard, to display vehicles and equipment.
5. Professional auctioneer that specializes in weekly selling.
6. Advertising in the local paper as well as the Buffalo News.
7. Security guard the day of the sale.
8. Full time office staff to answer any questions for buyers before the sale.

Gentlemen, to run this sale if you did not have my facilities you would have a net cost of approximately, \$2,000.00, which is more than I am charging the Town.

Respectfully Yours,

Thomas W. Hammar

LIST OF VEHICLES TO BE AUCTIONED 1989

YEAR	MAKE	MODEL	SERIAL #	MILEAGE
1987	Dodge	Diplomat	1B3BG26S8HX769732	132,184
1987	Dodge	Diplomat	1B3BG26S1HX769720	118,322
1987	Dodge	Diplomat	1B3BG26S6HX769731	108,793
1987	Dodge	Diplomat	1B3BG26S7HX769737	122,249
1977	Ford	Van	E14HHY79421	72,668
1985	Dodge	Diplomat	1B3BG2644FX621124	85,050
1987	Plymouth	Gran/Fury	1P3BB2647HX703736	100,056
1981	Chevrolet	Impala	1G1AL69H8BJ257694	128,925
1975	International-Packer		D1125ECA24279	73,064
1975	International-Packer		D1125ECA24238	54,353
1975	International-Packer		D1125ECA24250	80,725
Case 310	Bulldozer	G310D	ND#- 3012555	ND#-4047463

This proposal was requested by the Town of Cheektowaga for the installation and implementation of the recommended hardware and software for the town wide data processing system.

With the selection of the hardware and software completed the town is well on it's way toward developing a state of the art data processing environment. Although the selection of hardware and software was a time consuming effort, the choice made will provide the town with the best systems available. This effort to develop an excellent Data Processing Center must not stop here. The next phase the installation and implementation of the system is the final and most critical step. To insure the functionality of the system a coordinated and well managed effort must be made to initially develop the data processing facility.

The management of the installation and implementation is as important for the success of this endeavor as is the selection of the equipment and programs.

Western New York Business Services is proposing to handle this prerequisite for success for the Town of Cheektowaga. For a twenty-six week period of time commencing on September 19th, 1989 and ending on March 16th, 1990, my company will provide 20 hours of data processing expertise each week as required. The town in essence will be hiring data processing professionals to successfully handle all aspects of the initial stages of development of the Data Processing

Center. Included in these services will be the management of the systems physical installation, assuring that the system is installed and tested according to the towns specifications. All the effort to bring in the required electrical and communications personnel will be coordinated and controlled by Western New York Business Services. Time tables will be designed and followed to reach our goal of cut over by January 1990.

All systems hardware test will be conducted under our supervision to ensure the systems performance and operation for the Town of Cheektowaga. Our expertise will be used in the layout of the Computer room, the installation of terminals in the various departmental locations, the communication configuration of the system and the overall procedural operation of the data processing facility. We will work closely with the selected town employees in training them in successful and correct data processing procedures.

The software installation and training provided by Adirondack Systems will be managed through this interim setup with Western New York Business Services Inc. We will work with the departments in the town and the people from Adirondack in designing a schedule for the training of personnel, departmental integration and development in data processing expertise and the parallel testing of the new system with the town's current manual and computer operation.

In coordination with the appropriate people we will help the town in developing procedural manuals for the proper day to day operations of each of the various software systems and the operation of the Data Processing Center itself.

After the 26 weeks the town should be well on it's way to a self sustaining data processing operation. Western New York Business Services Inc. will be available after this period of time for any future data processing assistance the town may require.

The cost for this service will be at the standard rate of fifty dollars per hour. The total cost of this proposal will be twenty-six thousand dollars. An initial payment of five thousand two hundred is required upon acceptance of this proposal. Twenty six weekly payments of eight hundred dollars will then follow.

The town requires an experienced data processing professional to coordinate the initial installation effort. Western New York Business Services Inc. has been involved in the town's computerization efforts since the initial phase of the computer study began. We are the ideal choice in continuing this effort. After the system is up and operational and the town personnel is properly trained, the highly experienced data processing professional is not required on a day to day basis. This approach toward a successful data processing center will in the long run save the town both time and dollars.

Thank you for the request to submit this proposal. As with our previous endeavors we know that you will be happy with the results the town can achieve working together with Western New York Business Services Inc.

Western New York Business Services Inc.

Joseph Kardas

President

MEETING NO. 23
October 2, 1989

Item No. 22b Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, with the purchase of a new computer system, the Town is in need of technical expertise for the installation and implementation of such computer system, and

WHEREAS, Western New York Business Services, the firm previously retained by the Town to make recommendations concerning the computer needs of the Town, has submitted the attached proposal to provide 20 hours of data processing expertise per week for a 26-week-period to assist the Town with operating the new computer system for a total cost of \$26,000., and

WHEREAS, this Town Board feels that the assistance of an experienced data processing firm in supervising the installation of the computer system and in training Town personnel is critical to the efficient operation of the new computer system, NOW, THEREFORE, BE IT

RESOLVED that Western New York Business Services be and hereby is retained as per the attached proposal for a total cost of \$26,000.00, such moneys to be appropriated from Town budget line item number 05 1910 8908 0215, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to effectuate the aforementioned retainer of Western New York Business Services.

Upon Roll Call....

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

* See next page for proposal

MEETING NO. 23
October 2, 1989

Item No. 22c 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, Losson Park Village, Inc., the developer of the "Losson Park Village" Subdivision has submitted the required Public Improvement Permit application, plans and specifications and permit fee for improvements to be constructed within Phase II of said subdivision, AND

WHEREAS, the Public Improvement Permit fee is intended to recover the cost of the inspection of the construction of public improvements, said inspection to be provided by the Town or by authorized representatives of the Town, AND

WHEREAS, due to many on-going projects, there currently are no Engineering or Highway Department personnel available to fulfill the inspection requirements of the public improvements to be constructed within Phase II of the "Losson Park Village" Subdivision, NOW, THEREFORE, BE IT

RESOLVED that the Public Improvement Permit be approved for Phase II of the "Losson Park Village" Subdivision and the permit fee amounting to \$7,200.21 be deposited in the Public Improvement Permit account that was established for receipt and disbursement of Public Improvement Permit fees, AND, BE IT FURTHER

RESOLVED that the Public Improvement Permit fee be utilized to cover the cost of inspection services for the subject subdivision, and that the proposal of Pratt & Huth Associates dated September 26, 1989, as submitted to the Town Engineer to perform the necessary inspection of the "Losson Park Village" Subdivision, Phase II, public improvements be and hereby is accepted with said cost of inspection services not to exceed the amount paid to the Town under the Public Improvement Permit.

Upon Roll Call....

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

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

WHEREAS, a 20 foot wide easement for a 30 inch sanitary sewer line across land formerly owned by Victor Reinstein and Anna M. Reinstein Memorial, Inc. and now owned by Cheektowaga Central School District, was acquired by the Town under a certain agreement dated February 5, 1958, and

WHEREAS, Cheektowaga Central School District has commenced a lawsuit against the Town and others claiming that the aforesaid agreement has been breached; and demanding, among other things, removal of the sanitary sewer lines from its property, damages for trespass and recoupment of all monies previously paid by it for "trunk sanitary sewer use and/or capital construction", and

WHEREAS, in evaluating the merits of the aforesaid lawsuit, it is important for this Town Board to know the appraised value of the aforesaid 20 foot wide sanitary sewer easement,

NOW, THEREFORE, BE IT RESOLVED that GAR Associates, Inc., a firm specializing in real estate appraisals, be and it is hereby retained to prepare a preliminary appraisal anticipating litigation for a fee not to exceed \$1,500.00 without further approval of the Town Board, and BE IT FURTHER

RESOLVED that the sum of \$1,500.00 be transferred from the line item for emergency repairs in Sanitary Sewer District No. 7 budget to an appropriate account set up by the Town's Accounting Department; and that the fee for the aforesaid appraisal be paid from such new line item or account, all as audited by the Town Attorney and/or Town Engineer.

MEETING NO. 23
October 2, 1989

Item No. 22d continued

Upon Roll Call....

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

Item No. 23a Motion by Councilman Solecki Seconded by Councilman Kulyk

WHEREAS, a conference and exposition on recycling is being held in White Plains, New York, on October 4 and 5, 1989, AND

WHEREAS, Mr. Ronald Zoeller, General Foreman in the Sanitation Department and Mr. David Kulik, Temporary Recycling Coordinator, have expressed a desire to attend said conference, NOW, THEREFORE, BE IT

RESOLVED that Mr. Zoeller and Mr. Kulik are hereby granted permission to attend the 1989 Recycling Conference and Exposition in White Plains, New York, on October 4 and 5, 1989, AND BE IT FURTHER

RESOLVED that Mr. Zoeller and Mr. Kulik are authorized to use a Town car for transportation to and from said conference, AND BE IT FURTHER

RESOLVED that Mr. Zoeller and Mr. Kulik be reimbursed for all necessary and reasonable expenses not to exceed \$200.00 each, said expenses to be charged to Account #15-8160-0004-4088.

Upon Roll Call....

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

Item No. 23b Motion by Councilman Jaworowicz Seconded by Councilman Solecki

WHEREAS, from October 22-25, 1989, the Office of Court Administration will be conducting a continuing Judicial Education Program for Town Justices and a seminar for Town and Village Court Clerks at the Concord Hotel in Kiamesha Lake, New York, and

WHEREAS, Town Justices, Dennis J. Ciotuszynski and Thomas S. Kolbert have requested permission for themselves to attend the Judicial Education Program and for court clerks Barbara Kominiarek and Barbara Trietley to attend the seminar for court clerks, and

WHEREAS, the attendance of such court officers at such seminars is vital to maintaining an efficient court system and complying with changing administrative rules promulgated by the Office of Court Administration, NOW, THEREFORE, BE IT

RESOLVED that Hon. Dennis J. Ciotuszynski and Hon. Thomas S. Kolbert be and hereby are authorized to attend the aforementioned Judicial Education Program and the Town shall reimburse such Town Justices for their actual and necessary expenses not to exceed \$1,000.00 from budget line item 01-1110-0004-4087, and BE IT FURTHER

RESOLVED that court clerks Barbara Kominiarek and Barbara Trietley be and hereby are authorized to attend the aforementioned seminar for Town and Village clerks and the Town shall reimburse such personnel for their actual and necessary expenses not to exceed \$975.00 from budget line item 01-1110-0004-4087.

Upon Roll Call....

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

MEETING NO. 23
October 2, 1989

Item No. 24 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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

GENERAL FUND

FROM:	1420-04-4501	(Contracted Legal Services)	\$1,000.00
	2625-00-0000	(Crime Forfeiture Revenue)	5,219.75
	1440-01-1404	(Sr. Engineer Asst.)	3,000.00
	1010-01-1361	(Clerk Steno-Council)	1,600.00
	1220-01-1341	(Jr. Accountant)	2,000.00
	1330-04-4100	(Maintenance-Tax Office)	2,000.00
	7110-04-4141	(Chemicals-Facilities)	1,300.00
	7110-04-4491	(Misc. Expenses-Facilities)	7,000.00
	7110-04-4454	(Portable Toilets-Facilities)	5,000.00
	1640-04-4021	(Maintenance Supplies-Cent. Garage)	325.00
	7180-01-1903	(Life Guard-Recreation)	4,562.00
	7180-01-1902	(Supervisor-Beach/Pool)	847.00
	7140-01-1614	(Playground Attendants-Rec.)	2,000.00
	7140-01-1614	(Playground Attendants-Rec.)	2,000.00
	7140-01-1613	(Playground Supervisors-Rec.)	2,000.00
TO:	1420-04-4012	(Printed Briefs-Law Dept.)	\$1,000.00
	1440-01-1391	(Seasonal Employees-Engineering)	3,000.00
	1010-01-1391	(Part-Time Clerical-Council)	1,600.00
	1220-01-1391	(Part-Time Clerical-Accounting)	2,000.00
	1330-04-4001	(Office Supplies-Tax Office)	2,000.00
	3120-02-2211	(Computer-Police Dept.)	650.00
	3120-04-4092	(Computer Program-Police Dept.)	50.00
	3120-04-4092	(Computer Dictionary-Police Dept.)	269.90
	3120-02-2501	(Binoculars-Police Depts.)	245.91
	3120-02-2501	(Polaroid Camera-Police Dept.)	51.94
	3120-02-2501	(Motorola Rapid Charger-Police Dept.)	167.00
	3120-04-4092	(Drug Abuse Publications-Police Dept.)	1,146.00
	3120-04-4092	(Drug Abuse Publications-Police Dept.)	2,520.00
	3120-02-2501	(Mobile Equip. Table-Police Dept.)	119.00
	7110-04-4071	(Uniform Replacements-Facilities)	1,300.00
	7110-04-4451	(Bldgs. & Grnds-Misc. Repair)	7,000.00
	7110-04-4451	(Bldgs. & Grnds-Misc. Repair)	5,000.00
	1640-04-4072	(Uniform Cleaning-Cent. Garage)	325.00
	7140-01-1615	(Rec. Instructor)	4,562.00
	7140-01-1615	(Rec. Instructor)	847.00
	7140-01-1615	(Rec. Instructor)	2,000.00
	7140-01-1611	(Rink Personnel)	2,000.00
	7140-01-1611	(Rink Personnel)	2,000.00

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 Gabryszak

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to October 2, 1989 are hereby approved and made a part hereof:

FUND	AMOUNT
GENERAL FUND	\$1,733,127.70
HIGHWAY FUND	501,048.24
TRUST & AGENCY FUND	23,391.37
PART TOWN FUND	60,225.32
RISK RETENTION FUND	58,598.03
SPECIAL DISTRICT FUND	921,293.22
CAPITAL FUND	647,938.16

Item No. 25 continued

FUND	AMOUNT
HUD FUND	4,480.25
HUD RENTAL REHAB. FUND	8,220.00
STATE AHC HOME IMPROVEMENT FUND	3,727.80
HUD REHABILITATION FUND	26,493.50
DEBT SERVICE FUND	426,096.00
	<u>\$4,414,639.59</u>

Upon Roll Call....

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Building Permits
Received and Filed.

Item No. 27 Supervisor's Statement of Funds -June/July, 1989
Received and Filed.

Item No. 28 Minutes of Cheektowaga Traffic Safety Commission-September, 1989
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 29 N.Y.S.D.O.T.-Notice of Order: Designation of eastbound lanes on
William Street.
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board
Councilmen; Chris Kowal, Highway Superintendent; Robert M. Lis,
Chief of Police.

Item No. 30a Notice of Claim: Marion Matysiak 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; Facilities Dept.; S.I.S. Services, Insurance
Carrier

Item No. 30b Notice of Claim: Bernadetta & Cathleen Grgincic 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; Zambelli Int.; Joseph J. Naples, Insurance
Carrier; S.I.S. Services, Insurance Carrier.

Item No. 30c Notice of Claim: Josephine Lewandowski 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; Highway Department; S.I.S. Services,
Insurance Carriers.

Item No. 30d Notice of Claim: David Ziolkowski 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 J. Naples, Insurance Carriers,
Zambelli Int.; S.I.S. Services, Insurance Carriers.

MEETING NO. 23
October 2, 1989

Item No. 30e Notice of Claim: Joseph & Kathleen Colvin 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; Highway Department; S.I.S. Services, Insurance Carrier.

Item No. 31 Petition from residents of Dick Road area regarding proposed Comfort Suites Project.
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Councilmen.

IV. SUSPENSION OF RULES

Motion by Supervisor Swiatek and Seconded by Councilman Solecki to suspend the rules to include the following 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

Item No. 32 Call for Public Hearing on Rezoning 2421 Harlem Road.
This item was withdrawn.

Item No. 33 Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated September 18, 1989, this Board accepted a deed, easement, maintenance bond and certified check for Losson Meadows Subdivision Phase II, and

WHEREAS, the resolution failed to state that a portion of Knollwood Drive within such subdivision was to be accepted as a Town Highway, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolution dated September 18, 1989 be and hereby is amended to include that portion of Knollwood Drive as shown on Losson Meadows Subdivision Phase II as being accepted by this Town Board as a Town Highway.

Upon Roll Call....

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

Item No. 34 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Town operates a housing rehabilitation program for eligible Town homeowners to make necessary repairs to their homes, and

WHEREAS, the Town has previously established loan limits of \$10,000 for deferred loans, and

WHEREAS, the Community Development Director has recommended that the Town Board approve additional deferred loan funds to the owner of the property referred to below in the amount of \$2,127., an amount which exceeds the Town's established loan limits due to the extent of work required to bring the property in compliance with Town housing codes, NOW, THEREFORE, BE IT

MEETING NO. 23
October 2, 1989

Item No. 34

RESOLVED that the Town Board authorizes additional deferred loan funds in the amount of \$2,127.00, to the owner of 37 Willowlawn Pkwy., Cheektowaga, New York, and authorizes the Supervisor to execute all necessary loan documents with said property owner.

Upon Roll Call....

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

Item No. 35 Motion by Supervisor Swiatek 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 16th day of October, 1989 at 7:30 o'clock P.M., Eastern Daylight Saving 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; Chester Bryan, Town Engineer; Sal LaGreca, Employment and Training Director II, also Planning Board Chairman; Chris Kowal, Highway Superintendent; Ron Marten, Building and Plumbing Inspector; Robert M. Lis, Chief of Police.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
WEDGEWOOD DR.	North-south	Castlewood Dr.	Eastbound	S.W. Corner
CASTLEWOOD DR.	East-west	Wedgewood Dr.	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Wedgewood Dr.	Southbound	N.W. Corner
WINDWOOD CT. (north leg)	North-south	Windwood Court (west leg)	Westbound	N.E. Corner
WINDWOOD CT. (south leg)	North-south	Windwood Court (west leg)	Westbound	N.E. Corner
CHARNWOOD DR.	North-south	Campwood Court	Westbound	N.E. Corner
CHARNWOOD DR.	North-south	Charnwood Court	Westbound	N.E. Corner

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

CHARNWOOD DR.	North-south	Coralwood Court	Westbound	N.E. Corner
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No. 24

Item No. 2 cont'd

ARTICLE IX

Speed Regulations

Section 76-90 of the traffic ordinance shall be amended by adding thereto the following:

A. Established speed limits

(2) The speed limit for the following named town road shall be established at thirty-five (35) miles per hour.

GALLERIA DRIVE	From the north curblin to the west curblin
----------------	---

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

F. Miscellaneous parking signs

(15) No Stopping

GALLERIA DRIVE	North Side	From the north curblin the west curblin
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GALLERIA DRIVE	South Side	From the north curblin the west curblin
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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. 3a Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

RESOLVED that this Town Board does hereby prepare and approve as the Preliminary Ad Valorem Budget of this Town for this Fiscal Year beginning on the 1st day of January, 1990, the itemized statement of estimated revenues and expenditures hereto attached and made a part of this resolution, and also an itemized statement of estimated revenues and expenditures of the Lighting Districts and consolidated Garbage Districts hereto attached and made a part of this resolution, and BE IT FURTHER

RESOLVED that such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours, effective October 19, 1989, and BE IT FURTHER

RESOLVED that this Town Board shall meet at 7:00 o'clock P.M., Eastern Standard Time on the 1st day of November, 1989, for the purpose of holding a Public Hearing upon such be published once in the following form in the Cheektowaga Times, a newspaper having general circulation within the Town, on October 19, 1989, and be posted on the signboard maintained by the Town Clerk.

Item No. 3a cont'd

LEGAL NOTICE
of
PUBLIC HEARING
on
PRELIMINARY BUDGET
and

LIGHTING DISTRICTS and CONSOLIDATED GARBAGE DISTRICT BUDGETS

NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 1990, has been completed and filed in the Office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it is available for inspection by any interested person at all reasonable hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 7:00 o'clock P.M., Eastern Standard Time on the 1st day of November, 1989, and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any items therein contained.

Pursuant to Section 108 of the Town Law, the proposed salaries of the Town Officers are hereby specified as follows:

SUPERVISOR	\$51,877.00
TOWN CLERK	\$41,097.00
HIGHWAY SUPERINTENDENT	\$47,268.00
COUNCILMEN	\$16,833.00

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

RICHARD M. MOLESKI
Town Clerk

* See next pages for copy of Tentative Ad Valorem Budget

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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1989 OCT -2 PM 4: 20

CHEEKTOWAGA
TOWN CLERK

TOWN OF CHEEKTOWAGA
NEW YORK

1990

TENTATIVE AD VALOREM BUDGET

GENERAL, GENERAL-TOWN OUTSIDE VILLAGE,
HIGHWAY, INSURANCE RESERVE,
CONSOLIDATED GARBAGE AND GENERAL LIGHTING FUNDS

TOWN OF CHEEKTOWAGA, NEW YORK

TENTATIVE AD VALOREM BUDGET

1990

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DATE 09-28-89

TENTATIVE BUDGET
1990

GENERAL FUND

TOWN BOARD

PERSONAL SERVICES	170,685.00
EQUIPMENT	
CONTRACTUAL EXPENSES	8,040.00

JUSTICE

PERSONAL SERVICES	346,114.00
EQUIPMENT	
CONTRACTUAL EXPENSES	24,608.00

SUPERVISOR

PERSONAL SERVICES	178,993.00
CONTRACTUAL EXPENSES	93,650.00

OUTSIDE ACCTG & AUDITING

CONTRACTUAL EXPENSES	25,000.00
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TAX COLLECTION

PERSONAL SERVICES	105,944.00
CONTRACTUAL EXPENSES	10,904.00

ASSESSOR

PERSONAL SERVICES	210,065.00
CONTRACTUAL EXPENSES	103,520.00

DATE 09-28-89

TENTATIVE BUDGET
1990

GENERAL FUND

TAX ASSESSMENT BOARD

PERSONAL SERVICES 6,228.00
CONTRACTUAL EXPENSES 1,716.00

TOWN CLERK

PERSONAL SERVICES 236,278.00
CONTRACTUAL EXPENSES 44,000.00

ATTORNEY

PERSONAL SERVICES 69,403.00
CONTRACTUAL EXPENSES 26,516.00

PERSONNEL

PERSONAL SERVICES 43,013.00
CONTRACTUAL EXPENSES 13,765.21

ENGINEER

PERSONAL SERVICES 63,573.80
CONTRACTUAL EXPENSES 92,240.00

ELECTION

CONTRACTUAL EXPENSES 99,110.00

BUILDING MAINTENANCE

PERSONAL SERVICES 389,113.00

DATE 09-28-89

TENTATIVE BUDGET
1990

GENERAL FUND

CONTRACTUAL EXPENSES

359,210.00

CENTRAL GARAGE

PERSONAL SERVICES
CONTRACTUAL EXPENSES

126,092.00
224,674.00

CENTRAL MAILING

PERSONAL SERVICES

6,040.00

SPECIAL ITEMS

CONTRACTUAL EXPENSES

491,020.00

COMMUNICATION SYSTEM

CONTRACTUAL EXPENSES

23,721.00

POLICE DEPARTMENT

PERSONAL SERVICES
EQUIPMENT
CONTRACTUAL EXPENSES

6,719,548.00
100,000.00
48,544.00

TRAFFIC CONTROL

CONTRACTUAL EXPENSES

93,200.00

CONTROL OF DOGS

PERSONAL SERVICES
CONTRACTUAL EXPENSES

64,525.00
13,560.00

DATE 09-28-89

TENTATIVE BUDGET
1990

GENERAL FUND

TRAFFIC SAFETY COMMISSION

PERSONAL SERVICES 1,500.00
CONTRACTUAL EXPENSES 885.00

SUPERINTENDENT OF HIGHWAYS

PERSONAL SERVICES 90,674.00

HIGHWAY GARAGE

CONTRACTUAL EXPENSES 79,030.00

JTPA--JOB TRAINING PROGRAM ACT

PERSONAL SERVICES 167,393.00
CONTRACTUAL EXPENSES 21,600.00
ALLOCATED FICA 12,806.00
ALLOCATED FRINGES 13,198.00

PUBLICITY

CONTRACTUAL EXPENSES 10,000.00

VETERANS SERVICES

CONTRACTUAL EXPENSES 3,400.00

PARKS

PERSONAL SERVICES 878,818.00
EQUIPMENT
CONTRACTUAL EXPENSES 562,110.00

DATE 09-28-89

TENTATIVE BUDGET
1990

GENERAL FUND

PLAYGROUNDS & RECREATION PROG.

PERSONAL SERVICES 308,178.00
CONTRACTUAL EXPENSES 128,940.00

BEACH AND POOL PROGRAMS

PERSONAL SERVICES 63,585.00
CONTRACTUAL EXPENSES 6,000.00

CULTURAL GROUPS

CONTRACTUAL EXPENSES 33,018.00

YOUTH PROGRAMS

PERSONAL SERVICES 239,456.00
CONTRACTUAL EXPENSES 233,703.00

LIBRARY EXPENSES

PERSONAL SERVICES 400.00
CONTRACTUAL EXPENSES 43,625.00

HISTORIAN

EQUIPMENT 1,000.00
CONTRACTUAL EXPENSES 5,500.00

CELEBRATIONS

CONTRACTUAL EXPENSES 48,900.00

DATE 09-28-89

TENTATIVE BUDGET
1990

GENERAL FUND

SENIOR CITIZENS

PERSONAL SERVICES 192,784.00
CONTRACTUAL EXPENSES 112,650.00

SHADF TREES

CONTRACTUAL EXPENSES 20,000.00

EMPLOYEE BENEFITS

EMPLOYEES RETIREMENT 320,000.00
POLICE RETIREMENT 725,000.00
SOCIAL SECURITY 830,000.00
MEDICAL INSURANCE 806,000.00
RETIREE'S MEDICAL INSUR 202,000.00
GROUP LIFE INSURANCE 50,000.00
DENTAL INSURANCE 86,000.00
DENTAL-POLICE RETIRE. 1,800.00
OPTICAL INSURANCE 28,000.00
ALLOCATED FICA 79,161.92-
ALLOCATED FRINGES 144,768.00-

TRANSFER TO DEBT SERVICE

BOND PRINCIPAL 726,450.00
BOND INTEREST 650,257.00
DEBT SERVICE APPLIED 250,000.00-

HUD

PERSONAL SERVICES
HUD REIMBURSEMENT 28,712.00-
HUD ALLOCATED FICA 9,145.00
HUD ALLOCATED FRINGES 19,567.00

TOTAL FUND - EXP

17,863,343.09

DATE 09-28-89

TENTATIVE BUDGET
1990

GENERAL FUND

REVENUES

REAL PROPERTY TAXES	10,884,755.37
OTHER PAYMENTS IN LIEU	150,000.00
INTERST & PENALTY-TAX	140,000.00
NON-PROPERTY TAX DISTR	1,135,312.72
FRANCHISES-CABLE TV	120,000.00
TOWN CLERK FEES	106,925.00
TOWN DOG LICENSE FEES	78,000.00
SHELTER PERMITS	7,200.00
RECREATION CONCESSIONS	4,200.00
ICE RENTAL-RECKEATION	15,000.00
CEKAMIC FEES	1,600.00
REC FEES 7 I.D. REGIST.	11,000.00
SPECIAL EVENTS-REC	85,000.00
SR CITIZENS-VAN RECEIP	8,000.00
SR. CITIZENS-SPEC EVENT	23,800.00
POLISH FESTIVAL REVENUE	3,500.00
OTHER YOUTH CONTRIBUTN	30,000.00
INTEREST EARINGS	410,000.00
GAMES OF CHANCE	500.00
BINGO LICENSES	13,500.00
DOG LICENSES	13,500.00
PUBLIC IMPROVE. PERMITS	80,000.00
FINES & FORFEITED BAIL	300,000.00
MINOR SALES, OTHER	10,000.00
INSURANCE RECOVERIES	20,000.00
REFUNDS OF PRIOR YEARS	40,000.00
NYS FICA INTERST	2,000.00
APPROPRIATED FUND BALAN	1,280,667.00
PER-CAPITA-UNRESTRICTED	870,615.00
PER CAPITA-EXCESS	125,878.00
MORTGAGE TAX	650,000.00
TRAFFIC SAFETY	175,000.00
SPECIAL STATE AID	342,471.00
NEEDS BASED AID	243,841.00
DISASTER PREPAKEDNESS	15,396.00
PROGRAMS FOR ELDERLY	5,685.00
YOUTH PROGRAMS	240,000.00
JTPA--JOB TRAINING PROG	214,997.00
NUTRITION SITE FEES	5,000.00

TOTAL FUND - REV

17,863,343.09

DATE 09-28-89

TENTATIVE BUDGET
1990

PART TOWN FUND

PERSONAL SERVICES 265,052.69
PERSONAL SERVICES
CONTRACTUAL EXPENSES 12,955.45

BOARD OF HEALTH

CONTRACTUAL EXPENSES 2,500.00

ZONING BOARD

PERSONAL SERVICES 18,163.00
CONTRACTUAL EXPENSES 43,400.00

PLANNING BOARD

PERSONAL SERVICES 22,741.00
CONTRACTUAL EXPENSES 200.00

EMPLOYEE BENEFITS

EMPLOYEES RETIREMENT 14,000.00
SOCIAL SECURITY 19,550.00
MEDICAL INSURANCE 22,500.00
GROUP LIFE INSURANCE 1,300.00
DENTAL INSURANCE 2,500.00
OPTICAL INSURANCE 650.00
ALLOCATED FICA 83.41
ALLOCATED FRINGES 171.20

TOTAL FUND - EXP

425,766.75

DATE 09-28-89

TENTATIVE BUDGET
1990

PART TOWN FUND

INTEREST EARNINGS	4,000.00
PERMITS & INSPECTION	195,000.00
APPROPRIATED FUND BAL.	30,000.00
PER CAPITA-RESTRICTED	111,766.75
FIRE CODE SAFETY	85,000.00

TOTAL FUND - REV

425,766.75

DATE 09-28-89

TENTATIVE BUDGET
1990

HIGHWAY FUND

CONTRACTUAL EXPENSES

25,975.00

GENERAL REPAIRS

PERSONNAL SERVICES
CONTRACTUAL EXPENSES

799,133.00
214,700.00

HIGHWAY MACHINERY

PERSONNAL SERVICES
EQUIPMENT
CONTRACTUAL EXPENSES

384,600.00
10,000.00
174,000.00

HGWY.-MISCELL. BRUSH AND WEEDS

PERSONNAL SERVICES
CONTRACTUAL EXPENSES

486,199.55
43,297.68

HIGHWAY-PERSONAL SERVICES

PERSONNAL SERVICES

HIGHWAY-SNOW REMOVAL

PERSONNAL SERVICES
CONTRACTUAL EXPENSES

626,359.00
135,000.00

HGWY.-SERVICES FOR OTHER GOVTS

PERSONNAL SERVICES
CONTRACTUAL EXPENSES

34,430.00
4,000.00

DATE 09-28-89

TENTATIVE BUDGET
1990

HIGHWAY FUND

HIGHWAY IMPROVEMENT FUND

PERSONNAL SERVICES 176,247.00
CONTRACTUAL EXPENSES 351,592.00

HIGHWAY-STORM SEWERS

CONTRACTUAL EXPENSES 25,000.00

HGWY-EROSION CONTROL & DRAIN

CONTRACTUAL EXPENSES 5,000.00

HIGHWAY-EMPLOYEE BENEFITS

EMPLOYEES RETIREMENT 125,000.00
SOCIAL SECURITY 181,500.00
MEDICAL INSURANCE 208,000.00
RETIREE'S MEDICAL INS. 80,000.00
GROUP LIFE INSURANCE 15,000.00
DENTAL INSURANCE 21,500.00
OPTICAL INSURANCE 6,500.00
FICA ALLOCATED 633.00
ALLOCATED FRINGES 1,299.30

HGWY. TRANSFER TO DEBT SERVICE

BOND PRINCIPAL 636,250.00
BOND INTEREST 329,212.00
DEBT SERVICE APPLIED 30,000.00-

TOTAL FUND - EXP

5,072,427.53

DATE 09-28-89

TENTATIVE BUDGET
1990

HIGHWAY FUND

SALES TAX HIGHWAY-REV.	3,982,224.28
SERVICES FROM OTHER GO	63,000.00
INTEREST EARNINGS-HGHWY	35,000.00
TREE PLANTING	20,000.00
PRIVATE PLOWERS	2,000.00
APPROPRIATED FUND BALAN	221,607.00
PER CAPITA-RESTRICTED	588,596.25
NYS AID-IMPROVEMENT PR	150,000.00
HIGHWAY/STREETS CUTS	10,000.00

TOTAL FUND - REV

5,072,427.53

DATE 09-28-89

TENTATIVE BUDGET
1990

RISK RETENTION FUND	
CONTRACTUAL EXPENSES	78,000.00
EXCESS	

CONTRACTUAL EXPENSES	40,000.00
WORKMANS COMPENSATION	

CONTRACTUAL EXPENSES	300,000.00
UNEMPLOYMENT	

CONTRACTUAL EXPENSES	50,000.00
GENERAL LIABILITY LOSSES	

CONTRACTUAL EXPENSES	75,000.00
POLICE LIABILITY LOSSES	

CONTRACTUAL EXPENSES	20,000.00
PUBLIC OFFICIALS & OTHERS	

CONTRACTUAL EXPENSES	5,000.00
TOTAL FUND - EXP	568,000.00

DATE 09-28-89

TENTATIVE BUDGET
1990

RISK RETENTION FUND

INTEREST EARNINGS	80,000.00
APPROPRIATED RESERVES	368,000.00
INTERFUND TRANSFERS	120,000.00

TOTAL FUND - REV

568,000.00

DATE 09-28-89

TENTATIVE BUDGET
1990

CONSOLIDATED GARBAGE

PERSONAL SERVICES	2,226,575.06
EQUIPMENT	3,500.00
CONTRACTUAL EXPENSES	2,592,581.66
EMPLOYEES RETIREMENT	145,000.00
SOCIAL SECURITY	152,000.00
MEDICAL INSURANCE	185,000.00
RETIREE'S MEDICAL INS.	39,500.00
GROUP LIFE INSURANCE	13,000.00
DENTAL INSURANCE	20,000.00
OPTICAL INSURANCE	6,800.00
ALLOCATED FICA	17,295.48
ALLOCATED FRINGES	34,665.28
BOND PRINCIPAL	149,200.00
BOND INTEREST	87,754.00
DEBT SERVICE APPLIED	80,000.00-

RECYCLING

PERSONAL SERVICES	
PERSONAL SERVICES	153,358.00
CONTRACTUAL EXPENSES	274,000.00

TRANSFER TO INSURANCE RESERVE

LIABILITY AND CASULTY	50,000.00
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TOTAL FUND - EXP

6,070,229.50

DATE 09-28-89

TENTATIVE BUDGET
1990

CONSOLIDATED GARBAGE

NET TAX LEVY-GARBAGE	5,473,229.50
INTEREST EARNINGS-GARB	135,000.00
SALE OF REFUSE-RECYCLNG	12,000.00
APPROPRIATED FUND BALAN	450,000.00

TOTAL FUND - REV

6,070,229.50

DATE 09-28-89

TENTATIVE BUDGET
1990

LIGHT DISTRICT

PERSONAL SERVICES
CONTRACTUAL EXPENSES

58,235.00
1,735,975.00

Employee Benefits

ALLOCATED FICA
ALLOCATED FRINGES

3,618.00
5,863.20

TOTAL FUND - EXP

1,803,691.20

DATE 09-28-89

TENTATIVE BUDGET
1990

LIGHT DISTRICT

NET TAX LEVY-LIGHTING
INTEREST EARNINGS-LIGHT
LIGHT STANDARD DAMAGES

1,786,191.20
10,000.00
7,500.00

TOTAL FUND - REV

1,803,691.20

TOWN OF CHEEKTOWAGA, NEW YORK
ELECTED OFFICIALS
1990 WAGES

Supervisor	\$ 51,877.
Town Clerk	41,097.
Highway Superintendent	47,268.
Councilman	16,833.

TOWN OF CHEEKTOWAGA
1990 TAX RATES---BUDGET OFFICER'S BUDGET

02-Oct-89

DESCRIPTION		TOWN OUTSIDE VILLAGES	DEPEW	SLOAN	WILLIAMSVILLE	TOTAL
ASSESSMENT--GENERAL FUND		1,797,441,968.00	229,999,275.00	61,121,773.00	637,962.00	2,089,200,978.00
% TO TOTAL		0.860349	0.110090	0.029256	0.000305	1.000000
TOTAL APPROPRIATIONS	17,863,343.09	15,368,709.36	1,966,568.12	522,610.86	5,454.75	17,863,343.09
LESS UNRESTRICTED REVENUES	(6,978,587.72)	(6,004,020.97)	(768,269.86)	(204,165.91)	(2,130.98)	(6,978,587.72)
NET		9,364,688.39	1,198,298.26	318,444.95	3,323.77	10,884,755.37
SECTION 150 ADJUSTMENT		153,945.08	(153,945.08)			0.00
TAXES TO BE RAISED		9,518,633.47	1,044,353.18	318,444.95	3,323.77	10,884,755.37

TAX RATES--GENERAL FUND

1990 RATE	5.295656	4.540680	5.210008	5.209981
1989 RATE	4.860585	4.087189	4.771329	4.606466
% INCREASE/(DECREASE)	8.95%	11.10%	9.19%	13.10%

TAX RATES--CONSOLIDATED GARBAGE

ASSESSMENT	2,024,135,017.00
TAXES TO BE RAISED	5,473,229.50
1990 TAX RATE	2.703984
1989 TAX RATE	1.869761
% INCREASE/(DECREASE)	44.62%

TAX RATES--GENERAL LIGHT

ASSESSMENT	2,024,135,017.00
TAXES TO BE RAI	1,786,191.20
1990 TAX RATE	0.882447
1989 TAX RATE	0.863650
% INCREASE/(DECREASE)	2.18%

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

..... Scott Benson
....., 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 ;
last publication ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this
day of, 19.....

..... *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, 1991

LEGAL NOTICE OF PUBLIC HEARING ON PRELIMINARY BUDGET AND LIGHTING DISTRICTS AND CONSOLIDATED GARBAGE DISTRICT BUDGETS

NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 1990, has been completed and filed in the office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it is available for inspection by any interested person at all reasonable hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 7:00 o'clock P.M., Eastern Standard Time on the 1st of November, 1989, and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed salaries of the Town Officers are hereby specified as follows:

Supervisor	\$51,877
Town Clerk	\$41,097
Highway Superintendent	\$47,268
Councilmen	\$16,833

BY THE ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK
RICHARD M. MOLESKI
PUBLISH: October 19, 1989

EVE J. ALLIS
Notary Public
Qualified in Erie County
My commission expires March 1, 1991

Item No. 3b Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, this Town Board has prepared detailed estimates of the anticipated 1990 revenues and expenditures for every district in which the expenses of the improvement is to be assessed on a benefit basis, and

WHEREAS, this Town Board has assessed the Special district costs on a benefit basis against the costs of parcels of land against which the improvement was chargeable, and

WHEREAS, this Town Board has prepared an assessment roll for each district describing each lot of land in the district, the owner thereof, and the assessment levied against it, and

WHEREAS, this Town Board has filed such estimates and assessment rolls with the Town Clerk, NOW, THEREFORE, ~~BE~~ IT

RESOLVED that this Town Board shall meet at 7:00 P.M., Eastern Standard Time on the 1st day of November, 1989 for the purpose of holding a Public Hearing upon such estimates and assessment rolls, and ~~BE~~ IT FURTHER

RESOLVED that the Town Clerk give notice of such public hearing in the manner provided in Section 239 of the Town Law, and that such notice be published in substantially the following form in the Cheektowaga Times the newspaper having a general circulation within the Town on October 19, 1989.

* * * * *

P U B L I C N O T I C E

NOTICE IS HEREBY GIVEN that the Town Board of Cheektowaga, New York has completed its Estimates and Assessment Rolls relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk.

NOTICE is also given that a public hearing on such Estimates and Assessment Rolls will be held on November 1, 1989 at 7:00 o'clock P.M., Eastern Standard Time at the Town Hall, corner of Union and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.

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

RICHARD M. MOLESKI
Town Clerk

* * * * *

* See next pages for Preliminary Benefit Basis Budget

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

AFFIDAVIT - NEXT PAGE

PERFORMED

SEP 15 1989

CHEEKTOWAGA
TOWN CLERK

TOWN OF CHEEKTOWAGA, NEW YORK
PRELIMINARY BENEFIT BASIS BUDGET
1990

September 15, 1989

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget		Net Tax Levy

Municipal Sewers					

Sewer District No. 1					

Rent to BSA	SB121.4355	4,367	4,367	4,367	4,367

Sewer District No. 2					

Rent and Maintenance to Sewer District No. 5	SB122.4361	60,312	71,272	71,272	

Transfer to Debt Service Fund:					
Principal	SB125.9101	23,250	23,250		
Interest	SB125.9201	15,000	13,000		
Debt Service Reserve Allocation	SB122.9582	(5,431)	0	36,250	

Total Appropriations		93,131	107,522		

Revenues:					
Interest on Investments	S2401.0000	3,500	4,000		
Appropriated Fund Balance		2,558	6,000	10,000	97,522

		6,058			

		87,073			

Sewer District No. 3					

Labor Allocation (SD5)	SB123.1424	287,692	302,077	302,077	

Equipment Allocation (SD5)	SB123.2424	24,625	5,375	5,375	

Maintenance and Supplies	SB123.4021	19,500	19,500		
Clothing Replacement	SB123.4071	1,000	1,000		
Training and Seminars	SB123.4087	1,500	1,500		
Gas, Oil, Grease	SB123.4163	8,500	8,500		
R.R. Property Rentals	SB123.4351	450	0		
Erie County Chargebacks	SB123.4352	760	14,798		
Erie County Sewer Dist. 4	SB123.4353	510,000	540,000		
Equipment Repairs and Maint.	SB123.4431	3,500	5,000		
Sewer Repairs and Maint	SB123.4432	24,000	24,000		
Plant Utilities	SB123.4435	4,800	4,000		
Plant Instrumentation	SB123.4438	10,000	10,000		
Plant Grounds Maintenance	SB123.4440	5,400	5,400		
Plant Demolition	SB123.4444	18,000	18,000		
Plant Services	SB123.4501	4,000	4,200		
Accounting and Auditing	SB123.4506	15,000	15,750		
Lab Testing	SB123.4541	1,500	1,500		
Consulting Engineers	SB123.4581	6,000	6,000		
Real Property Taxes	SB123.4706	8,500	8,500		

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget		Net Tax Levy
Contracted Sewer Repairs	SB123.4821	20,000	20,000		
Pump Stations:					
Ceil Drive:					
Maintenance and Utilities	SB123.4951	4,500	4,500		
Fair Elm:					
Maintenance and Utilities	SB123.4961	7,000	7,000		
Insurance Allocation (SD5)	SB123.4994	17,500	18,375	737,523	
Employee Benefits Allocation (SD5)	SB123.8424	102,840	97,772	97,772	
Transfers to Debt Service Fund:					
Principal	SB123.9101	24,000	116,000		
Interest	SB123.9201	92,220	165,730		
Debt Service Reserve Allocation	SB123.9582	(6,000)	(85,000)	196,730	
General Fund Cost Allocations:					
Supervisor-Payroll, Bookkeeping and Computer	SB123.4801	21,521	22,597		
Law Department	SB123.4803	10,221	10,732		
Engineering Department	SB123.4805	57,068	59,942		
Central Garage	SB123.4807	19,558	20,536		
Payroll taxes	SB123.4902	9,439	9,911		
Pension Benefits	SB123.4905	29,709	31,194	154,912	
Total Appropriations		1,364,323	1,496,389		
Revenues:					
Interest on Investments	SB2401.0000	100,000	100,000		
Appropriated Fund Balance		206,017	255,579	355,579	1,140,810
Total		306,017			
		1,056,306			
Sewer District No. 4					
Erie County Chargeback	SB124.4352	3	249		
Rent and Maint to Sewer					
District No. 5	SB124.4361	50,614	68,211		
Pump Station					
Alpine-Maintenance and Utilities	SB124.4971	14,000	14,000		
Feasibility Study	SB124.4981	28,000	28,000	130,460	
Total Appropriations		92,617			
Revenues:					
Interest on Investments	SB2401.0000	3,500	6,000		
Appropriated Fund Balance		27,927	55,927	61,927	68,533
Total		31,427			

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget	Net Tax Levy
		61,190		

Sewer District No. 5				

Pump Station				
General Crew Chief	SB125.1201	45,656	47,939	
Working Crew Chief	SB125.1203	88,468	92,891	
Sewer Maintenance Man	SB125.1424	355,170	372,929	
MEO A	SB125.1444	151,740	159,327	
Seasonal Labors	SB125.1492	70,000	73,500	
Labor Allocation (SD3)	SB125.1982	(177,758)	(186,646)	559,940

Truck Chasis	SB125.2304	97,000	0	
Other Equipment	SB125.2505	0	10,000	
Pick-up Truck	SB125.2514	0	10,000	
Communications Equipment	SB125.2513	1,500	1,500	
Equipment Allocation (SD3)	SB125.2982	(24,625)	(5,375)	16,125

Maintenance Supplies	SB125.4021	20,000	20,000	
Clothing Replacement	SB125.4071	2,200	2,200	
Training and Seminars	SB125.4087	2,500	2,800	
Medicals	SB125.4141	1,000	5,000	
Oil, and Grease	SB125.4163	16,000	20,000	
Utilities	SB125.4217	12,500	12,500	
Taxes to Maryvale UFSD	SB125.4350	0	0	
RR Property Rentals	SB125.4351	1,000	1,000	
Erie County Chargebacks	SB125.4352	5,162	23,513	
Equipment Repairs	SB125.4431	10,000	10,000	
Sewer Repairs	SB125.4438	75,000	75,000	
Equipment Repairs-Cent Gar	SB125.4465	20,000	20,000	
Root Control	SB125.4475	38,000	38,000	
Legal Services	SB125.4501	2,000	2,100	
Accounting and Auditing	SB125.4506	25,000	26,250	
Contracted Sewer Repair	SB125.4543	75,000	75,000	
Telemetry	SB125.4545	94,000	94,000	
Photographic Mapping	SB125.4550	8,000	8,000	
Consulting Engineers	SB125.4581	9,500	9,000	
Buffalo Sewer Charges	SB125.4702	4,000	4,000	
Pump Station:				
Harlem:				
Maintenance and Utilities	SB125.4954	12,500	12,500	
Capital and Reconstruct	SB125.4955	150,000	150,000	
Delevan:				
Maintenance and Utilities	SB125.4956	15,000	15,000	
Capital and Reconstruct	SB125.4957	85,000	0	
Encroft:				
Maintenance and Utilities	SB125.4964	15,200	15,200	
Urban:				
Maintenance and Utilities	SB125.4964	14,000	14,000	
Geo Urban:				
Maintenance and Utilities	SB125.4964	9,000	9,000	663,063

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget	Net Tax Levy	

Employee Benefits:					
Retirement	SB125.8101	77,500	54,250		
Social Security	SB125.8121	53,398	56,068		
Compensation Insurance	SB125.8131	21,331	22,398		
Medical Insurance	SB125.8141	60,562	63,590		
Retiree's Medical Ins	SB125.8143	43,569	45,747		
Group Life Insurance	SB125.8151	4,089	4,293		
Unemployment Insurance	SB125.8161	10,773	11,312		
Dental Insurance	SB125.8171	6,861	7,204		
Optical Insurance	SB125.8181	2,179	2,288		
Fire and Liability Ins	SB125.8501				
Employee Benefit Allocation (SD3)	SB125.8982	(70,066)	(66,788)	200,362	

Transfers to Debt Service Fund:					
Principal	SB125.9101	259,000	267,000		
Interest	SB125.9201	138,610	172,234		
Debt Service Reserve Allocation	SB125.9582	(200,000)	(11,660)	427,574	

Transfers to Risk Retention Fund:					
Fire and Liability Insurance	SB125.9171	70,000	73,500		
Insurance Allocation	SB125.9182	(17,500)	(18,375)	55,125	

General Fund Cost Allocations:					
Supervisor-Payroll, Bookkeeping and Computer	SB125.4801	64,562	67,790		
Law Department	SB125.4803	30,663	32,196		
Engineering Department	SB125.4805	171,262	179,825		
Central Garage	SB125.4807	58,676	61,610		
Payroll Taxes	SB125.4902	28,316	29,732		
Fringe Benefits	SB125.4905	89,126	93,582	464,735	2,386,924

Total Pump Station		2,231,624			

Treatment Plant					

Superintendent	SB135.1201	44,332	46,549		
Assistant Superintendent	SB135.1301	39,011	40,962		
Maintenance Man	SB135.1431	26,130	27,437		
Pump Station Operator	SB135.1433	246,273	258,587		
Sr. Pump Station Operator	SB135.1451	33,992	35,692		
Seasonal Laborers	SB135.1492	50,000	52,500		
Labor Allocation (SD3)	SB135.1982	(109,934)	(115,431)	346,296	

Maintenance and Supplies	SB135.4021	15,000	15,500		
Material	SB135.4022	3,000	3,000		
Booth Replacement	SB135.4071	1,600	1,700		
Training and Seminars	SB135.4087	1,500	1,500		
Chemical-Odor Control	SB135.4142	11,000	11,000		
Gas, Oil, Grease-Mobile	SB135.4164	300	500		
Electric and Utilities	SB135.4211	160,000	168,000		
Water	SB135.4231				

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget	Net Tax Levy	
Walo Sewer Authority	S8135.4356	1,700,000	1,750,000		
Equipment Repair	S8135.4431	34,000	34,000		
Building Repairs	S8135.4453	19,500	20,000		
Elevator Service	S8135.4456	2,500	2,500		
Lab Testing	S8135.4541	15,000	15,000		
Sludge Removal	S8135.4547	39,000	39,000	2,061,700	
<hr/>					
Employee Benefits:					
Retirement	S8135.8101	39,190	27,433		
Social Security	S8135.8121	33,024	34,675		
Compensation Insurance	S8135.8131	13,192	13,852		
Medical Insurance	S8135.8141	32,489	34,113		
Group Life Insurance	S8135.8151	2,236	2,348		
Unemployment Insurance	S8135.8161	6,051	6,354		
Dental Insurance	S8135.8171	3,726	3,912		
Optical Insurance	S8135.8181	1,189	1,248		
Employee Benefit Allocation (SD3)	S8135.8982	(32,774)	(30,984)	92,951	2,500,947
<hr/>					
Treatment Plant Appropriations		2,430,527			
<hr/>					
Total Appropriations		4,662,151			4,887,871
<hr/>					
Revenues:					
Contract Users	S2120.0000	150,000	150,000		
Rate and Maintenance Charges:					
Sewer District No. 2	S2120.0010	60,312	71,272		
4	S2120.0020	50,614	88,211		
6	S2120.0030	183,617	54,553		
7	S2120.0040	799,512	801,184		
7-1	S2120.0050	54,251	52,798		
7-2	S2120.0060	281,557	293,675		
8	S2121.0070	41,053	53,479		
Interest on Investments	S2401.0000	150,000	160,000		
State Treatment Aid	S3901.0000	110,000	110,000		
Appropriated Fund Balance		644,096	744,589	2,579,761	2,579,761
<hr/>					
		2,525,012			
<hr/>					
		2,137,139			
<hr/>					
Sewer District No. 6					
<hr/>					
Erie County Chargeback	S8126.4352	2	0		
Rent and Maintenance to Sewer District No. 5	S8126.4361	183,617	54,553	54,553	
<hr/>					
		183,619		54,553	
<hr/>					
Revenues:					
Interest on Investments	S2401.0000	10,000	10,000		
Appropriated Fund Balance		84,567	0	10,000	44,553

*****Special Dist*****

	1989	1990	
	Budget	Preliminary	Net Tax
		Budget	Levy

-----	-----	-----	-----
-----	-----	-----	-----
	94,567		
-----	-----	-----	-----
	89,052		
=====	=====	=====	=====

Sewer District No. 7

Erie County Chargeback	S8127.4361	15,354	10,901	
Rent and Maintenance to				
Sewer District No. 5	S8127.4361	799,512	801,184	
Contracted Sewer	S8127.4438	10,000	12,500	824,585

Transfers to Debt Service Fund:				
Principal	S8127.9101	1,000	1,000	
Interest	S8127.9201	95	62	
Deficit Reduction	S8127.9335	0	50,000	51,062

Total Appropriations		825,961	875,647	
		-----	-----	

Revenues:				
Interest on Investments	S2401.0000	0		
Appropriated Fund Balance		0	0	0

		0		
		-----	-----	
		825,961		
		=====	=====	

Sewer District No. 7 Extension 1
- Cardarelli

Erie County Chargebacks	S8128.4352	0		
Rent and Maintenance to				
Sewer District No. 5	S8128.4361	54,251	52,798	52,798

Transfer to Debt Service Fund:				
Principal	S8128.9101	2,230	2,230	
Interest	S8128.9201	295	225	2,455

Total Appropriations		56,776	55,253	
		-----	-----	

Revenues:				
Interest on Investments	S2401.0000	3,000	3,000	
Appropriated Fund Balance		8,666	4,436	7,436

		11,666		
		-----	-----	
		45,110		
		=====	=====	

Sewer District No. 7 Extension 2
- Depew

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget		Net Tax Levy

Rent and Maintenance to Sewer District No. 5	58129.4361	281,557	293,675	293,675	
Transfer to Debt Service Fund:					
Principal	58129.9101	5,200	5,200		
Interest	58129.9201	685	525	5,725	
Total Appropriations		287,442		299,400	
Revenues:					
Interest on Investments	52401.0000	10,000	10,000		
Appropriated Fund Balance		35,193	32,616	42,616	256,784
		45,193			
		242,249			
=====					
Sewer District No. 8					

Utilities	58130.4211	13,282	7,500		
County Chargeback	58130.4352	37	0		
Rent and Maintenance to Sewer District No. 5	58130.4361	41,053	53,479	60,979	
Transfer to Debt Service Fund:					
Principal - BANS	58130.9112	0	15,000		
Interest - BANS	58130.9113	0	12,000		
Principal - Bonds	58130.9212	83,000	86,000		
Interest - Bonds	58130.9213	60,461	41,194	154,194	
Deficit Reduction	58130.9355	17,000	12,000	12,000	
Total Appropriations		214,833		227,173	
Revenue:					
Transfer from Capital Projects Fund		12,000	0	0	227,173
		202,833			
=====					
Total Sanitary Sewers Levy		4,751,280			5,071,316
=====					

Storr Districts
=====

Storr District No. 1

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget		Net Tax Levy

Transfer to Debt Service Fund:					
Principal	RB141.9101	21,000	24,000		
Interest	RB141.9201	6,850	5,610	29,610	

Total Appropriations		27,850	29,610		

Revenue:					
Interest	RB141.2401	2,500	6,500		
Appropriated Fund Balance		0	2,475	8,975	20,635

		25,350			
		=====			

Store District No. 2

Store District No. 3

Store District No. 4

Store District No. 5

Store District No. 6

Erie County Chargeback	RB146.4352	169	0		
Maintenance	RB146.44432	0	2,000	2,000	

Transfer to Debt Service Fund:					
Principal	RB146.9101	11,000	0		
Interest	RB146.9201	210	0	0	

Total Appropriations		11,379	2,000		

Revenue:					
Interest	RB146.2401	2,500	0	0	2,000

		8,879			
		=====			

Store District No. 7

Maintenance	RB147.4432	300	500	500	

Transfer to Debt Service Fund:					
Principal	RB147.9101	3,570	4,070		
Interest	RB147.9201	500	389	4,459	

Total Appropriations		4,370	4,959		

Revenue:					

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget		Net Tax Levy
Interest	RB147.2401	4,370	4,459	0	4,959
		0			
=====					
Storm District No. 7-Ext. 3					
Erie County Chargeback	RB148.4352	0			
Maintenance	RB148.4432	200	200	200	

Transfer to Debt Service Fund:					
Principal	RB148.9101	11,000	12,000		
Interest	RB148.9201	2,945	7,868	19,868	

Total Appropriations		14,145		20,068	

Revenue:					
Interest	RB148.2401	1,200	1,500	1,500	18,568

		12,945			
=====					
Total Storm Sewers Levy					
		47,174			46,162
=====					

Hydrant Districts

Hydrant No. 1

Hydrant Rental	HB351.4339	34,340	35,066		
Erie County Chargebacks	HB351.4352	56	57	35,123	

		34,396			

Revenues:					
Interest	HB351.2401	2,000	6,000		
Appropriated Fund Balance		12,432	8,161	14,161	20,962

		14,432			

		19,964			
=====					

Hydrant No. 2

Hydrant Rental	HB352.4339	10,220	10,395		
Erie County Chargebacks	HB352.4352	73	0	10,395	

		10,293			

*****Special Dist*****

		1989	1990		
		Budget	Preliminary Budget	Net Tax Levy	

Revenues:					
Interest	HB352.2401	0	4,000		
Appropriated Fund Balance		5,937	1,821	5,821	4,574
		5,937	-----		
		4,356	-----		
=====					
Hydrant No. 3					

Hydrant Rental	HB353.4339	16,079	16,355		
Erie County Chargeback	HB353.4352	1,024	1	16,356	
		17,103	-----		
Revenue:					
Interest	HB353.2401	1,061	3,000		
Appropriated Fund Balance		8,046	4,960	7,960	8,396
		9,107	-----		
		7,996	-----		
=====					
Hydrant No. 4					

Hydrant Rental	HB354.4339	47,967	48,787		
Erie County Chargeback	HB354.4352	598	2	48,789	
		48,565	-----		
Revenue:					
Interest	HB354.2401	2,574	6,500		
Appropriated Fund Balance		15,894	10,687	17,187	31,602
		18,468	-----		
		30,097	-----		
=====					
Hydrant No. 5					

Hydrant Rental	HB355.4339	14,444	13,356		
Erie County Chargeback	HB355.4352	205	0	13,356	
		14,649	-----		
Revenues:					
Interest	HB355.2401	961	2,500		
Appropriated Fund Balance		6,592	3,406	5,906	7,450
		7,553	-----		

*****Special Dist*****

		1989 Budget	1990 Preliminary Budget		Net Tax Levy
		7,096			

Hydrant No. 6					

Hydrant Rental (includes Fire Protection District No.2)	H8356.4339	42,107	42,827	42,827	
Revenues:					
Interest	H8356.2401	2,389	6,500		
Appropriated Fund Balance		14,725	10,084	16,584	26,243
		17,114			
		24,993			

Hydrant No. 8					

Hydrant Rental	H8358.4339	12,264	12,474		
Erie County Chargebacks	H8358.4352	2	0	12,474	
		12,266			
Revenues:					
Interest	H8358.2401	1,177	4,000		
Appropriated Fund Balance		8,856	6,129	10,129	2,345
		10,033			
		2,233			

Total Water Hydrant Districts Levy		96,735			101,572

Lateral Sanitary Sewers

Cayuga Creek

Principal to District No. 3		437	437		
Interest to District No. 3		184	158	595	595
		621			

Meadowlawn 1982 Extension

*****Special Dist*****

	1989 Budget	1990 Preliminary Budget		Net Tax Levy
Principal to District No. 5	304	304		
Interest to District No. 5	455	158	462	462
	759			
=====				
Total Lateral Sanitary Sewers Levy	1,380			1,057
				=====

Water Districts

Water District No. 8

Hydrant Rental	WB258.4339	700	700		
Hydrant Maintenance	WB258.4340	1,400	1,400		
Erie County Chargebacks	WB258.4352	873	1,999		
Maintenance	WB258.4432	10,000	5,000	9,099	

Transfer to Debt Service Fund:					
Principal	WB258.9212	30,000	30,000		
Interest	WB258.9213	20,790	18,810		
Debt Service Reserve Allocation	WB258.9582	(30,000)	0	48,810	

Total Appropriations		33,763	57,909		

Revenues:					
Hydrant Rentals		2,100	2,100		
Appropriated Fund Balance		0	22,563	24,663	33,246

		31,663			
		=====			

Water District No. 9

Hydrant Rental	WB259.4339	6,100	6,100		
Hydrant Maintenance	WB259.4340	4,890	4,900		
Erie County Chargeback	WB259.4352	10	0	11,000	

Total Appropriations		11,000			

Revenues:					
Hydrant Rentals		11,000	11,000	11,000	0

		0			
		=====			

Water District No. 10

Hydrant Rental	WB260.4339	250	250		
Hydrant Maintenance	WB260.4340	1,250	1,250	1,500	

*****Special Dist*****

	1989 Budget	1990 Preliminary Budget		Net Tax Levy
Total Appropriations	1,500			
Revenues:				
Hydrant Rentals	1,500	1,500	0	1,500
	0			
Total Water Districts Levy	31,663			34,746
Water Districts				
Losson Road Extension				
Transfer to Debt Service Fund:				
Principal	1,000	1,500		
Interest	171	124	1,624	1,624
	1,171			
Total Water District Extensions Levy	1,171			1,624

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

..... Scott Benson, 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..... ;
last publication..... ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this

day of, 19.....

..... *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, 1991

**LEGAL NOTICE
PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the Town Board of Cheektowaga, New York has compiled its Estimates and Assessment Rolls relating to Special Districts spreadings costs on a Benefit Basis and has filed same with the Town Clerk.

NOTICE is also given that a public hearing on such Estimates and Assessment Rolls will be held on November 1, 1989 at 7:00 o'clock P.M., Eastern Standard Time at the Town Hall, corner of Union and Broadway Roads, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.

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

RICHARD M. MOLESKI
PUBLISH: October 19, 1989

WY COMMISSIONER OF STATE
QUALIFIED TO SERVE
NOTARY PUBLIC STATE OF NEW YORK
EVE J. ALIUS

Item No. 4 Motion by Councilman Johnson, Seconded by Councilman Kulyk

WHEREAS, this Town Board held a public hearing on October 16, 1989 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
WEDGEWOOD DR.	North-south	Castlewood Dr.	Eastbound	S.W. Corner
CASTLEWOOD DR.	East-west	Wedgewood Dr.	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Wedgewood Dr.	Southbound	N.W. Corner
WINDWOOD CT. (north leg)	North-south	Windwood Court (west leg)	Westbound	N.E. Corner
WINDWOOD CT. (south leg)	North-south	Windwood Court (west leg)	Westbound	N.E. Corner
CHARNWOOD DR.	North-south	Campwood Court	Westbound	N.E. Corner
CHARNWOOD DR.	North-south	Charnwood Court	Westbound	N.E. Corner

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

CHARNWOOD DR.	North-south	Coralwood Court	Westbound	N.E. Corner
---------------	-------------	-----------------	-----------	-------------

ARTICLE IX

Speed Regulations

Section 76-90 of the traffic ordinance shall be amended by adding thereto the following:

A. Established speed limits

(2) The speed limit for the following named town road shall be established at thirty-five (35) miles per hour.

GALLERIA DRIVE

From the north curblineline of Walden Avenue to the west curblineline of Union Road.

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

No. 25

No. 26

Item No. 4 cont'd

F. Miscellaneous parking signs

(15) No Stopping

GALLERIA DRIVE	North Side	From the north curbline of Walden Avenue the west curbline of Union Road
GALLERIA DRIVE	South Side	From the north curbline of Walden Avenue the west curbline of Union Road

Section 2. Time to take effect.

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

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

Section 3. Territorial Application

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

Section 4. Publication.

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

Upon Roll Call....

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.

Scott Benson
....., 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..... ;
last publication..... ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this

day of, 19.....

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, 1991

**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 16th day of October, 1989 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

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

ABSENT: 0

Motion by Councilman Johnson and Seconded by Councilman Kulyk

WHEREAS, this Town Board held a public hearing on October 16, 1989 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

WEDGEWOOD DR. North-south Castlewood Dr. Eastbound S.W. Corner
CASTLEWOOD DR. East-west Wedgewood Dr. Northbound S.E. Corner
CASTLEWOOD DR. East-west Wedgewood Dr. Southbound N.W. Corner
WINDWOOD CT. North-south Windwood Ct. Westbound N.E. Corner
(north leg) (west leg)
WINDWOOD CT. North-south Windwood Ct. Westbound N.E. Corner
(south leg) (west leg)

CHARNWOOD DR. North-south Campwood Ct. Westbound N.E. Corner
CHARNWOOD DR. North-south Charnwood Ct. Westbound N.E. Corner

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

CHARNWOOD DR. North-south Coralwood Court Westbound N.E. Corner

ARTICLE IX

Speed Regulations

Section 76-90 of the traffic ordinance shall be amended by adding thereto the following:

A. Established speed limits

(2) The speed limit for the following named town road shall be established at thirty-five (35) miles per hour.

Galleria Drive

From the north curbline of Walden Avenue to the
west curbline of Union Road

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

F. Miscellaneous parking signs

(15) No stopping

GALLERIA DR. North side from the north curbline of Walden Ave.
to the west curbline of Union Road
GALLERIA DR. South side from the north curbline of Walden Ave.
to the west curbline of Union Road

Section 2. Time to take effect.

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

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

Section 3. Territorial Application

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

Section 4. Publication.

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

Upon roll call.....

Supervisor Swiatek Voting AYE
Councilman Johnson Voting AYE
Councilman Jaworwicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Kazukiewicz Voting AYE
Councilman Solecki Voting AYE

AYES: 7
NAYES: 0
ABSENT: 0

**STATE OF NEW YORK
COUNTY OF ERIE**

I, RICHARD M. MOLESKI, Town Clerk of the Town herein after described, DO HEREBY CERTIFIED 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 October 16, 1989, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meeting of said Board, and such minutes appear at item No. 4, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of October, 1989.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: October 19, 1989

Item No. 5 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, Harold P. & Kay F. Kopp have made application and requested the Rezoning from C-Retail Business District to M1-Light Manufacturing District, for property located at 2421 Harlem Road, with the permission of owner of the property namely Ronald W. Wittman and Gail W. Sanchez, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on November 6, 1989 at 7:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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.

Scott Benson

....., 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.....;
last publication.....;
and that no more than six days intervened be-
tween publications.

.....
Scott Benson
.....

Sworn to before me this

day of, 19.....

.....
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, 1991

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 6th day of NOVEMBER, 1989 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of HAROLD P. & KAY F. KOPP to Rezone from C-Retail Business District to M-1 Light Manufacturing District on property located at 2421 Harlem Road and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE TOWN BOARD

Supervisor 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
RICHARD M. MOLESKI
Town Clerk

PETITION BY HARLD & KAY KOPP - REZONING

8. Legal Description of Property 2421 Harlem Road- all that parcel of property being Sublots 41, 42, 43 and 44 on Tax Map #102/54-03-001 situated at the northeast corner of Harlem Road and Freda Avenue in Cheektowaga, New York and described as follows:

Beginning at a point on the southerly boundary of Freda Avenue where it intersects with Harlem Road's easterly boundary, said point being 47 feet distant from the centerline of Harlem Road; thence southerly at a 90 degree angle for a distance of 107 feet to the northerly boundary of the property of Joseph P. Nelson (reputed owner); thence easterly at a 90 degree angle for a distance of 122 feet to the westerly boundary of the property of John A. Wudarnewski (reputed owner); thence northerly at a 90 degree angle for a distance of 107 feet to the southerly boundary of Freda Avenue; thence westerly at a 90 degree angle for a distance of 122 feet to the easterly boundary of Harlem Road.

PUBLISH: October 19, 1989

Item No. 6a Award of bid - general construction, heating, etc. for Alexander Community Center
This item was withdrawn.

Item No. 6b Motion by Councilman Kazukiewicz, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received by this Town Board at a bid opening on September 29, 1989 for One New and Unused 1989-90 Model Pneumatic Tire, Gasoline Powered Fork Lift Truck for use by the Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to Clarklift of Buffalo, 1835 Dale Road, Cheektowaga, New York 14225 for One New Clark GP-25 Forklift Truck at a purchase price after trade-in of \$17,008.00, being the lowest responsible bidder meeting specifications, and BE IT FURTHER

RESOLVED that monies to be charged to line item #03513000044087.

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, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 3/4 ton pick-up/plow for the Main Pump Station, which bids were duly received and opened at a public bid opening called for that purpose, and

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

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

RESOLVED that the contract for the furnishing of one (1) 3/4 ton pick-up/plow be awarded to Bison Ford, 2370 Walden Avenue, Cheektowaga, New York 14225, for their bid in the amount of \$16,690.00 for one (1) 1989 pick-up, said bid being the lowest 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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

October 11, 1989

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
One (1) 3/4 Ton Pick-Up with Plow

Gentlemen:

At a public bid opening on September 27, 1989, bids were received and publicly opened for the purchase of one (1) 3/4 ton pick-up with plow for the Main Pump Station. One (1) bid was received and is as follows:

Bison Ford	\$16,690.00
------------	-------------

It is, therefore, recommended that the bid be awarded to Bison Ford for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineering Assistant

ABB:mjj

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

WHEREAS, the Facilities Department is in need of one pick-up truck, two landscape trailers, four flail mowers and one trencher, 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 equipment, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 6th day of November, 1989 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 November 6, 1989, at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the purchase of one pick-up truck, two landscape trailers, four flail mowers, and one trencher for the Facilities Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: October 16, 1989

* * * * *

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.

Scott Benson
....., 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..... ;
last publication..... ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this

day of, 19.....

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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on November 6, 1989 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one pickup truck, two landscape trailers, four flail mowers and one trencher 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: October 19, 1989

Item No. 8 Motion by Councilman Johnson, Seconded by Supervisor Swiatek

WHEREAS, this Town Board has gone on record in support of the \$3 billion "Rebuild NY '88" Transportation Bond Act with its objectives and goals for a State highway and bridge reconstruction and improvement program, and

WHEREAS, the widening and reconstruction of Harlem Road, from Cleveland Drive southward to McNaughton Avenue, was a project designated to be funded under the Bond Act at a cost originally projected at \$9 million dollars with \$3 million to be allocated for infrastructure improvements, and

WHEREAS, this Town Board has made appeals to the New York State Department of Transportation to design and construct a storm sewer system along Harlem Road with sufficient capacity to convey storm waters from tributary Town highways in accordance with recommended drainage improvements in the March 1967 Drainage Study prepared by the consulting firm of Nussbaumer & Clarke, Inc., on behalf of the Town, and

WHEREAS, the New York State Department of Transportation has recently determined that funding committed for the Harlem Road Improvement project will provide for the construction of Harlem Road, from McNaughton Avenue to Genesee Street, representing only a fraction of the original project proposal and does not provide for immediate drainage benefits sought by this Town Board for the area from Genesee Street to Cleveland Drive where chronic flooding has occurred, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby petitions the New York State Department of Transportation to implement storm sewer improvements in the Harlem Road Reconstruction Project which will provide depth and capacity for future northward extension of the storm sewer so as to provide relief to abutting Town streets in accordance with the recommendations of the Nussbaumer & Clarke, Inc. Drainage Study, with funding to be provided entirely under the "Rebuild NY '88" Transportation Bond Act, and BE IT FURTHER

RESOLVED that this Town Board appeals to our elected State representatives to pursue funding to continue construction of the storm sewer system and the reconstruction of Harlem Road northward to Cleveland Drive as originally proposed, and BE IT FURTHER

RESOLVED that certified copies of this resolution be sent to:

Franklin E. White, Commissioner
New York State Department of Transportation

Robert J. Russell, Regional Director

Assemblyman Paul Tokasz

Senator Dale Volker

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 9a Motion by Supervisor Swiatek, Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga, on March 16, 1988, gave Susan J. Schottman a Housing Rehabilitation Community Development loan for property owned by her and located at 17 South Glidden Street in the Town, and

WHEREAS, Ms. Schottman is now applying for a separate mortgage loan through Empire of America and Empire of American is requesting the Town to execute a Subordination Agreement relating to the Town's Community Development loan, NOW, THEREFORE, BE IT

Item No. 9a cont'd

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Ms Schottman and the Town's Housing Rehabilitation Community Development loan for 17 South Glidden Street and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

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

Item No. 9b Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga, herein called the "Applicant", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that the planning, design and construction of certain works, required for the treatment of sewage, generally described as the Construction of the Clinton Street Interceptor Sewer and Plant No. 3 Flow Monitoring Facilities Modifications within Town Sanitary Sewer District No. 3 and identified as Project Number C-36-1290-03, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the planning, design and construction of said Project be taken immediately, and

WHEREAS, under the Federal Water Pollution Control Act, as amended, the United States of America has authorized the making of grants to aid in financing the cost of planning, design and construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters and for the purpose of reports, plans and specifications in connection therewith, and

WHEREAS, Chapter 659 of the Laws of 1972 of the State of New York provide financial aid for the planning, design and construction of Water Quality Improvement Projects, and

WHEREAS, the Applicant has examined and duly considered the Water Pollution Control Act, as amended and Chapter 659 of the Laws of 1972 of the State of New York and the applicant deems it to be in the public interest and benefit to file an application under these laws and to authorize other action in connection therewith, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga in the filing of application in the form required by the State of New York and the United States and in conformity with the Water Pollution Control Act, as amended and Chapter 659 of the Laws of 1972 of the State of New York is hereby authorized, including all understandings and assurances contained in said applications, and BE IT FURTHER

RESOLVED that Town Supervisor, Frank E. Swiatek, is directed and authorized as the official representative of the applicant to act in connection with the applications and to provide such additional information as may be required, and BE IT FURTHER

RESOLVED that the Applicant agrees that it will fund its portion of the cost of said Water Quality Improvement Project, and BE IT FURTHER

RESOLVED that one (1) certified copy of this resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, together with the Federal and State application, and BE IT FURTHER

RESOLVED that this resolution take effect immediately.

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, the Price Club has applied to the Town of Cheektowaga for an environmental Review of its request to build a 164,000 Square foot plaza on 16 acres of land located at the southwest corner of Walden Avenue and Dick Road in the Town, and

WHEREAS, the appropriate governmental agencies (State, County and Town) have been solicited by the Town for lead agency status and their comments, and

WHEREAS, there has been agreement by such agencies that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning this project, and

WHEREAS, the Town Environmental Review Advisory Committee reviewed the Price Club and, at its meeting held on October 5, 1989 recommended that the proposed Price Club Plaza be deemed non-significant under the State Environmental Quality Review Act ("SEQRA") and the Town Environmental Review Ordinance, NOW, THEREFORE, BE IT

RESOLVED that the proposed Price Club Plaza be and hereby is deemed non-significant under SEQRA and the Town Environmental Review Ordinance, and BE IT FURTHER

RESOLVED that the Building Inspector, as Intake Officer under SEQRA, be and hereby is directed to notify involved agencies, the applicant and other required agencies of this determination.

Upon Roll Call....

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

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

WHEREAS, pursuant to the Environmental Impact 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 Impact 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 October 5, 1989, rendered the determinations shown on the attached memo dated October 6, 1989, and

WHEREAS, this Town Board has reviewed the applications and submitted 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 October 6, 1989 memo attached hereto:

Item IV

2320 Clinton Street

* See next page for memo

Upon Roll Call....

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

Item No. 12a Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, by resolution dated August 1, 1988, this Town Board enacted Local Law No. 1 of the Year 1988 entitled "A Local Law known as Residency Law", and

WHEREAS, such Residency Law requires Town employees to be residents of the Town and to remain Town residents throughout the course of their employment, and

WHEREAS, there is reason to believe that the following Town employees are not Town residents:

- Bernard Kotarski, Facilities Department
- Robert Fetzer, Public Safety Dispatcher

NOW, THEREFORE, BE IT

RESOLVED that in accordance with Section 6 of the Residency Law, the Town Clerk be and hereby is directed to forward the attached Notice form to the aforementioned Town employees.

NOTICE OF ALLEGED VIOLATION OF
RESIDENCY LAW OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE that it is alleged that you are not a resident of the Town of Cheektowaga as is required by the Residency Law of the Town of Cheektowaga.

You are hereby allowed seven (7) calendar days after your receipt of this Notice in which to respond to this allegation in writing directed to the Town Board.

Should you fail to respond to this Notice or if your response is not, in the opinion of the Town Board, sufficient to satisfy the requirements of the Residency Law of the Town of Cheektowaga, a hearing shall be scheduled to examine the charge of nonresidency.

Should your response state that you admit you are a nonresident of the Town, you shall be given 45 days after the date of this Notice (up to November 30, 1989) to submit proof to the Town Board that you have become a resident of the Town of Cheektowaga in compliance with the Residency Law of the Town of Cheektowaga.

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

RICHARD M. MOLESKI
Town Clerk

Upon Roll Call....

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

Item No. 12b Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance. The EMS Board, which was created at that time, has completed a review and evaluation of new/renewal license applications for driver(s)/attendant(s), and has recommended that the Town Board issue such licenses, and

Item No. 12b cont'd

NOW, THEREFORE, BE IT RESOLVED that the recommendations of EMS Board concerning the licensing of new/renewal driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, for a period to expire upon the expiration of such ambulance 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 new/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 driver(s)/attendant(s)

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDENT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
Fahey, Sean M.	Amherst, NY 14226	Towns Ambulance	5/31/92
Grabowski, Gerald D. Jr.	Buffalo, NY 14212	Towns Ambulance	12/31/90
Martin, Charles E. Jr.	Amherst, NY 14221	Towns Ambulance	5/31/91
Wellspeak, Dennis R.	Corfu, NY 14036	Towns Ambulance	5/31/92

Item No. 13 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the Pine Hill Hose Company will be holding its annual Halloween celebration on Tuesday, October 31, 1989, and

WHEREAS, the Pine Hill Hose Company, as part of their celebration, will be sponsoring a parade at 7:00 P.M., and

WHEREAS, the parade route will begin at the Melvin Sliwinski parking lot at 85 George Urban Boulevard, proceed down George Urban to Kaufman Road, to Peachtree, and continue to the Loxley Street entrance of the Pine Hill Fire Hall, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic and escort services and to insure compliance with the Vehicle and Traffic Law.

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 Councilman Solecki

BE IT RESOLVED that the following Seasonal and/or Part-Time employees be and hereby are terminated in the Facilities Department:

Parks Division

Effective:

Robert Lee	10/1/89
Daniel Olejniczak	10/1/89
Randy Palmisano	9/30/89
Ronald Sobocinski	10/2/89

Upon Roll Call....

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

Item No. 14b 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

Terry Caggiano	10/20/89
Rusinski, David	10/20/89
Ruthenberg, Dale	10/20/89

Upon Roll Call....

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

Item No. 15a 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 its 1989-90 winter programs.

Item No. 15a cont'd

HOCKEY PROGRAM SUPERVISORS - Rink Personnel A7140.1611 - \$5.00 per hour

Matthew Bean
Michael Bogdan
Norbert Rzeski

RINK GUARD SUPERVISORS - A7140.1611 - \$4.00 per hour

Paul Dennis
Bob Kowalewski

FIGURE SKATING INSTRUCTOR - A7140.1611 - \$6.00 per week

Mary Sue Lesniak

RINK GUARD ATTENDANTS - A7140.1611 - \$3.50 per hour

Daniel Carroll
Ben Dennis
John Flynn
Steven Golovin
William Schmahl
David Weber
Eugene Whitehead
Colleen Witucki
Mark Hangen

COMMUNITY CENTER SUPERVISORS - A7140.1612 - \$5.00 per hour

Nancy Calucci
Mary Lou Czajka
Thomas Kazmierczak III
Bernard Ruda

RECREATION INSTRUCTORS - A7140.1612 - \$5.00 per hour

Laila Desjardins
Beverly Nowicki
Jeffrey Schneider

COMMUNITY CENTER RECREATION LEADERS - A7140.1612 - \$4.00 per hour

Keith Bova
Heather Chapp
Maurice Desjardins
Roy Schneiderman
Mary Beth Seivert

COMMUNITY CENTER RECREATION ATTENDANTS - A7140.1612 - \$3.50 per hour

Donna Bartochowski
Joanne Haas
Amy Nelson
Jennifer Tonsoline
Lisa Wolentarski
Nick Byrnes

SYNCHRONIZED SWIM SUPERVISOR - A7140.1615 - \$5.00 per hour

Michelle Kunkel

LIFE GUARDS - SCHOOL SWIM PROGRAM - A7140.1615 - \$3.75 per hour

Lisa D'Amico
Douglas Kenjockety
Nadine Verga

Item No. 15a cont'd

and BE IT FURTHER

RESOLVED that the above be terminated effective May 7, 1990.

Upon Roll Call....

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

Item No. 15b Motion by Councilman Solecki, Seconded by Councilman Kulyk

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:

<u>SANITATION DEPT. - \$5.00 per hour</u>	<u>EFFECTIVE</u>
Christian Ozolins	Immediately
Ruthenberg, Dale	Immediately
David Rusinski	10/23/89

Upon Roll Call....

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

Item No. 16a Motion by Councilman, Seconded by Councilman Johnson

WHEREAS, the 1989 National Conference on Disaster Management is being held in Hamilton, Ontario, Canada, November 22, through the 25, 1989, and

WHEREAS, the approximate cost of this seminar will be \$550.00, half of which will be paid by the State Emergency management office, and

WHEREAS, it would be beneficial to the Town for our Coordinator of Disaster Services, Mr. Earl Loder, to attend said Conference, NOW, THEREFORE, BE IT

RESOLVED that Mr. Earl Loder be and hereby is authorized to attend the 1989 National Conference on Disaster Management in Hamilton, Ontario, November 22-25, 1989, and BE IT FURTHER

RESOLVED that Mr. Earl Loder be reimbursed for all necessary and reasonable expenses, not to exceed \$550.00, and BE IT FURTHER

RESOLVED that the Town will be reimbursed for one-half of the actual expenses incurred by Mr. Loder by the State Emergency Management Office.

Upon Roll Call....

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

Item No. 16b Motion by Councilman Kazukiewicz, Seconded by Councilman Jaworowicz

WHEREAS, Christopher J. Kowal, Highway Superintendent has advised the Town Board of his intent to send two (2) Highway Department employees to Oakville, Ontario, Canada, for the purpose of attending a course on the maintenance and full service of diesel engines and maxidine diesel engine, NOW, THEREFORE, BE IT

Item No. 16b cont'd

RESOLVED that Highway Department employees, Larry Rutkowski and Jeffrey Szymanski, are hereby authorized to attend the above training course at the Briarwood Inn, Oakville, Ontario, Canada from Sunday, October 15th thru October 20th, and BE IT FURTHER

RESOLVED that they shall be reimbursed for all travel and necessary expenses in connection with said training course, as provided for through budgeted line item, Highway-Conferences and Seminars 03513000044087.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 17 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the developer of Innsbrook Drive, within the Gardenville Industrial Park, has furnished and installed a highway lighting system consisting of five (5) 14,400 lumen H.P.S. luminaires, aluminum standards and related conduit and conductors as required in conjunction with the development of the subject light industrial subdivision, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to connect the aforesaid public highway lighting system at an annual increase to the Town's General Lighting District of \$380.30 in accordance with the attached New York State Electric & Gas Corporation proposal dated October 4, 1989, which is hereby made a part of this resolution.

* See next page for proposal

Upon Roll Call....

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

NAYES: 0

ABSENT: 0



October 4, 1989

STREET LIGHT PROPOSAL
TOWN OF CHEEKTOWAGA
GARDENVILLE INDUSTRIAL PARK

INSBROOK DRIVE

Connect 5 - 14400 lumen HPS lamps (energy & bulb rate) @ \$76.06 ea. = \$380.30
(Stds. 1 through 5)

Standards, underground conductors, conduit and fixtures to be supplied and installed by developer; owned and maintained by the Town of Cheektowaga. Connections at pole, energy, lamp and photo-electric eye replacements to be supplied by 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.)

An Equal Opportunity Employer

New York State Electric & Gas Corporation 150 Erie St. Lancaster, New York 14086 (617) 684-9800

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

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

GENERAL FUND

FROM:	1355-04-4359	(Assessor-Reassessment)	\$2,500.00
	1110-01-1391	(Justice - PT Clerk)	965.68
	7310-01-1804	(Youth-Admin. Intern)	7,500.00
	7310-01-1812	(Youth-YCC Participants)	9,500.00
	7310-04-4201	(Youth-Telephone)	745.00
	7310-04-4689	(Youth-YCC Supplies)	300.00
	7310-04-4201	(Youth-Telephone)	255.00
TO:	1355-01-1391	(Assessor-PT)	\$2,500.00
	1110-01-1302	(Court Clerk)	965.68
	7310-02-2501	(Youth-Other Equip.)	7,500.00
	7310-02-2501	(Youth-Other Equip.)	9,500.00
	7310-04-4001	(Youth-Office Supplies)	745.00
	7310-02-2501	(Youth-Other Equip.)	300.00
	7310-04-4683	(Youth-Publications & Printing)	255.00

HIGHWAY FUND

FROM:	5110-04-4331	(Machinery Rental)	\$9,000.00
	5150-04-4173	(Spec. Imp. Stone)	6,000.00
	8210-04-4568	(Storm Sewer Cleaning)	5,000.00
TO:	5130-02-2407	(Equipment)	\$9,000.00
	5230-02-2407	(Equipment)	6,000.00
	8540-04-4572	(Creek Maintenance)	5,000.00

HUD-CDBG FUND

FROM:	1982-0030-0710	(Sloan-Parks & Playground)	\$.01
	1985	(Sloan-Demolition)	7,119.49
TO:	1982-0030-0715	(Sloan-Sidewalks)	\$.01
	1985-0030-0715	(Sloan-Sidewalks)	7,119.49

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 Gabryszak

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to October 16, 1989 are hereby approved and made a part hereof:

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$1,376,166.83
HIGHWAY FUND	299,364.60
CAPITAL FUND	557,859.55
TRUST & AGENCY FUND	32,223.52
PART TOWN FUND	30,780.92
RISK RETENTION FUND	86,742.46
HUD-CDBG FUND	44,027.37
STATE AHC FUND	6,215.60
HUD REHAB. FUND	18,943.58
HUD RENTAL REHAB. FUND	3,516.58
DEBT SERVICE FUND	38,500.00
SPECIAL DISTRICT FUND	829,514.95
	<u>\$3,323,855.96</u>

Item No. 19 cont'd

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Cheektowga Planning Board - minutes of September meeting
Received and Filed.

Item No. 21 Office of Disaster Preparedness - quarterly report
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 22a Notice of Claim - Kathleen Kuwik 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; S.I.S. -
Insurance Carrier.
Received and filed.

Item No. 22b Notice of Claim - James Grier 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; S.I.S. -
Insurance Carrier.
Received and filed.

Item No. 22c Carmella Tramont 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; Joseph J
Naples - Insurance Carrier.
Received and filed.

Item No. 22d Alvin Clark, Jr. 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, Sanitation Department-Working
Foreman; S.I.S. - Insurance Carrier.
Received and filed.

Item No. 23a Petition - residents of south creek requesting trees be planted
along south bank of creek
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board
Members.
Received and filed.

Item No. 23b Petition - residents of West Sobieski and Buell Avenue regarding
proposed Comfort Suites Hotel at 901 Dick Road
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board
Members.
Received and filed.

V. SUSPENSION OF RULES

Motion by Supervisor Swiatek, Seconded by Councilman Johnson
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. 24 Motion by Councilman Kazukiewicz, Seconded by Councilman Johnson

WHEREAS, by resolution dated June 5, 1989, this Board authorized the execution of an agreement with Galle Memorial Studio and Workshops, Inc. for the construction of a Veterans Memorial Monument at a cost of \$53,000, and

WHEREAS, bonding in the amount of \$53,000.00 was approved for this project and, in addition thereto, private donations of over \$6,000.00 were received by the Town for the Veterans Memorial Monument, and

WHEREAS, the Cheektowaga Veterans Memorial Committee has met with representatives from Galle Memorial Studio and Workshops, Inc. and is requesting this Town Board to approve additional payments of \$4,300.00 and \$1,443.00 for additional lettering and hand-carved etchings for such monuments, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the attached Addendum #2 and Addendum #3 to the agreement approved on June 5, 1989, at a total additional cost of \$5,743.00, such moneys to be appropriated from Trust and Agency Account No. 06-0875-0000-0000.

* See next two (2) pages for Addendums

Upon Roll Call....

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

GALLE MEMORIAL STUDIO INC.

3405 HARLEM ROAD, BUFFALO, NEW YORK 14225

(716) 833-4212

October 12, 1989

Re: Cheektowaga Veterans Memorial

Town of Cheektowaga, New York
Broadway
Cheektowaga, New York 14225

Addendum #3

As per article C contract of June, 1989 for Veterans Memorial.

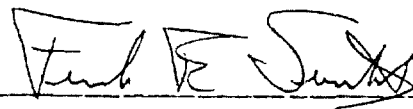
Design work chosen by committee of all hand carved etchings
\$4,300.00

Design work has been approved.

Respectfully submitted

GALLE MEMORIAL STUDIO INC.


Paul Zinter

Approved by 

Date 10-20-89

GALLE MEMORIAL STUDIO INC.

3405 HARLEM ROAD, BUFFALO, NEW YORK 14225

(716) 833-4212

October 12, 1989

Re: Cheektowaga Veterans Memorial

Town of Cheektowaga, New York
Broadway
Cheektowaga, New York 14225

Addendum # 2

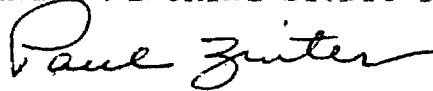
As per article B contract of June, 1989 for veterans Memorial.

Additional lettering chosen by committee \$1,443.00

Lettering has been approved.

Respectfully submitted

GALLE MEMORIAL STUDIO INC.



Paul Zinter

Approved by



Date 10-20-89

Item No. 25 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga, herein called the "Applicant", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that the planning, design and construction of certain works, required for the treatment of sewage, generally described as the preparation of plans and specifications for sanitary sewer rehabilitation in the Town Sanitary Sewer District No. 3 and identified as Project Number C-36-1290-01, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the planning, design and construction of said Project be taken immediately, and

WHEREAS, under the Federal Water Pollution Control Act, as amended, the United States of America has authorized the making of grants to aid in financing the cost of planning, design and construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters and for the purpose of reports, plans and specifications in connection therewith, and

WHEREAS, Chapter 659 of the Laws of 1972 of the State of New York provide financial aid for the planning, design and construction of Water Quality Improvement Projects, and

WHEREAS, the Applicant has examined and duly considered the Water Pollution Control Act, as amended and Chapter 659 of the Laws of 1972 of the State of New York and the applicant deems it to be in the public interest and benefit to file an application under these laws and to authorize other action in connection therewith, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga in the filing of application in the form required by the State of New York and the United States and in conformity with the Water Pollution Control Act, as amended and Chapter 659 of the Laws of 1972 of the State of New York is hereby authorized, including all understandings and assurances contained in said applications, and BE IT FURTHER

RESOLVED that Town Supervisor, Frank E. Swiatek, is directed and authorized as the official representative of the applicant to act in connection with the applications and to provide such additional information as may be required, and BE IT FURTHER

RESOLVED that the Applicant agrees that it will fund its portion of the cost of said Water Quality Improvement Project, and BE IT FURTHER

RESOLVED that one (1) certified copy of this resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, together with the Federal and State application, and BE IT FURTHER

RESOLVED that this resolution take effect immediately.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 26 Motion by Councilman Kazukiewicz, Seconded by Councilman Kulyk to adjourn the meeting

RICHARD M. MOLESKI
Town Clerk

SPECIAL MEETING NO. 25
November 1, 1989

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of November, 1989 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Ron Marten, Building and Plumbing Inspector; Bruce Chamberline, Assistant Chief of Police; Pat Wojcik, Recreation Director-Senior Services; Terry Rusin, Director of Administration & Finance (temporary); Ron Zoeller, Working Foreman-Sanitation Dept. Ken Kopacz, Executive Director of Youth Bureau; Sal LaGreca, Employment and Training Director II, also Planning Board Chairman; Bruce Fenwick, Coordinator of Employee Relations; Joan Dudek, Tax Receiver; James Burst, Foreman-Sewer Maintenance Dept.; Judge Dennis Ciotuszynski; Casey Kozminski, Town Assessor; John Malloy, Accountant; James Matecki, Facilities Director; Michael Miecznikowski, Recreation Director; Dave Kulik, Recycling Foreman; Don Wegner, Chairman of Zoning Board of Appeals.

I. PUBLIC HEARINGS

Item No. 2 The Supervisor advised the Town Board that this was the time and place advertised for a Public Hearing on the estimates and revenues and expenditures for the year 1990 for the General Fund, Consolidated Garbage District and General Lighting Districts. The Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by law. The Town Clerk then proceeded to read aloud the estimates of revenues and expenditures for the year 1990 for the General Fund, Consolidated Garbage District and General Lighting Districts.

* 1990 Ad Valorem Budget is on file in the Town Clerk's Office

The Supervisor then asked if anyone wished to speak either in favor or against the proposed Budget.

Comments were heard. Decision was reserved. The hearing was closed.

Item No. 2 This being the time and place advertised for a public hearing to consider the adoption of the Preliminary Benefit Basis Budget of the Town of Cheektowaga, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

* The 1990 Preliminary Benefit Basis Budget is on file in the Town Clerk's Office.

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.

RICHARD M. MOLESKI
Town Clerk

Item No. 3d continued

At such hearing, all parties in interest and citizens shall have an opportunity to be heard.

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

DATED: November 6, 1989

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.

Scott Benson
....., 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..... NOV 09 1989 ;
last publication..... NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this NOV 09 1989.....
day of, 19.....

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, 1991

STATE
1000
NOT

**LEGAL NOTICE
NOTICE OF HEARING**
NOTICE IS HEREBY GIVEN
THAT, in pursuance of a Resolution of
the Town Board of the Town of Cheek-
towaga, which was duly passed on the
6th day of November, 1989, a public
hearing will be held on the 20th day of
November, 1989 at 7:00 P.M., at the
Cheektowaga Town Hall, corner of
Broadway and Union Road, Cheek-
towaga, New York, to discuss the pos-
sibility of making Buell Avenue and
West Sobieski Avenue in the Town of
Cheektowaga dead-end streets.
At such hearing all parties in interest
and citizens shall have an opportunity
to be heard.
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
CHEEKTOWAGA, ERIE COUNTY,
NEW YORK.
Dated: November 6, 1989
RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 9, 1989

My commission expires
Notary Public
Cheektowaga, N.Y.

MEETING NO. 26
November 6, 1989

Item No. 3e Call for Public Hearing "Dead-ending of Buell Ave. and W. Sobieski
This item was withdrawn.

Item No. 11 Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, Blend-All Development, Inc. has applied to the Town of Cheektowaga for an environmental review of its request to construct a 2-story 100 room 55,600 square foot hotel on 4.2 acres of land located at 901 Dick Road, pursuant to the State Environmental Quality Review Act, and

WHEREAS, the appropriate governmental agencies (State, County and Town) have been solicited by the Town for lead agency status and their comments, and

WHEREAS, there has been agreement by such agencies that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning this hotel complex, and

WHEREAS, traffic volume in this area, including the streets of Buell Avenue and West Sobieski Avenue, is a problem and this Board is concerned about how this hotel development will affect such traffic volume, and

WHEREAS, this Town Board, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, feels that the following significant environmental effects relating to this project are present and should be addressed by the applicant in greater detail:

1. traffic volume, including mitigative measures proposed
2. buffer area between residences and hotel development
3. alternate locations for driveway proposed onto Buell Avenue

NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby determines that a Draft Environmental Impact Statement must be prepared and submitted to the Town, based on this Town Board's determination that such hotel project could have a significant effect on the environment, and BE IT FURTHER

RESOLVED that Blend-All Hotel Development, Inc. be directed to submit a Draft Environmental Impact Statement to the Town Environmental advisory Committee and this Town Board for review, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, prepare, file and publish a positive declaration for this project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.10(b) of the SEQR regulations, and BE IT FURTHER

RESOLVED that the Town Building Inspector Inspector, as Intake Officer for the Town, notify Blend-All Hotel Development, Inc. and other interested and involved agencies of this requirement.

* * * * *

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

* * * * *

Item No. 11 continued

AMENDED #1

Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, Blend-All Development, Inc. has applied to the Town of Cheektowaga for an environmental review of its request to construct a 2-story 100 room 55,600 square foot hotel on 4.2 acres of land located at 901 Dick Road, pursuant to the State Environmental Quality Review Act, and

WHEREAS, the appropriate governmental agencies (State, County and Town) have been solicited by the Town for lead agency status and their comments, and

WHEREAS, there has been agreement by such agencies that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning this hotel complex, and

WHEREAS, traffic volume in this area, including the streets of Buell Avenue and West Sobieski Avenue, is a problem and this Board is concerned about how this hotel development will affect such traffic volume, and

WHEREAS, this Town Board, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, feels that the following significant environmental effects relating to this project are present and should be addressed by the applicant in greater detail:

1. traffic volume, including mitigative measures proposed
2. buffer area between residences and hotel development
3. alternate locations for driveway proposed onto Buell Avenue
4. drainage and water borne pollutants

NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby determines that a Draft Environmental Impact Statement must be prepared and submitted to the Town, based on this Town Board's determination that such hotel project could have a significant effect on the environment, and BE IT FURTHER

RESOLVED that Blend-All Hotel Development, Inc. be directed to submit a Draft Environmental Impact Statement to the Town Environmental advisory Committee and this Town Board for review, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, prepare, file and publish a positive declaration for this project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.10(b) of the SEQR regulations, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, notify Blend-All Hotel Development, Inc. and other interested and involved agencies of this requirement.

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

Item No. 11 continued

AMENDED #2

Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, Blend-All Development, Inc. has applied to the Town of Cheektowaga for an environmental review of its request to construct a 2-story 100 room 55,600 square foot hotel on 4.2 acres of land located at 901 Dick Road, pursuant to the State Environmental Quality Review Act, and

WHEREAS, the appropriate governmental agencies (State, County and Town) have been solicited by the Town for lead agency status and their comments, and

WHEREAS, there has been agreement by such agencies that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning this hotel complex, and

WHEREAS, traffic volume in this area, including the streets of Buell Avenue and West Sobieski Avenue, is a problem and this Board is concerned about how this hotel development will affect such traffic volume, and

WHEREAS, this Town Board, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, feels that the following significant environmental effects relating to this project are present and should be addressed by the applicant in greater detail:

1. traffic volume, including mitigative measures proposed
2. buffer area between residences and hotel development
3. alternate locations for driveway proposed onto Buell Avenue
4. drainage and water borne pollutants
5. noise

NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby determines that a Draft Environmental Impact Statement must be prepared and submitted to the Town, based on this Town Board's determination that such hotel project could have a significant effect on the environment, and BE IT FURTHER

RESOLVED that Blend-All Hotel Development, Inc. be directed to submit a Draft Environmental Impact Statement to the Town Environmental advisory Committee and this Town Board for review, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, prepare, file and publish a positive declaration for this project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.10(b) of the SEQR regulations, and BE IT FURTHER

RESOLVED that the Town Building Inspector Inspector, as Intake Officer for the Town, notify Blend-All Hotel Development, Inc. and other interested and involved agencies of this requirement.

Upon Roll Call....

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

Item No. 2a Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, Town Board Members, and persons in charge of the various departments of the Town Government have submitted estimates of revenues and expenditures for the year of 1990, for the General Funds, Highway Fund, Consolidated Garbage District and General Lighting Districts, and

Item No. 2a continued

WHEREAS, the Town Board has adopted certain estimates at its Preliminary Budget Hearing, and

WHEREAS, a Public Hearing was duly held on November 1, 1989 at 7:00 o'clock P.M., in relation to such Preliminary Ad Valorem Budget as provided by law, NOW, THEREFORE, BE IT

RESOLVED that the following estimates and expenditures be adopted as the 1990 Budget for the Town of Cheektowaga and the respective districts therein.

Town of Cheektowaga
1990
Ad Valorem Budget

and, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed to make application to the Erie County Legislature to have levied and spread against the taxable property liable therefore for the amounts hereinbefore stated and that such sums when collected be paid to the Supervisor of the Town of Cheektowaga as provided by law.

MOTION BY COUNCILMAN SOLECKI AND 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

Motion by Councilman Gabryszak seconded by Councilman Solecki

WHEREAS, Town Board Members, and persons in charge of the various departments of the Town Government have submitted estimates of revenues and expenditures for the year of 1990, for the General Funds, Highway Fund, Consolidated Garbage District and General Lighting Districts, and

WHEREAS, the Town Board has adopted certain estimates at its Preliminary Budget Hearing, and

WHEREAS, a Public Hearing was duly held on November 1, 1989 at 7:00 o'clock P.M., in relation to such Preliminary Ad Valorem Budget as provided by law, NOW, THEREFORE, BE IT

RESOLVED that the following estimates and expenditures be adopted as the 1990 Budget for the Town of Cheektowaga and the respective districts therein.

Town of Cheektowaga
1990
Ad Valorem Budget

and, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed to make application to the Erie County Legislature to have levied and spread against the taxable property liable therefore for the amounts hereinbefore stated and that such sums when collected be paid to the Supervisor of the Town of Cheektowaga as provided by law, and BE IT FURTHER

RESOLVED to authorize Supervisor to establish surplus fund levels in all Town departments and to report to the Town Board by November 13th.

Item No. 2a continued

Upon Roll Call....

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

Item No. 2b Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, Frank E. Swiatek, Supervisor of the Town of Cheektowaga, New York having presented a Budget and Assessment Roll showing the various sums of money that were and will be required to defray the expenses of the Special Districts in the Town of Cheektowaga, New York, and

WHEREAS, this Town Board has carefully considered and said Estimates and Assessment Rolls of the Amounts set forth as Special Districts respectively and does determine same to be necessary and required aforesaid and set forth, namely:

Town of Cheektowaga
1990
Final Benefit Basis Budget

and

WHEREAS, a Public Hearing was duly held on the 1st day of November, 1989 at 7:00 o'clock P.M., in relation to such preliminary benefit Basis Budget, as provided in law, with amendments made to same, NOW, THEREFORE BE IT

RESOLVED that the Budget and Assessment Roll for Special Districts in the Town of Cheektowaga, New York, be and the same is hereby adopted, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed to cause same to be spread on the Tax Roll for the year 1990.

Upon Roll Call....

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

Item No. 3a Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, pursuant to Section 82-70 of the Code of the Town of Cheektowaga ("Zoning Ordinance"), this Town Board may from time to time on its own motion, amend, supplement or repeal provisions of said Zoning Ordinance,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 20th day of November, 1989 at 7:30 P.M., at a meeting of the Town Board at the Town Hall, 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 the Zoning Ordinance of the Town of Cheektowaga 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 ZONING ORDINANCE

Item No. 3a continued

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 6th day of November, 1989, a public hearing will be held on the 20th day of November, 1989 at 7:30 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 the "Zoning Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.26.B.(1), which pertains to limitations on permitted uses in the M1-Light Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "purposes" and prior to the word "shall" in the first sentence of such subsection.

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

DATED: November 6, 1989

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.

..... Scott Benson....., 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..... NOV 09 1989 ;
last publication..... NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*
NOV 09 1989

Sworn to before me this
day of, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE OF HEARING ON
PROPOSAL TO AMEND
ZONING ORDINANCE
NOTICE IS HEREBY GIVEN**
THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 6th day of November, 1989, a public hearing will be held on the 20th day of November, 1989 at 7:30 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 the "Zoning Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:
**RESOLVED THAT ARTICLE IV -
MANUFACTURING DISTRICT
REGULATIONS, Section 82.26.B.**
(1), which pertains to limitations on permitted uses in the M1-Light Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "purposes" and prior to the word "shall" in the first sentence of such subsection.
**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
CHEEKTOWAGA, ERIE COUNTY,
NEW YORK.**
Dated: November 6, 1989
RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 9, 1989

EVE J. ALLIE
Notary Public State of New York
Qualified in Erie County
My commission expires...

Item No. 3b Motion by Councilman Johnson Seconded by Councilman Solecki

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 November 20, 1989 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 9th day of November, 1989, 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 November 20, 1989 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
HILLPINE ROAD	East-west	Hillpine Road at 256 Hillpine Road	Southbound	S.W. Corner
CHERRYWOOD DR.	East-west	Baywood Street	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Knollwood Drive	Southbound	N.W. Corner
BAYWOOD STREET	East-west	Cherrywood Drive	Southbound	S.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

RUSHFORD LANE	East side	from the south curbline of Losson Road, southerly to the north curbline of Butternut Road
RUSHFORD LANE	West side	from the north lot line of #38, southerly to the north curbline of Hillpine Road
BUTTERNUT ROAD	South side	from the west curbline of Hillpine Road westerly to the east curbline of Rushford Lane
HILLPINE ROAD	East side	from the south curbline of Losson Road, southerly to the north lot line of #9
HILLPINE ROAD	East side	southwesterly from the north lot line of #9, to the south west lot line of #125
HILLPINE ROAD	South and west side	around the curve in the north westerly direction from the southwest lot line of #125, to the northerly lot line of #181

Item No. 3b continued

HILLPINE ROAD	West and north side	from #181, around the curve, in an easterly direction to the east lot line of #209
HILLPINE ROAD	East side	from #209, around the curve in a south-easterly direction to the northeast corner of Hillpine Road and Hillpine at #253
HILLPINE ROAD	East and south side	from the south curbline of Losson Road to the west line of #125, then the complete outer curve line to the intersection of Hillpine and Hillpine
CHERRYWOOD DR.	North side	from the west curbline of Borden Road, westerly to the east edge of the driveway at #94, then the north and west side around the curve on the west side to the north curbline of Baywood* *or as far as has been accepted
BAYWOOD STREET	East side	from the south curbline of Cherrywood around the curve on the south side of entire length of the street

C. No parking here to corner

HILLPINE ROAD	West side	from the south curbline of Losson Road southerly a distance of 100 feet
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

DATED: NOVEMBER 6, 1989

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.

..... Scott Benson, 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..... NOV 09 1989 ;
last publication..... NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this NOV 09 1989

day of, 19.....

..... *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, 1991

LEGAL NOTICES

LEGAL NOTICE NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, in said Town of Cheektowaga, corner of Broadway and Union Road, Cheektowaga, New York, on November 20, 1989 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
HILLPINE RD	East-west	Hillpine Road at 256 Hillpine Road	Southbound	S.W. Corner
CHERRYWOOD DR.	East-west	Baywood Street	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Knollwood Drive	Southbound	N.W. Corner
BAYWOOD STREET	East-west	Cherrywood Drive	Southbound	S.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

Section	Side	Description
H. No parking anytime RUSHFORD LANE	East side	from the south curblin of Losson Road, southerly to the north curblin of Butternut Road
RUSHFORD LANE	West side	from the north lot line of #38, southerly to the north curblin of Hillpine Road
BUTTERNUT RD.	South side	from the west curblin of Hillpine Road westerly to the east curblin of Rushford Lane
HILLPINE ROAD	East side	from the south curblin of Losson Road, southerly to the north lot line of #9
HILLPINE ROAD	East side	south westerly from the north lot line of #9, to the south west lot line of #125
HILLPINE ROAD	South and west side	around the curve in the north westerly direction from the southwest lot line of #125, to the northerly lot line of #181
HILLPINE ROAD	West and north side	from #181, around the curve, in an easterly direction to the east lot line of #209
HILLPINE ROAD	East side	from #209, around the curve in a southeasterly direction to the northeast corner of Hillpine Road and Hillpine at #253
HILLPINE ROAD	East and south side	from the south curblin of Losson Road to the west line of #125, then the complete outer curve line to the intersection of Hillpine and Hillpine
CHERRYWOOD DR.	North side	from the west curblin of Borden Road, westerly to the east edge of the driveway at #94, the north and west side around the curve on the west side to the north curblin of Baywood* *or as far as has been accepted
BAYWOOD STREET	East side	from the south curblin of Cherrywood around the curve on the south side of entire length of the street
C. No Parking here to Corner HILLPINE ROAD	West side	from the south curblin of Losson Road southerly a distance of 100 feet

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

Dated: November 6, 1989

RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 9, 1989

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MEETING NO. 26
November 6, 1989

Item No. 3c Motion by Councilman Kulyk Seconded by Councilman Johnson

WHEREAS, by resolution dated July 17, 1989, this Town Board adopted the "Special Review Zoning District" Ordinance, and

WHEREAS, such Ordinance established a moratorium on the issuance of certain building permits along Walden Avenue from the Buffalo City line east to Harlem Road, and

WHEREAS, such Ordinance was adopted in order to provide the Town Board with time to review the zoning along this portion of Walden Avenue, and

WHEREAS, the Town Board and the Town Economic Development Corporation are currently considering proposals for the zoning district classification along this portion of Walden Avenue, and

WHEREAS, this Town Board feels that it will need additional time to adequately review and consider this matter, NOW, THEREFORE, BE IT

RESOLVED that, in accordance with the provisions of the Town Law, a public hearing be held on the 20th day of November, 1989 at 7:30 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Special Review Zoning District Ordinance" shall be amended to allow for an additional 90 day period for the placement of a moratorium on the issuance of certain building permits in the Special Review Zoning District, and BE IT FURTHER

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

RESOLVED that, pending a decision on the amendment to the Special Review Zoning District Ordinance, such Ordinance shall remain in effect.

* * * * *

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 20th day of November, 1989 at 7:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the adoption of the following amendment to the Special Review Zoning District Ordinance:

RESOLVED THAT SECTION 1 of the Special Review Zoning District Ordinance shall be amended by the deletion of the number "90" therein and by substituting in its place the number "180".

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

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

Dated: November 6, 1989

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.

..... Scott Benson, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, ~~deposes~~ ^{clerk} and says that he (she) is
..... 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..... NOV 09 1989 ;
last publication..... NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this NOV 09 1989
day of, 19.....

..... *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, 1991

STATE
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**LEGAL NOTICE
NOTICE OF HEARING**
NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall, in said Town of Cheektowaga, corner of Broadway and Union Road on the 20th day of November, 1989 at 7:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the adoption of the following amendment to the Special Review Zoning District Ordinance:

RESOLVED THAT SECTION 1 of the Special Review Zoning District Ordinance shall be amended by the deletion of the number "90" therein and by substituting in its place the number "180".

At which hearing all parties in interest and citizens shall have an opportunity to be heard in regard to such proposed amendment.

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

Dated: November 6, 1989
RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 9, 1989

EVE J. ALIS
Notary Public, Erie County
Qualified in Erie County
My commission expires 11/11/91

Item No. 4a Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, Daniel S. Kowalczewski applied for a Special Permit for used automobile sales on property located at the rear of 3475 Genesee Street, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 20th day of March, 1989 at 7:00 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended denial of the Special Permit based on its findings that there is inadequate space, parking and landscaping and because the proposed use was not compatible with the Town Master Plan, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property and has recommended denial of the special use permit based on its findings that the proposed use is not compatible with the area and the applicant does not comply with the Zoning Ordinance requirements for off-street parking or landscaping, and

WHEREAS, this Town Board agrees with the aforementioned findings made by the Cheektowaga Planning Board and the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED that the special permit for 3475 Genesee Street be and hereby is denied based on the above mentioned reasons as stated by the Cheektowaga Planning Board and Environmental Advisory Committee.

Upon Roll Call....

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

*SEE ATTACHED DESCRIPTION

LIBER 5413 PAGE 328

This Indenture,

Made the 3rd day of August Nineteen Hundred and Fifty-three

Between JOSEPH L. KELLY and ELIZABETH KELLY, his wife,
residing at Buffalo, New York

parties of the first part, and
LOUIS DEL PRINCE residing at Buffalo, New York

part y of the second part,
Witnesseth that the parties of the first part, in consideration of
One & more-----Dollar
(\$ 1.00 & more) lawful money of the United States,

paid by the part y of the second part,
do hereby grant and release unto the part y of the second part,
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 Number seventeen (17), Township eleven
(11), Range seven (7) of the Holland Land Company's Survey and further
distinguished as Subdivision Lot Number forty (40) as shown on map
of John Kroth Subdivision filed in Erie County Clerk's Office under
Cover Number 1179.

MEETING NO. 26
November 6, 1989

Item No. 4b Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, DNE & Son, Inc. applied for a Special Permit for operation of an automotive towing service on property located at 33 Leo Place, 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 20th day of March, 1989 at 7:00 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended denial of the Special Permit stating that the use was incompatible with the existing bank, office and residential uses in the area, and

WHEREAS, this Town Board agrees with the determination made by the Cheektowaga Planning Board,

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

Upon Roll Call....

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

*SEE NEXT PAGE FOR DESCRIPTION

Property: 33 Leo Place
Cheektowaga, New York

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being a part of Lot Number thirteen (13) in the eleventh (11th) Township and seventh (7th) Range, according to the Holland Land Company's Survey, and described as follows:

Beginning at the northeasterly corner of the "Town Cemetery" as described in a deed dated February 16, A.D. 1854 and recorded in the Erie County Clerk's Office in Book of Deeds 152 at page 94; thence easterly in a direct projection of the northerly line of said cemetery, as defined by an old board fence, eighty-one (81) feet; thence southerly along the rear line of lots fronting on Peter Street two hundred nine and twenty-two hundredths (209.22) feet to a cornerstone; thence westerly parallel with the above described northerly line, eighty-one (81) feet to the southeasterly corner of the aforesaid cemetery; thence northerly and along the easterly line of said cemetery, two hundred nine and twenty-two hundredths (209.22) feet to the place of beginning.

MEETING NO. 26
November 6, 1989

Item No. 5 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, bids were received on Monday, October 16, 1989 for General Construction, Heating, Ventilating and Air Conditioning, Plumbing and Electrical construction at the Alexander Community Center, and

WHEREAS, the firm of Scaffidi & Moore P.C. has reviewed said bid documents for compliance with the terms of the plans and specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards bids for General Construction, Heating, Ventilating and Air Conditioning, Plumbing and Electrical construction to the following contractors:

	<u>COMPANY</u>	<u>AMOUNT</u>
General Construction (Base Bid, Alternate Bid Nos. 1, 2 and 3)	Louis Migliore Construction Co., Inc. 787 Military Road Buffalo, New York 14217	\$159,513.00
Heating, Ventilating and Air Conditioning (Base Bid, Alternate Bid H-1 and Alternate Bid H-2)	BH Refrigeration, Inc. 818 Elmwood Avenue Buffalo, New York 14222	\$46,412.00
Plumbing (Base Bid)	Matthew Kandefer, Inc. 873 Mineral Springs Rd. West Seneca, New York 14224	\$5,475.00
Electrical (Base Bid and Alternate Bid E-1)	Goodwin Electric Corporation 121 California Dr. Williamsville, New York 14221	\$102,515.00

RESOLVED that the moneys for such contracts shall be appropriated from budget line item numbers 05-1625-8811-1101 and 05-1625-8906-1100.

Upon Roll Call....

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

Item No. 6 Motion by Councilman Kazukiewicz Seconded by Councilman Jaworowicz

WHEREAS, resolution passed October 16th, 1989 awarding bid to Clarklift of Buffalo, 1835 Dale Road, Cheektowaga, New York 14225 for One New Clark GP-25 Forklift Truck at a purchase price of \$17,008.00 for use by the Highway Department was erroneously typed charging line item #03513000044087, NOW THEREFORE, BE IT

RESOLVED that payment for this piece of equipment be charged to Highway Equipment Line Item #03513000022407.

Upon Roll Call....

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

Item No. 7a Motion by Councilman Solecki Seconded by Councilman Kazukiewicz

WHEREAS, Richard Koszuta, Central Garage Foreman, has requested that bids be received for the purchase of tires for the Central Garage, and

WHEREAS, funds have been allocated for said tires, NOW, THEREFORE, BE IT

Item No. 7a continued

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

RESOLVED that sealed bids will be received on the 17th of November at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on November 17th at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the purchase of tires for use by Central Garage.

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

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

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

RICHARD M. MOLESKI,
Town Clerk

Dated: November 6, 1989

* * * * *

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.

Scott Benson
....., 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..... NOV 09 1989 ;
last publication..... NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....
NOV 09 1989

Sworn to before me this
day of, 19.....

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 91

**LEGAL NOTICE
NOTICE TO BIDDERS**

Scaled proposals will be received by the Town of Cheektowaga on November 17th at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway & Union Road, for the purchase of tires for use by Central Garage.

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

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

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

**Richard M. Moleski
TOWN CLERK**

PUBLISH: November 9, 1989

EVE J. ALLIS
Notary Public, State of New York
Qualified in Erie County
My commission expires on 11/11/91

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

WHEREAS, it is important that the Town of Cheektowaga be able to remove snow from its highways should a snow emergency occur during the 1989-90 winter season, and

WHEREAS, the Snow Emergency Plan of the Town of Cheektowaga provides for the hiring of private contractors to remove snow in emergency situations, and

WHEREAS, this Town Board desires to advertise for bids for the contracting of snow plowing and snow removal equipment on an as-needed basis during a snow emergency, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for labor and equipment necessary to remove snow during a snow emergency in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received until November 17, 1989 at 11:00 A.M., Eastern Standard Time, at which time such bids will be opened by the Town Clerk in the Council Chambers at Cheektowaga Town Hall at a public bid opening.

* * * * *

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA

The Town of Cheektowaga hereby requires sealed bids for labor and equipment for the removal of snow from highways situated in the Town in the event of a snow emergency during the 1989-1990 winter season.

Specifications and information are available at the office of the Town Superintendent of Highways, 3145 Union Road, Cheektowaga, New York between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

In order to be considered, all bids must be filed with the Town Clerk's Office, c/o Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, prior to the time of the bid opening scheduled for Friday, November 17, 1989 at 11:00 A.M. in the Town Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder and with the words, "BID FOR LABOR AND EQUIPMENT FOR SNOW REMOVAL".

The Town of Cheektowaga reserves the right to reject any or all bids if it determines in its discretion that it is in the best interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids.

RICHARD M. MOLESKI, Town Clerk

DATED: November 6, 1989

PUBLISHED: November 9, 1989

* * * * *

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.

..... Scott Benson, 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..... NOV 09 1989 ;
last publication..... NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this NOV 09 1989

day of, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA**

The Town of Cheektowaga hereby requires sealed bids for labor and equipment for the removal of snow from highways situated in the Town in the event of a snow emergency during the 1989-1990 winter season.

Specifications and information are available at the office of the Town Superintendent of Highways, 3145 Union Road, Cheektowaga, New York between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

In order to be considered, all bids must be filed with the Town Clerk's Office, c/o Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, prior to the time of the bid opening scheduled for Friday, November 17, 1989 at 11:00 A.M. in the Town Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder and with the words, "BID FOR LABOR AND EQUIPMENT FOR SNOW REMOVAL."

The Town of Cheektowaga reserves the right to reject any or all bids if it determines in its discretion that it is in the best interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: November 9, 1989

B.L.

EVE J. ALLEN
Notary Public, State of New York
Qualified in the County of Cheektowaga
My commission expires 12/31/90

MEETING NO. 26
November 6, 1989

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

WHEREAS, in order to proceed with the acquisition of lands for the Rehm Road Golf Course, it is necessary to prepare boundary surveys, legal descriptions and to perform field stakeout for the fifteen (15) parcels comprising the approximate two hundred (200) acre site, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc. dated October 10, 1989, as submitted to the Office of the Town Engineer, for professional services for the preparation of property boundary surveys, legal descriptions, overall acquisition map and related stakeout be and hereby is accepted and approved, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is hereby authorized to sign said agreement with Nussbaumer & Clarke, Inc. for said professional services, AND, BE IT FURTHER

RESOLVED that funding in the amount of \$6,850.00 for the aforesaid services is to be charged to the Golf Course Capital Project Account No. 05-7140-8817-1100.

Upon Roll Call....

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

Item No. 8b Motion by Supervisor Swiatek Seconded by Councilman Solecki

WHEREAS, by resolution dated March 3, 1986, the Town Board of the Town of Cheektowaga authorized the Supervisor to make application to the U. S. Department of Housing and Urban Development for \$2 million under the H.U.D. Section 108 Loan Guarantee Program to enable Buffalo Airport Center to acquire and/or rehabilitate the former Westinghouse Facility at 4454 Genesee Street, and

WHEREAS, the Town's commitment to secure the Section 108 funding was based on an understanding that Buffalo Airport Center would remain the owner of the former Westinghouse Facility and would agree to certain terms, and

WHEREAS, the purchase and rehabilitation of the former Westinghouse Facility has been essentially completed without the provision by the Town of the Section 108 funding, and

WHEREAS, the recent action by the NFTA stating its intention to acquire the property for expansion acts to further preclude the use of Section 108 funding for the project, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests H.U.D. to terminate the Town's Section 108 application and to take whatever steps are necessary to deobligate the funds, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to effectuate the termination of the existing Section 108 loan.

Upon Roll Call....

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

Item No. 8c Motion by Supervisor Swiatek Seconded by Councilman Gabryszak & Kulyk

WHEREAS, P. A. Marrano Trust, U.A., is the owner of property fronting on the northside of Losson Road adjacent to the entrance to Stiglmeier Park, and

MEETING NO. 26
November 6, 1989

Item No. 8c continued

WHEREAS, P. A. Marrano Trust, U.A., has offered to sell such 0.65 acre tract of land to the Town for \$28,000, and

WHEREAS, the Town Assessors Office has stated that such land is worth at least \$28,000, and

WHEREAS, this Town Board desires to acquire such land to preserve the natural setting near the entrance to Stiglmeier Park, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a contract acceptable to the Town Attorney and any other documents necessary for the purchase of such land for \$28,000, and BE IT FURTHER

RESOLVED that the purchase price and normal closing adjustments shall be appropriated from budget line item 01.7110.0004.4460.

Upon Roll Call....

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

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

WHEREAS, the Town desires to make a skate sharpening machine available at the Town ice rink for use by patrons of such rink, and

WHEREAS, Universal Skate Sharpeners, Inc. manufactures and distributes a coin operated skate sharpening machine and has proposed to enter into the attached agreement with the Town, and

WHEREAS, this agreement is a form agreement prepared by Universal Skate Sharpeners and is not negotiable, and

WHEREAS, this Town Board desires to enter into such agreement with Universal Skate Sharpeners, Inc., NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Location Contract with Universal Skate Sharpeners, Inc.

Upon Roll Call....

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

*SEE ATTACHED PAGES

LOCATION CONTRACT

THIS AGREEMENT made the 15th day of November, 1989

BETWEEN:

UNIVERSAL SKATE SHARPENERS INC.
incorporated under the laws of the State of Minnesota
c/o P.O. Box 8850, Stn. "F", Calgary, Alberta T2J 5S5
(hereinafter referred to as "Universal")

OF THE FIRST PART

- and -

Town of Cheektowaga
(Name)
Town Hall - Broadway and Union Road
(Address)
Cheektowaga, New York 14227

(hereinafter referred to as "Licensor")

1990 JAN -4 PM 4:26
RECEIVED
CHEEKTOWAGA
TOWN CLERK

OF THE SECOND PART

Universal manufactures and distributes a coin operated skate sharpening machine known as the the Universal Skate Sharpener (hereinafter referred to as the "Machine").

Universal has agreed to install a Machine or Machines on the premises of the Licensor and the Licensor has agreed to allow such installation on its premises on the terms and conditions set out in the Agreement.

In consideration of the mutual covenants set out in this Agreement the parties agree as follows:

1. The Licensor grants to Universal and its Service Centre the exclusive licence and privilege of installing one (1) machine on the premises of the Licensor at TOWN OF CHEEKTOWAGA RECREATION CENTER 2600 HARLEM (the "Premises") during the term of this Agreement.
2. The term of the licence to Universal shall commence on November 15, 1989 and shall continue for a period of one year subject to the right of either party to terminate such licence on 48 hours written notice given to the other party. If the licence granted under this Agreement has not been terminated by either party at the expiry of the term of this Agreement as provided in this Agreement, this Agreement shall be automatically renewed from year to year upon the same terms and conditions.

3. Universal or its Service Centre shall install the Machine on the Premises at the expense of Universal in proper working order on or before November 25, 1989.

4. The Licensor shall provide all electrical current required for operating the Machine at its expense without charge to Universal or its Service Centre.

5. If it should come to the attention of the Licensor that the Machine should cease to work the Licensor shall notify Universal or its Service Centre as soon as possible. The address and telephone number for notification of disruption of service shall be displayed upon the Machine.

6. Upon being notified that the Machine is not working or requires repairs Universal or its Service Centre shall service the Machine and make the necessary repairs within a reasonable period of time. Universal or its Service Centre shall conduct periodic inspections of the Machine to maintain and service the Machine.

7. Universal or its Service Centre shall maintain and establish a system for refunds to members of the public who have placed money in the Machine and shall label the Machine to indicate the name, address and telephone number of Universal or its Service Centre so that members of the public can contact Universal or its Service Centre directly to obtain refunds, if required.

8. During the term of this Agreement Universal or its Service Centre shall pay to the Licensor a sum equal to 10% of each month's gross receipts from the Machine. Payments by Universal or its Service Centre to the Licensor shall be monthly in arrears commencing in the second month of operation of the Machine and thereafter on or before the fifteenth day of each month next following the month to which the payments relate.

9. Universal shall have the unilateral right to set the rates charged for skate sharpening by the Machine.

10. During the term of this Agreement the Licensor shall not permit any other skate sharpening service on the premises.

11. The parties acknowledge that Universal is and remains the owner of the Machine and that nothing in this Agreement shall give any property rights in respect of the Machine to the Licensor.

12. During the term of this Agreement Universal agrees to indemnify and save harmless the Licensor, its agents and employees from all losses, costs, charges, damages and expenses arising out of any of the obligations and liabilities of Universal under this Agreement and out of the installation, maintenance and operation of the Machine on the Premises except for the acts, omissions or neglect of the Licensor, and where it can be proven that willful damage was done by the Licensor or his agents.

13. Any notice required or permitted to be given by one party to the other party under this Agreement shall be personally delivered or sent by prepaid registered mail to the address set out above and if mailed the notice shall be deemed to be received two business days after the date of mailing.

14. The parties to this Agreement are independent contractors and not parties to any partnership, joint venture or business carried on in common with a view to profit in respect of the matters set out in the Agreement, and neither party shall have the right to bind the other party. This Agreement contains all of the agreement between the parties and may only be amended or varied in writing signed by both parties.

17. Neither party may assign this Agreement or its interest in this Agreement without the written consent of the other party which consent may be arbitrarily withheld. Subject to the foregoing this Agreement shall bind and enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns, as the case may be.

SIGNED by the parties hereto on the date first above written.

UNIVERSAL SKATE SHARPENERS INC.

PER: 
(Authorized Signatory)

TOWN OF CHEEKTOWAGA
(Licensor)

PER: 
(Authorized Signatory)

Supervisor
(Name and office of signatory)

Item No. 8e Motion by Supervisor Swiatek Seconded by Councilman Johnson

WHEREAS, moneys are available in the way of Federal Assistance Grants under the ACTION Drug Alliance Program for the prevention of drug abuse, and

WHEREAS, the Cheektowaga Youth Bureau desires to avail itself of such grant moneys for a Substance Abuse Prevention Education Program for Town Youth, and

WHEREAS, the Youth Bureau's program will be geared toward the children, adolescents and young adults who comprise one-third of the Town's 110,000 residents, and

WHEREAS, youths across the nation are at high risk for substance abuse, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a Federal Assistance Grant form and all other documents necessary to enable the Town to apply for a \$35,000 grant under the ACTION Drug Alliance Program for the Youth Bureau's Substance Abuse Prevention Education Program.

Upon Roll Call....

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

Item No. 8f Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, the Town of Cheektowaga is the owner of land located at 2660 William Street upon which the South Branch Public Library is situated, and

WHEREAS, New York State Electric & Gas Corporation and New York Telephone Company desire an easement to construct and maintain an electrical transmission line, poles and appurtenances as necessary for the distribution or electric current and/or for communication purposes across such property, and

WHEREAS, the Town Engineer has reviewed such easement and does not object to the granting of same, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the granting of an easement, as approved by the Town Engineer and Town Attorney, to New York State Electric & Gas Corporation and New York Telephone Company over the aforementioned property and directs the Supervisor to execute such easement, and BE IT FURTHER

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

* * * * *

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on November 6, 1989, adopted a resolution authorizing the granting of a 15 foot wide easement to the New York State Electric & Gas Corporation in front of property located 2660 William Street (South Branch Library). A copy of such easement agreement for this property is available in the Town Clerk's Office where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

DATED: November 6, 1989

MEETING NO. 26
November 6, 1989

Item No. 8f continued

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

RICHARD M. MOLESKI,
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor 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.

Scott Benson

....., 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..... NOV 09 1989 ;
last publication..... NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this NOV 09 1989
day of, 19.....

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, 1991

**LEGAL NOTICE
NOTICE OF ADOPTION OF
RESOLUTION
SUBJECT TO PERMISSIVE
REFERENDUM**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, on November 6, 1989, adopted a resolution authorizing the granting of a 15 foot wide easement to New York State Electric & Gas Corporation in front of property located 2660 William Street (South Branch Library). A copy of such easement agreement for this property is available in the Town Clerk's Office where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: November 6, 1989

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: November 9, 1989

EVE J. ALLIS
Notary Public, State of New York
(Qualified in Erie County)
My commission expires on 11/11/91

Item No. 8g Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, the Town of Cheektowaga is the owner of a vacant parcel of land located on the south side of William Street where the former Lehigh & Lake Erie Branch railroad was (a/k/a Assessor's S.B.L. #113.61-2-1.2), and

WHEREAS, New York State Electric & Gas Corporation and New York Telephone Company desire an easement to construct and maintain an electrical transmission line, pole and appurtenances as necessary for the distribution of electric current and/or for communication purposes through such property, and

WHEREAS, the Town Engineer has reviewed such easement and does not object to the granting of same provided the poles are laid so as to not interfere with the Town's proposed future storm sewer line, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the granting of an easement, as approved by the Town Engineer and Town Attorney, to New York State Electric & Gas Corporation and New York Telephone Company over the aforementioned property and directs the Supervisor to execute such easement, and BE IT FURTHER

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

* * * * *

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on November 6, 1989, adopted a resolution authorizing the granting of a 15 foot wide easement to New York State Electric & Gas Corporation in front of property located on the south side of William Street where the Lehigh & Lake Erie Branch railroad was located. A copy of such easement agreement for this property is available in the Town Clerk's Office where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

DATED: November 6, 1989

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

RICHARD M. MOLESKI,
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor 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.

..... Scott Benson
....., 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 NOV 09 1989 ;
last publication NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this NOV 09 1989
day of, 19.....

..... *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, 1991

STATE
COUNTY
TOWN

**LEGAL NOTICE
NOTICE OF ADOPTION OF
RESOLUTION
SUBJECT TO PERMISSIVE
REFERENDUM**
NOTICE IS HEREBY GIVEN
that the Town Board of the Town of
Cheektowaga, on November 6, 1989,
adopted a resolution authorizing the
granting of a 15 foot wide easement to
New York State Electric & Gas Corpo-
ration in front of property located on
the south side of William Street where
the Lehigh & Lake Erie Branch rail-
road was located. A copy of such ease-
ment agreement for this property is
available in the Town Clerk's Office
where same may be examined during
regular business hours.
TAKE FURTHER NOTICE that
such resolution is subject to permis-
sive referendum under Article 7 of the
Town Law of the State of New York.
Dated: November 6, 1989
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
CHEEKTOWAGA, ERIE COUNTY,
NEW YORK
RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 9, 1989

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

Item No. 8h Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, the Town of Cheektowaga is the owner of land located south of the Sanitation Garage east of Union Road, and

WHEREAS, National Fuel Gas Distribution Corporation desires an easement to lay and maintain a pipeline and appurtenances as necessary for the distribution of gas through such property, and

WHEREAS, the Town Engineer has reviewed such easement and does not object to the granting of same, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the granting of an easement, as approved by the Town Engineer and Town Attorney, to National Fuel Gas Distribution Corporation over the aforementioned property and directs the Supervisor to execute such easement, and BE IT FURTHER

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

* * * * *

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on November 6, 1989, adopted a resolution authorizing the granting of a 15 foot wide easement to National Fuel Distribution Corporation on property located south of Broadway and east of Union Road just south of the existing Sanitation Department Garage. A copy of such easement agreement for this property is available in the Town Clerk's Office where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: November 6, 1989

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

RICHARD M. MOLESKI,
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor 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.

Scott Benson
....., 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..... NOV 09 1989..... ;
last publication..... NOV 09 1989..... ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this NOV 09 1989

day of, 19.....

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, 1991

**LEGAL NOTICE
NOTICE OF ADOPTION OF
RESOLUTION
SUBJECT TO PERMISSIVE
REFERENDUM**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, on November 6, 1989, adopted a resolution authorizing the granting of a 15 foot wide easement to National Fuel Gas Distribution Corporation on property located on the south of Broadway and east of Union Road just south of the existing Sanitation Department Garage. A copy of such easement agreement for this property is available in the Town Clerk's Office where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: November 6, 1989

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

**RICHARD M. MOLESKI
Town Clerk**

PUBLISH: November 9, 1989

My commission expires on
Qualified in the County of
EVE J. ALLIS

Item No. 8i Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, the Town of Cheektowaga is the owner of a vacant parcel of land located on the south side of William Street where the former Lehigh & Lake Erie Branch railroad was (a/k/a Assessor's S.B.L. #113.61-2-1.2), and

WHEREAS, National Fuel Gas Distribution Corporation desires an easement to lay and maintain a pipeline and appurtenances as necessary for the distribution of gas through such property, and

WHEREAS, the Town Engineer has reviewed such easement and does not object to the granting of same provided the pipes are laid so as to not interfere with the Town's proposed future storm sewer line, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the granting of an easement, as approved by the Town Engineer and the Town Attorney, to National Fuel Gas Distribution Corporation over the aforementioned property and directs the Supervisor to execute such easement, and BE IT FURTHER

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

* * * * *

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on November 6, 1989, adopted a resolution authorizing the granting of a 15 foot wide easement to National Fuel Gas Distribution Corporation in front of property located on the south side of William Street where the Lehigh & Lake Erie Branch railroad was located. A copy of such easement agreement for this property is available in the Town Clerk's Office where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

DATED: November 6, 1989

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

RICHARD M. MOLESKI,
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor 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.

Scott Benson
....., 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 NOV 09 1989 ;
last publication NOV 09 1989 ;
and that no more than six days intervened be-
tween publications.

..... Scott Benson

Sworn to before me this NOV 09 1989

day of, 19.....

..... 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, 1991

**LEGAL NOTICE
NOTICE OF ADOPTION OF
RESOLUTION
SUBJECT TO PERMISSIVE
REFERENDUM**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, on November 6, 1989, adopted a resolution authorizing the granting of a 15 foot wide easement to National Fuel Gas Distribution Corporation on property located on the south side of William Street where the Lehigh & Lake Erie Branch railroad was located. A copy of such easement agreement for this property is available in the Town Clerk's Office where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: November 6, 1989

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

**RICHARD M. MOLESKI
Town Clerk**

PUBLISH: November 9, 1989

EVERETT J. ALLIS
Member Erie County Board
District 10
Erie County, New York

MEETING NO. 26
November 6, 1989

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

WHEREAS, there is need to approve a Change Order for additional work in the Reroofing of the Highway Department Garage Building as documented in the letter of the Highway Superintendent dated October 30, 1989 to the Town Board, NOW, THEREFORE, BE IT

RESOLVED that said Change Order No. 1 as an addition to the Reroofing of the Highway Department Garage Building Contract of Joseph A. Sanders and Sons is approved, AND, BE IT FURTHER

RESOLVED that this Town Board directs and authorizes the Supervisor to sign said Change Order No. 1 in the amount of \$1,129.00.

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 Jaworowicz

WHEREAS, the Town of Cheektowaga has previously executed an Agreement with the Cheektowaga Economic Development Corporation to provide Community Development Block Grant funding for the CEDC's business loan program, and

WHEREAS, the Board of Directors of the Cheektowaga Economic Development Corporation has approved a loan to Niagara Candy in the amount of \$300,000 for that company's economic development project and

WHEREAS, the Cheektowaga Economic Development Corporation has requested the Town to pre-approve the drawdown of funds necessary for said loan in anticipation of a loan closing, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby approves the future drawdown of Community Development funds from the Town's Community Development Block Grant Program Letter of Credit and the disbursement of said funds to the Cheektowaga Economic Development Corporation in the amount not to exceed \$300,000 less the amount of program income funds available from the Cheektowaga Economic Development Corporation at the time of closing. Said drawdown shall not be made more than 10 days prior to the scheduled closing date. In the event that the closing does not occur within 10 days of the scheduled closing date, said drawdown shall immediately be redeposited to the Community Development Block Grant Program Letter of Credit.

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 Solecki

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

WHEREAS, the Town Board, pursuant to the Environmental Impact 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 October 26, 1989, rendered the determinations shown on the attached memo dated October 30, 1989, and

MEETING NO. 26
November 6, 1989

Item No. 12 continued

WHEREAS, the Advisory Committee, at its meeting held on October 26, 1989, rendered the determinations shown on the attached memo dated October 30, 1989, 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 October 30, 1989 memo attached hereto:

Item III 125 Gardenville Parkway West

Item V 1695 Walden Avenue

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE ATTACHED MEMO

RE: EQR - October 26, 1989
October 31, 1989
Page: 4

The Committee will table this item so that the Traffic Safety Commission can review the traffic study at their November 21st meeting and the Environmental Committee will not render a decision until comments are received from the Traffic Safety Commission.

ITEM III 125 Gardenville - Proposed Addition To
Parkway West Sorrento Cheese

Applicant: Zaepfel-Krog

Determination: Non-Significant

The applicant had been requested at the last meeting to supply additional information relative to parking areas and the location of an existing storm sewer that runs beneath the existing building. A new plan was submitted which showed this information and as a result the Committee found the proposed additions to be improvements that will not have an adverse impact on the environment. The area is developed as an industrial park and therefore this project is compatible with the area.

ITEM IV Diamond "D" Estates - Proposed Subdivision Of
Approx. 150 Lots

Applicant: Diamond "D" Development

Determination: Tabled

Both the NYSDEC and ECDEP have replied to the Town's referral regarding the project.

The NYSDEC has indicated that the proposed project site is located within an archeologically sensitive area and it will be necessary for the Developer to conduct an archeological investigation for the entire parcel unless a prior survey was performed and can be documented.

The ECDEP has reviewed the project and finds that there is adequate reserve capacity in Sanitary Sewer District #4 for the subdivision and that the County must be approached for a highway permit for Losson Road.

MEETING NO. 26
November 6, 1989

Item No. 13a 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 institute the relocation of highway lighting equipment on William Street in conjunction with the New York State Department of Transportation Reconstruction Project, P.I.N. 5528.21, including the replacement of thirty (30) 400 Watt H.P.S. Luminaires with 250 Watt H.P.S. Luminaires for a one-time charge of \$3,280.02, which will result in an annual decrease to the Town General Lighting District of \$3,691.45 in accordance with the New York State Electric & Gas Corporation's dated October 20, 1989 attached hereto.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

* SEE ATTACHED LETTER



October 20, 1989

**STREET LIGHTING PROPOSAL
Town of Cheektowaga**

William St.

Install 30 - 24700 lumen HPS lamps @ \$180.80 ea. = \$5,424.00

Poles 221, 219-6, 219, 217-1, 214, 213-1, 212-1, 210, 208, 206, 200-1, 199-6, 191-1, 183, 181-1, 177-1, 176-1, 173, 171, 170, 168, 165, 164-1, 163-1, 162, 160-1, 159--Line 419

1-1 Line 456, 1, Line 455, 1/4 Line 450

Annual Increase = \$5,424.00

William St.

Remove 35 - 45000 lumen HPS lamps @ \$250.11 ea. = \$8,753.85

Poles 221, 219, 218, 216, 214, 213, 211, 210, 208, 207, 201, 199, 197, 191, 189, 186, 183, 181, 179, 177, 176, 174, 173, 171, 170, 168, 166, 165-1, 164, 163-1, 162, 160-2, 159, T-52-1, T-51-1--Line 419

William St.

Remove 2 - 24700 lumen HPS lamps @ \$180.80 ea. = \$ 361.60

Poles T-54-1, T-53-1--Line 419

Annual Decrease = \$9,115.45

TOTAL ANNUAL DECREASE = \$3,691.45



Town of Cheektowaga
Page Two

These street lights on Pole Number will be transferred to Pole Number

45000 lumen HPS	205	205
" " "	204	204
" " "	195	195
" " "	194-1	194-1
" " "	193-1	193-1
" " "	193	193
24700 lumen HPS	192-1	192
" " "	190-1	190
" " "	187-1	1-2 Line 455
" " "	186-1	i-1 Line 455
" " "	185-1	185-6
" " "	184-1	185-1
" " "	182-1	182
" " "	180-1	180
" " "	178-1	178
" " "	175-1	175
" " "	172-1	172

There is a one-time charge of \$3,280.02 for unrecovered cost associated with the removal of thirty three 45000 lumen HPS fixtures (30 to be replaced with 24700 lumen HPS). The charge of \$3,280.02 is made up of \$6,181.05 unrecovered cost less \$2,901.03 present day value of the fixtures removed. There are four street lights being removed near the Thruway, which cannot be reinstalled at this time. When NYSDOT has completed construction, I will survey the area for new street light locations in this area.

MEETING NO. 26
November 6, 1989

Item No. 13b Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, the developer of the Woodlands at the Park Subdivision has furnished and installed nine (9) 5200 lumen H.P.S. post top luminaires, fiberglass standards and related conduit and conductors as required in conjunction with the development of the subject subdivision, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to connect a total of nine (9) 5200 H.P.S. post top luminaires within said subdivision in the Town of Cheektowaga at an annual increase to the Town's General Lighting District of \$382.77, in accordance with the attached New York State Electric & Gas Corporation proposal which is hereby made a part of this resolution.

Upon Roll Call....

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

*SEE NEXT PAGES



October 31, 1989

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
WOODLANDS AT THE PARK SUBDIVISION

Countryside Lane

SC #2

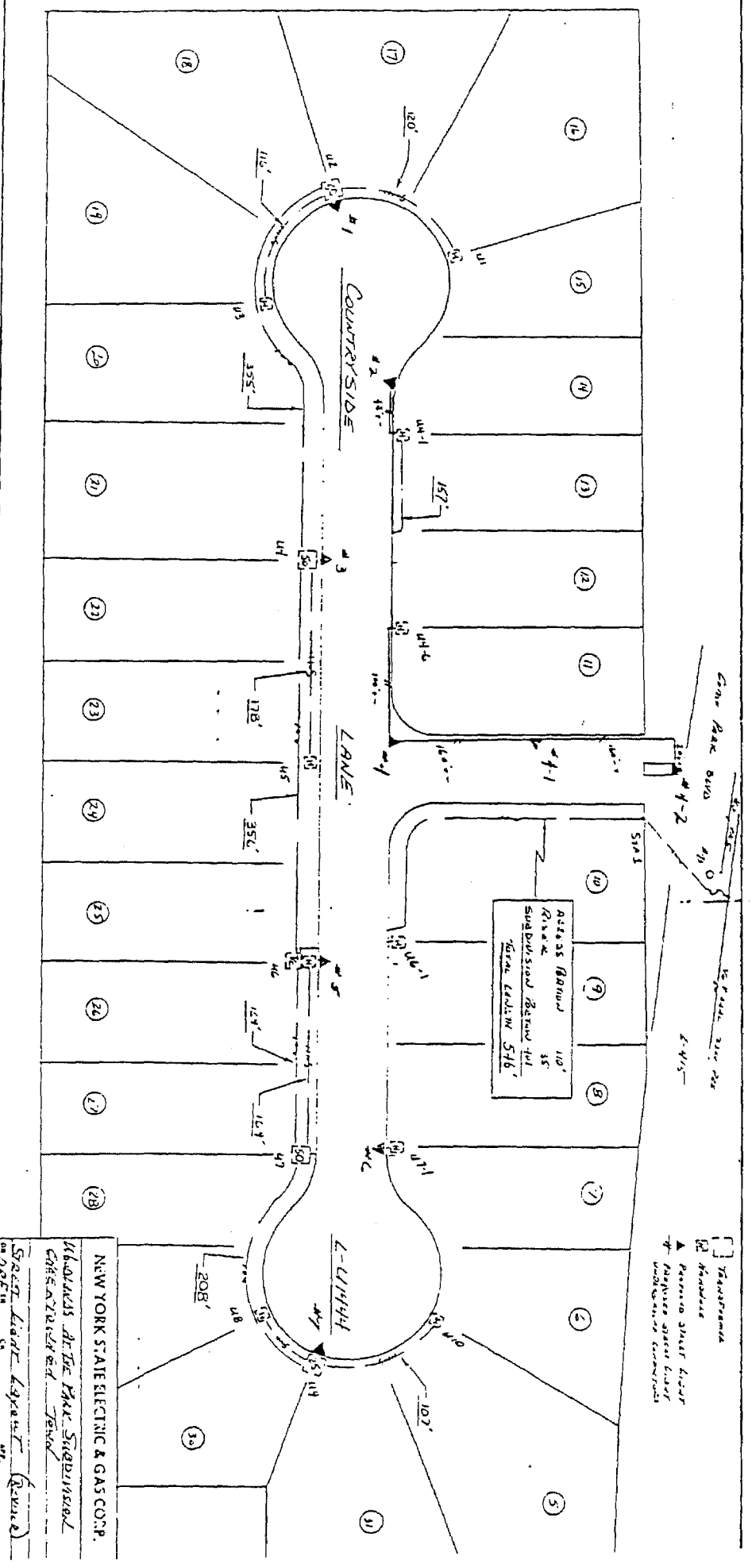
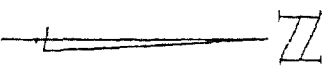
Connect 9-5200 lumen HPS lamps (energy & bulb rate) @ \$42.53 --- \$ 382.77
(Stds. 1,2,3,4,4-1,4-2,5,6,7)

Standards, underground conductors and fixtures to be supplied and installed by developer; owned and maintained by the Town of Cheektowaga.

Connections, energy, lamp and photo-electric eye replacements to be supplied by NYSEG.

(see attached sketch)

(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. 26
November 6, 1989

Item No. 14 Motion by Councilman Solecki Seconded by Councilman Johnson

WHEREAS, New York Telephone has asked the State's Public Service Commission for a \$359.8 million rate increase, and

WHEREAS, because of New York Telephone's unwillingness to settle the three-month long strike by its workers, telephone service has deteriorated and the telephone company is saving up to \$148 million per month in unpaid wages and benefits, and

WHEREAS, this Board feels that the State Public Service Commission should deny New York Telephone's rate hike request, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests the New York State Public Service Commission to deny New York Telephone's request for a rate increase, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the State Public Service Commission.

Upon Roll Call....

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

Item No. 15 Motion by Councilman Solecki Seconded by Unanimous

WHEREAS, this Town Board, the Town Community Action Solid Waste Advisory Committee and outside consultants have been actively looking at possible locations for a composting site in Western New York, and

WHEREAS, a site on Indian Road in the Town was investigated as a possible composting site, and

WHEREAS, after careful analysis, study and investigation by all involved Town Board members, committee members and consultants, it has been determined that the Indian Road area would not be a good site for composting for the following reasons:

1. residences in this area are plagued by existing noise, traffic and environmental problem;
2. two other garbage/recycling sites are already located along Indian Road

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby goes on record against placing a composting site on Indian Road in the Town, and BE IT FURTHER

RESOLVED that this Town Board hereby states that it shall continue to search for an appropriate site in Western New York for a composting facility.

Upon Roll Call....

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

Item No. 16 Motion by Councilman Kulyk Seconded by Supervisor Swiatek

WHEREAS, Penn Advertising Inc. has requested permission to erect one 14 ft. x 48 ft. double faced billboard sign at 3242 Harlem Road approximately 180 ft. west of the intersection with Maryvale Drive, AND

MEETING NO. 26
November 6, 1989

Item No. 16 continued

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

WHEREAS, said Supervising Building and Plumbing Inspector has recommended approval of the billboard installation request, NOW, THEREFORE, BE IT

RESOLVED that Penn Advertising Inc. be and is hereby granted permission to erect the above referenced billboard sign.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 17 Motion by Councilman Johnson and Supervisor Swiatek
Seconded by Councilman Kazukiewicz

WHEREAS, the Niagara Frontier Transportation Authority (NFTA), as owner and operator of the Greater Buffalo International Airport, provides aviation facilities making the Town of Cheektowaga the gateway for air travel in the Western New York area, AND

WHEREAS, existing and continued development at the G.B.I.A. has and will continue to have an impact on the Town of Cheektowaga and its residents, AND

WHEREAS, the proposed NFTA acquisition of the former Westinghouse property, and proposed safety improvements to runway 14/32, being subject to the environmental review process pursuant to the State Environmental Quality Review Act, were reviewed with the NFTA acting as lead agency for this Type I action, and a Negative Declaration, dated December 16, 1987, was issued by Alfred H. Savage, NFTA Executive Director, upon determination that the proposed action will not have a significant impact on the environment, AND

WHEREAS, this Town Board, as elected officials responsible for the health, safety and general welfare of its citizenry, share a desire to improve upon the safety and efficiency of airport operations, through NFTA expansion programs. However, this Town Board has cited significant impacts affecting Town residents associated with current airport operations, specifically a need to address and control stormwater runoff from airport acreage, and the need to institute a noise abatement and sound-proofing program for current and projected jet operations, NOW, THEREFORE, BE IT

RESOLVED that this Town Board again petitions the NFTA to incorporate into its Master Plan/Terminal Area Plan, the construction of two (2) stormwater detention basins as recommended in the May 1989 U-Crest Storm Water Management Report, prepared on behalf of the Town of Cheektowaga by Nussbaumer & Clarke, Inc., Consulting Engineers, the construction of which will reduce the burden placed upon the U-Crest/Scajaquada Creek system, and will reduce the potential for airport generated stormwater runoff volumes exceeding downstream system capacity, flooding private property and inundating Genesee Street, a State Highway, an occurrence witnessed in 1987, AND, BE IT FURTHER

RESOLVED that this Town Board petitions the NFTA and Federal Aviation Administration to conduct the necessary inspections, analysis and evaluation necessary to institute a noise abatement and sound-proofing program to mitigate aircraft noise impact affecting the citizens of this community, AND, BE IT FURTHER

RESOLVED that this Town Board hereby petitions the FAA and the NYS Department of Transportation ("DOT"), as reviewing agencies, to require the NFTA to address the following environmental concerns and to provide mitigative measures for same prior to considering any NFTA request for funding or approval for the expansion and rehabilitation of the Greater Buffalo International Airport ("GBIA"):

1. stormwater runoff and affect on residential and business properties in the area.

Item No. 17 continued

2. noise - require the NFTA to perform a "Part 150" study to investigate the need for a noise abatement program and seek Federal and State funding for such noise abatement in the area surrounding the GBIA
3. fire protection - require the NFTA to provide and guarantee provision for adequate fire protection in the form of mutual aid agreements with area fire companies and/or creation of a fire protection district for commercial facilities on the NFTA property.
4. such other environmental impacts attendant to the expansion of the GBIA.

AND, BE IT FURTHER

RESOLVED that this Town Board hereby also requests that the DOT take whatever steps necessary to remove the NFTA as lead agency for this project and to make the DOT the lead agency, AND, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the NFTA Executive Director, the Erie and Niagara Counties Regional Planning Board, New York State Department of Transportation, the Federal Aviation Administration, Assemblyman Paul Tokasz and Senator Dale M. Volker.

Upon Roll Call....

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

Item No. 18 Motion by Councilman Kazukiewicz Seconded by Unanimous

WHEREAS, alcohol and other drug abuse in this nation has reached epidemic stages, and the 15-24 year old age group is dying at a faster rate than any other age group, and

WHEREAS, it is imperative that visible, unified prevention education efforts by community members be launched to reduce the demand for drugs, and

WHEREAS, the National Federation of Parents for Drug Free Youth and W.N.Y. United Against Drug and Alcohol Abuse are sponsoring the National Red Ribbon Campaign offering citizens the opportunity to demonstrate their commitment to drug free lifestyles, and

WHEREAS, the National Red Ribbon Campaign was celebrated in every community in America during "Red Ribbon Week", October 22-29, 1989, and

WHEREAS, business, government, law enforcement, schools, religious institutions, service organizations, youth, physicians, senior citizens, military, sports teams, and individuals demonstrated their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during this week-long campaign, and

WHEREAS, the Town of Cheektowaga celebrated Red Ribbon Week and this Town Board feels that the National Red Ribbon Campaign should be continued for the month of November, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby supports the National Red Ribbon Campaign and encourages our citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug free community, and BE IT FURTHER

RESOLVED that this Town Board requests the National Federation of Parents for Drug Free Youth and W.N.Y. United Against Drug & Alcohol Abuse to extend the National Red Ribbon Campaign for the month of November, and BE IT FURTHER

Item No. 18 continued

RESOLVED that this Town Board also requests other municipalities in Erie County to petition the National Federation of Parents for Drug Free Youth and W.N.Y. United Against Drug & Alcohol Abuse to extend the National Red Ribbon Week through the month of November, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward copies of this resolution to W.N.Y. United Against Drug & Alcohol Abuse and to other municipalities in Erie County.

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 Kazukiewicz

WHEREAS, the Town of Cheektowaga is the owner of Town Water District No. 10 and has a lease-management agreement with the Erie County Water Authority for same, and

WHEREAS, 1695 Walden Avenue is located within the boundaries of Town Water District No. 10, and

WHEREAS, Mary Ann Miller, as trustee for Schectman's Children's Trust the owner of 1695 Walden Avenue made application for environmental review of its request for building permits for construction within Water District No. 10, and

WHEREAS, environmental approval of such proposal was not completed because of concern over the issue of a private water line serving numerous businesses, and

WHEREAS, Mary Ann Miller, as trustee, commenced a lawsuit against the Town challenging the non-approval of its request for building permits, and

WHEREAS, settlement of such lawsuit was proposed wherein the petitioner would agree to construct a water meter pit along Walden Avenue and wherein the Town would contribute \$1,500 towards the cost of such water meter pit, and

WHEREAS, such settlement offer would enable the Town to transfer Water District No. 10 to the Erie County Water Authority, an action which the Town has been trying to do for years, and

WHEREAS, the Town Engineer and the Town Attorney have recommended that the settlement offer be accepted by this Town Board, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby agrees to settle Miller, as trustee v. Town of Cheektowaga, et al. by agreeing to contribute \$1,500 towards the cost of construction of a water meter pit in front of 1695 Walden Avenue, and BE IT FURTHER

RESOLVED that the Supervisor and Town Attorney be and hereby are authorized and directed to execute any and all documents necessary to effectuate the settlement of such lawsuit, and BE IT FURTHER

RESOLVED that the \$1,500 shall be appropriated from Water District No. 10 fund balance (account No. 76-8350-4345)

Upon Roll Call....

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

MEETING NO. 26
November 6, 1989

Item No. 20 Motion by Councilman Kazukiewicz

WHEREAS, the citizens of this Town and of the United States are indebted to the numerous veterans who have risked their lives to protect our freedom and rights, and

WHEREAS, this Town Board feels that a committee should be established to assist veterans and to investigate what we can do to help them, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby creates an Ad Hoc Veterans Committee; the purpose of which shall be to meet with veterans' groups and to keep them informed as to benefits and services available to them and to assist veterans in any way they can, and BE IT FURTHER

RESOLVED that the following individuals shall be appointed to serve on the Ad Hoc Veterans Committee:

Sylvia Lipowski
Earl Rosenthal
Leo Kazukiewicz
George Ross
Elaine Rosenthal

* * * * *

MOTION BY COUNCILMAN KULYK AND SECONDED BY COUNCILMAN SOLECKI TO TABLE 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

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

BE IT RESOLVED that the hourly wage for van drivers in the Department of Senior Services be increased to \$5.00 per hour effective Monday, November 6, 1989.

Funding Source: Account 7620.1639

Upon Roll Call....

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

Item No. 22a Motion by Councilman Kulyk Seconded by Councilman Johnson

WHEREAS, a permanent vacancy exists in the position of Working Foreman in the Facilities Department, AND

WHEREAS, Frank J. Dux is heretofore been temporarily re-assigned as a Working Foreman in the Facilities Department to temporarily fill such vacancy, AND

WHEREAS, after such re-assignment, a notice of such vacancy was posted in accordance with the collective bargaining agreement between the Town and the Town of Cheektowaga Supervisory Unit, NOW, THEREFORE, BE IT

RESOLVED that Frank J. Dux, 35 Doyle Court, be and hereby is appointed to the position of Working Foreman (Working Crew Chief) in the Facilities Department.

MEETING NO. 26
November 6, 1989

Item No. 22a

MOTION BY COUNCILMAN KULYK AND SECONDED BY COUNCILMAN GABRYSZAK TO TABLE 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

Item No. 22b Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, a vacancy existed in the position of Assistant Plumbing Inspector and heretofore Louis Costrino was appointed to fill such vacancy on a provisional basis, pending the results of the Civil Service examination for said position, AND

WHEREAS, the list from such Civil Service exam has now been cancelled, NOW, THEREFORE BE IT

RESOLVED that Louis Costrino of 157 Lydia Lane, Cheektowaga, New York be and hereby is appointed to the position of Assistant Plumbing Inspector at a salary and according to the terms of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association.

Upon Roll Call....

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

Item No. 22c Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, by resolution dated August 7, 1989, Theresa Rusin was temporarily appointed to the position of Director of Administration and Finance (PJC-Exempt), AND

WHEREAS, the title of Director of Administration and Finance is still pending jurisdictional classification before the New York State Civil Service Commission, NOW, THEREFORE BE IT

RESOLVED that the temporary appointment of Theresa Rusin as Director of Administration and Finance be continued indefinitely, until the jurisdictional classification of said job title is determined, AND, BE IT FURTHER

RESOLVED that the leave of absence previously granted Theresa Rusin from her position as Junior Accountant in the Accounting Department be also continued indefinitely while she is serving temporarily in the position of Director of Administration and Finance (PJC-Exempt).

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 Seasonal and/or Part-Time employees be and hereby are terminated in the Facilities Department:

<u>PARKS DIVISION:</u>		<u>EFFECTIVE:</u>
Sean Kohler	78 Surfside Parkway	10/1/89
Bruce Blachowski	22 Rowan Road	10/30/89

MEETING NO. 26
November 6, 1989

Item No. 23a continued

Upon Roll Call....

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

Item No. 23b Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal and/or Part-Time employees as listed:

ASSESSOR'S OFFICE EFFECTIVE

Korri Ann Kaminski 9/8/89

ENGINEERING OFFICE

Kristen Mulcahy 9/14/89

Upon Roll Call....

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

Item No. 24a Motion by Councilman Gabryszak Seconded by Councilman Kulyk

BE IT RESOLVED that the following individuals be hired by the Facilities Department for part-time employment:

PARKS DIVISION: Acct. #01-7110-0001-1491 at \$4.35 per hour

Ronald Sobocinski
Robert Edward Trzaska
Robert Lee

AND, BE IT FURTHER

RESOLVED THAT Randy Palmisano, a seasonal laborer in the Sanitation Department, be and hereby is transferred back to the Parks Division at the rate of \$4.35 per hour.

Upon Roll Call....

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

Item No. 24b Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

BE IT RESOLVED that Cynthia Kwiatkowski of Cheektowaga, N.Y. 14227 be hired as a part time van drive (Job Class 0111) at a rate of \$5.00 an hour in the Department of Senior Services.

Funding Source: Account 7620.1639

Upon Roll Call....

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

MEETING NO. 26
November 6, 1989

Item No. 24c Councilman Gabryszak Seconded by Councilman Solecki

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department to assist in conducting its 1989-90 winter programs.

RECREATION INSTRUCTOR - A7140.1615 - \$5.00 per hour

Colleen Tonsoline

MARYVALE HIGH SCHOOL SUPERVISOR - A7140.1615 - \$5.00 per hour

Richard Binner

MARYVALE HIGH SCHOOL RECREATION ATTENDANTS -A7140-1615 - \$3.35 per hour

Kenneth Kowalewski
Joseph Nowak
Anthony Orzel

J.F.K.HIGH SCHOOL RECREATION ATTENDANTS - A7140.1615 - \$3.35 per hour

Jeff Bakowski
Kevin Burke
Jason Cwiklinski
Tom Czajkowski
Brian Hondzinski
Christopher Fitch
Shawn Surdej
Jeff Wheeler
Mark Wanderlich

RINK GUARD ATTENDANTS - A7140.1611 - \$3.50 per hour

Elizabeth Chrzanowski
Joe Gajewski
Jay Meyers
Todd Meyers
Eugene Pytlewski

FURTHER, BE IT RESOLVED that the above be terminated effective May 7, 1990.

Upon Roll Call....

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

Item No. 24d Motion by Councilman Solecki Seconded by Councilman Kulyk

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:

EFFECTIVE

COUNCIL OFFICE - Administrative Assistant - \$5.50 per hour
Acct. 01-1010-0001-1356

Marion Andrzejewski

11/7/89

SANITATION DEPARTMENT - \$5.00 per hour

Terry Caggiano
Henry Kuczkowski
Jim Mazurek
Bill Yetman

(retroactive)

10/23/89
As Needed
As Needed
As Needed

MEETING NO. 26
November 6, 1989

Item No. 24d continued

Upon Roll Call....

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

Item No. 25 Leave of Absence for Highway Employee.
This item was withdrawn.

Item No. 26 Motion by Councilman Kulyk Seconded by Councilman Johnson

WHEREAS, the Town desires to engage the services of a Planning consultant in relation to its 1989 Community Development Block Grant Program, and

WHEREAS, a Request for Proposal was issued and proposals solicited from various planning consultant firms, and

WHEREAS, the Town has received a proposal from the firm of Stuart Alexander and Associates for the desired professional planning and technical services, and

WHEREAS, the Director of Community Development has reviewed said proposal and recommends its acceptance by the Town Board, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to enter into an Agreement with the firm of Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York, 14209, to secure the professional planning and technical services of said firm as per its proposal and Town Specifications in relation to the Town's 1989 Community Development Block Grant Program, at a fee not to exceed \$30,00, said fee to be paid by 1989 CDBG funds.

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 Gabryszak

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

GENERAL FUND

FROM: 3120-04-4091	(Ammunition & Flares-Police)	\$ 3,896.87
3310-04-4478	(Control Signal Upgrade-Police)	5,000.00
3310-04-4478	(Control Signal Upgrade Police)	5,000.00
9010-08-8191	(1988 NYSCC-Allocated-Police)	125,000.00
1910-04-4711	(Contingency)	3,000.00
1910-04-4711	(Contingency)	4,000.00
9010-08-8131	(Employees Workers Comp.)	153,225.00
9010-08-8111	(Police-Retirement)	18,775.00
1420-04-4501	(Contracted Legal Services-Law)	1,000.00
1330-04-4100	(Maintenance Agreements-Tax)	2,000.00
8540--4-4587	(Fertilizers & Herbicides-Eng.)	1,347.80
1010-01-1361	(Clerk-Steno-Council Office)	4,000.00
1910-04-4711	(Contingency)	9,000.00
1640-04-4446	(Maintenance & Repair-Cen. Garage)	400.00
1640-04-4446	(Maintenance & Repair-Cen. Garage)	5,000.00
1640-04-4447	(Collision Repair-Central Garage)	5,000.00
3610-04-4001	(Office Supplies-Traffic Safety)	250.00
1430-04-4502	(Personnel-Legal-Personnel Dept.)	1,500.00
2625-00-0000	(Crime Forfeiture Revenue)	4,798.32

MEETING NO. 26
November 6, 1989

Item No. 27 continued

TO:	3120-04-4001	(Office & Police Supplies)	3,896.87
	3310-04-4476	(Signal Repairs-Police)	5,000.00
	3120-04-4001	(Office & Police Supplies)	5,000.00
	3120-01-1531	(Detectives)	125,000.00
	3120-01-1531	(Detectives)	3,000.00
	3120-01-1551	(Sargents)	4,000.00
	3120-01-1541	(Patrolmen)	153,225.00
	3120-01-1541	(Patrolmen)	18,775.00
	1420-04-4501	(Printed Briefs-Law)	1,000.00
	1330-04-4001	(Office Supplies-Tax Office)	2,000.00
	1440-04-4191	(Miscellaneous-Engineering)	1,347.80
	1010-04-4001	(Council-Office Supplies)	4,000.00
	1220-04-4957	(Grants Development)	9,000.00
	1640-04-4072	(Uniform Cleaning-Central Garage)	400.00
	1640-04-4161	(Gasoline-Central Garage)	5,000.00
	1640-04-4161	(Gasoline-Central Garage)	5,000.00
	3610-02-2203	(Typewriter-Traffic Safety)	250.00
	1430-02-2201	(Personnel-Office Equipment)	1,500.00
	3120-04-4092	("Police Open House" Ad Products)	4,798.32

SPECIAL DISTRICT FUND

FROM:	8160-04-4089	(Recycling-Sanitation)	\$2,000.00
TO:	8160-04-4001	(Office Supplies-Sanitation)	2,000.00

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 Gabryszak

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to November 6, 1989 are hereby approved and made a part hereof:

FUND	AMOUNT
GENERAL FUND	\$1,735,375.15
HIGHWAY FUND	564,809.06
CAPITAL FUND	652,859.55
TRUST & AGENCY FUND	35,995.96
HUD FUND	95,149.15
PART TOWN FUND	42,617.58
HUD RENTAL REHAB. FUND	11,243.42
RISK RETENTION FUND	89,705.03
STATE AHC HOME IMPROVEMENT FUND	14,435.40
DEBT SERVICE FUND	224,245.00
HUD REHABILITATION FUND	5,427.00
SPECIAL DISTRICT FUND	<u>1,222,817.27</u>
	<u>\$4,694,679.57</u>
	=====

MEETING NO. 26
November 6, 1989

Item No. 28 continued

* * * * *

Motion by Supervisor Swiatek and 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

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 November 6, 1989 are hereby approved and made a part hereof:

FUND	AMOUNT
GENERAL FUND	<u>\$1,738,145.95</u>
HIGHWAY FUND	564,809.06
CAPITAL FUND	652,859.55
TRUST & AGENCY FUND	35,995.96
HUD FUND	95,149.15
PART TOWN FUND	42,617.58
HUD RENTAL REHAB. FUND	11,243.42
RISK RETENTION FUND	89,705.03
STATE AHC HOME IMPROVEMENT FUND	14,435.40
DEBT SERVICE FUND	224,245.00
HUD REHABILITATION FUND	5,427.00
SPECIAL DISTRICT FUND	<u>1,222,817.27</u>
	<u>\$4,697,450.37</u>
	=====

Upon Roll Call....

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 29 Building Permits
Received and Filed

Item No. 30 Supervisor's Statement of Funds - August, 1989
Received and Filed

Item No. 31a Minutes of Cheektowaga Library Board/September, 1989
Received and Filed

Item No. 31b Minutes of Traffic Safety Commission/October, 1989
Received and Filed

III. GENERAL COMMUNICATIONS

Item No. 32 Summons & Complaint: Joseph & Calogera Curcio 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; Engineering Department; S.I.S. Services, Insurance Carriers.
Received and Filed.

Item No. 33 Notice of Claim: Dorothy & Raymond Wasilewski 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; Highway Department; S.I.S. Services, Insurance Carriers
Received and Filed.

Item No. 34 Order permitting filing late Notice of Claim: Cheektowaga Central School District vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Town Board Council Members; Building Department.
Received and Filed.

IV. SUSPENSION OF RULES

* * * * *

Motion by Supervisor Swiatek and seconded by Councilman Solecki to suspend the rules to include the following 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

* * * * *

Item No. 35 Motion by Councilman Jaworowicz Seconded by Supervisor Swiatek

WHEREAS, by resolution of this Town Board, Kenneth Stoller was appointed to the position of Public Safety Dispatcher, effective August 21, 1989, AND

WHEREAS, the Town is in receipt of a letter of resignation from Kenneth Stoller resigning from his position as Public Safety Dispatcher, NOW, THEREFORE, BE IT

RESOLVED that the letter of resignation of Kenneth Stoller from the position of Public Safety Dispatcher, effective November 1, 1989, is hereby accepted.

Upon Roll Call....

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

MEETING NO. 26
November 6, 1989

Item No. 36 Motion by Councilman Kulyk Seconded by Councilman Gabryszak

WHEREAS, Padgett-Thompson is sponsoring a day-long seminar entitled "Conducting Employee Performance Evaluation" at the Sheraton Inn Airport in Cheektowaga on December 8, 1989, AND

WHEREAS, Bruce Fenwick, Coordinator of Employee Relations and Councilman Andrew Kulyk have requested to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED that Bruce Fenwick and Andrew Kulyk be and hereby are authorized to attend this seminar, with the \$99.00 per person tuition fee to be charged to account #01-1910-0004-4082.

Upon Roll Call....

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

Item No. 37a Motion by Councilman Kulyk Seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located West and North of Princeton Court known as Sublots 57 and 58, Cheektowaga, New York, SBL #92.05-1-13 and according to the Assessor's Office is owned by 3567 Seneca Street Incorporated, 2952 Seneca Street, West Seneca, New York 14224, and

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

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

Upon Roll Call....

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

Item No. 37b Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located North of 188 Cayuga Road, Cheektowaga, New York, SBL #92.09-2-39 and according to the Assessor's Office is owned by Saul Leiner (Etal), c/o Frederick A. Wolf, Buffalo, New York 14203, and

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

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

Upon Roll Call....

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

MEETING NO. 26
November 6, 1989

Item No. 38 Motion by Councilman Kazukiewicz Seconded by Councilman Gabryszak

WHEREAS, on June 5, 1989, this Town Board awarded a bid for One New and Unused 1989-90 One Ton Dump Truck for use by the Town Highway Department to Basil Ford, Inc., the lowest responsible bidder, for a bid price of \$15,135.00, and

WHEREAS, the bid specifications required the bidder to deliver such truck within 60 days, and

WHEREAS, Basil Ford, Inc., after 85⁺, delivered a truck which did not meet the Town's specifications, and

WHEREAS, the second lowest bidder, Bison Ford Truck Sales, Inc. has a truck meeting the Town's specifications available, and has agreed to keep its bid price open, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby finds that Basil Ford, Inc., has not complied with the terms of the bid awarded to it on June 5, 1989 and terminates the Town's contract with Basil Ford, Inc. for the purchase of a One Ton Dump Truck, and BE IT FURTHER

RESOLVED that this Town Board hereby awards the bid for One New and Unused 1989-90 One Ton Dump Truck to Bison Ford Sales, Inc. for the bid price of \$15,467.00, and BE IT FURTHER

RESOLVED that moneys for such purchase shall be appropriated from budget line item number 05862251320315, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to Basil Ford, Inc.

Upon Roll Call....

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

Item No. 39 Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, pursuant to the Environmental Impact 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 Impact 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 September 21, 1989, rendered the determinations shown on the attached memo dated September 26, 1989, 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 September 26, 1989 memo attached hereto:

ITEM III Clinton-Rosslar Plaza

MEETING NO. 26
November 6, 1989

Item No. 39 continued

Upon Roll Call....

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

*SEE NEXT PAGE

ITEM III Clinton-Rossler Plaza - Proposed Addition To The
Value Home Center

Applicant: Value Home Center

Determination: Non-Significant With One Condition
The applicant supplied a new site plan which better reflects the development at the Plaza and the proposed addition. He has shown a new fire hydrant at the rear of the building and located an existing drainage ditch

for the Engineering Department. The Committee believes that this action will have no adverse impact on the environment but is requesting that the Town Attorney research the question as to the applicability of the Landscape Ordinance to this project. In other words, does the entire Plaza come before the Planning Board for review of landscaping or only the small portion that is owned by the applicant, Value Home Center?

ITEM IV Walden/Dick Road - Proposed Price Club Plaza

Applicant: The Price Club

Determination: Tabled
For Traffic Safety Commission and/or New York State DOT comments on the traffic plan that was submitted for review.

ITEM V Sonwil Drive - Proposed Warehouse

Applicant: ADF Construction

Determination: This item had been before the Committee previously. It is a proposal to construct a warehouse at the end of Sonwil Drive which is at present a private road. The Committee does not find any adverse impacts connected with the construction of the warehouse but the owner has come to an agreement with the Town whereby the road known as Sonwil Drive will become a Town highway in the near future. In connection with the construction of the warehouse Sonwil Drive would be extended and it was suggested to the applicant that he work closely with the Highway and Engineering Departments on the details for the road extension.

Therefore this project is considered non-significant with the condition that the applicant have the drainage plan finalized by the Engineering Department and coordinate the road extension with the Highway Superintendent.

MEETING NO. 26
November 6, 1989

Item No. 40 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, the Town is desirous of constructing a golf course in the Rehm Road area of Town, and

WHEREAS, the Town needs to ascertain ownership interests in a number of properties in the area proposed for the golf course, and

WHEREAS, abstracts of title are necessary in order to determine such ownership interests, NOW, THEREFORE, BE IT

RESOLVED that Monroe Abstract & Title Corporation be and hereby is retained to perform abstracts of title for the following referenced properties:

Assessor's S.B.L. No. 92.15-6-4
Assessor's S.B.L. No. 92.04-1-24
Assessor's S.B.L. No. 92.04-1-20
Assessor's S.B.L. No. 92.04-1-18

and, BE IT FURTHER

RESOLVED that moneys for such abstracts of title shall be appropriated from the Golf Course Capital Project Account No. 05-7140-8817-1100.

Upon Roll Call....

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

Item No. 41 Motion by Councilman Jaworowicz and Seconded by Councilman Kulyk to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

PUBLIC HEARINGS
(held prior to Town Board meetings)

NO.

ITEM

Meeting No. 27 November 20, 1989

- 1 Possibility of making Buell Avenue and West Sobieski Avenue in the Town of Chektowaga dead-end streets

Meeting No. 29 December 18, 1989

- 1 Discuss rescission/revocation of Special Use Permit at 2977 Broadway

PUBLIC HEARINGS

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A D J O U R N E D M E E T I N G S

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4	Award of Bid: Furniture & Equipment for Town Hall Council Chambers	3
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10	Create position of Account Clerk-Typist in Youth Bureau	6
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Item No. 1 At a meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 20th day of November, 1989 at 7:30 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; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Robert M. Lis, Chief of Police; Sal LaGreca, Employment and Training Director II, also Planning Board Chairman; Don Wegner, Chairman of Zoning Board of Appeals; William Rogowski, Councilman Elect.

I. PUBLIC HEARINGS

Item No. 2a 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
HILLPINE ROAD	East-west	Hillpine Road at 256 Hillpine Road	Southbound	S.W. Corner
CHERRYWOOD DR.	East-west	Baywood Street	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Knollwood Drive	Southbound	N.W. Corner
BAYWOOD STREET	East-west	Cherrywood Drive	Southbound	S.W. Corner

Item No. 2a cont'd

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

- RUSHFORD LANE East side from the south curbline of Losson Road, southerly to the north curbline of Butternut Road
- RUSHFORD LANE West side from the north lot line of #38, southerly to the north curbline of Hillpine Road
- BUTTERNUT ROAD South side from the west curbline of Hillpine Road westerly to the east curbline of Rushford Lane
- HILLPINE ROAD East side from the south curbline of Losson Road, southerly to the north lot line of #9
- HILLPINE ROAD East side southwesterly from the north lot line of #9, to the south west lot line of #125
- HILLPINE ROAD South and west side around the curve in the north westerly direction from the southwest lot line of #125, to the northerly lot line of #181
- HILLPINE ROAD West and north side from #181, around the curve, in an easterly direction to the east lot line of #209
- HILLPINE ROAD East side from #209, around the curve in a south-easterly direction to the northeast corner of Hillpine Road and Hillpine at #253
- HILLPINE ROAD East and south side from the south curbline of Losson Road to the west line of #125, then the complete outer curve line to the intersection of Hillpine and Hillpine
- CHERRYWOOD DR. North side from the west curbline of Borden Road, westerly to the east edge of the driveway at #94, then the north and west side around the curve on the west side to the north curbline of Baywood*
*or as far as has been accepted
- BAYWOOD STREET East side from the south curbline of Cherrywood around the curve on the south side of entire length of the street

C. No parking here to corner

- HILLPINE ROAD West side from the south curbline of Losson Road southerly a distance of 100 feet

* * * * *

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

Item No. 2b This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to Section 82-70 of the Code of the Town of Cheektowaga, ("Zoning Ordinance") 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:

Item No. 2b cont'd

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.26.B.(1), which pertains to limitations on permitted used in the M1-Light Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "purposes" and prior to the word "shall" in the first sentence of such subsection.

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. 2c This being the time and place advertised for a public hearing to consider the advisability of adopting amendment(s) to Section the Special Review Zoning District Ordinance of the Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendment(s) being as follows:

RESOLVED THAT SECTION 1 of the Special Review Zoning District Ordinance shall be amended by the deletion of the number "90" therein and by substituting in its place the number "180".

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. FROM THE TABLE

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

WHEREAS, a permanent vacancy exists in the position of Working Foreman in the Facilities Department, and

WHEREAS, Frank J. Dux is heretofore been temporarily re-assigned as a Working Foreman in the Facilities Department to temporarily fill such vacancy, and

WHEREAS, after such re-assignment, a notice of such vacancy was posted in accordance with the collective bargaining agreement between the Town and the Town of Cheektowaga Supervisory Unit, NOW, THEREFORE, BE IT

RESOLVED that Frank J. Dux, be and hereby is appointed to the position of Working Foreman (Working Crew Chief) in the Facilities Department.

Upon Roll Call....

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

Item No. 4 Motion by Councilman Kazukiewicz, seconded by

WHEREAS, the citizens of this Town and of the United States are indebted to the numerous veterans who have risked their lives to protect our freedom and rights, and

WHEREAS, this Town Board feels that a committee should be established to assist veterans and to investigate what we can do to help them, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby creates an Ad Hoc Veterans Committee; the purpose of which shall be to meet with veterans' groups and to keep them informed as to benefits and services available to them and to assist veterans in any way they can, and BE IT FURTHER

RESOLVED that the following individuals shall be appointed to serve on the Ad Hoc Veterans Committee:

- Sylvia Lipowski
- Earl Rosenthal
- Leo Kazukiewicz
- George Ross
- Elaine Rosenthal

* * * * *

MOTION BY UNANIMOUS, AND SECONDED BY UNANIMOUS TO TABLE 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

III. RESOLUTIONS

Item No. 5a Motion by Councilman Kulyk, Seconded by Councilman Johnson

WHEREAS, by resolution dated July 17, 1989, this Town Board adopted the "Special Review Zoning District" Ordinance, and

WHEREAS, such Ordinance established a moratorium on the issuance of certain building permits along Walden Avenue from the Buffalo City line east to Harlem Road, and

WHEREAS, such Ordinance was adopted in order to provide the Town Board with time to review the zoning along this portion of Walden Avenue, and

WHEREAS, the Town Board and the Town Economic Development Corporation are currently considering proposals for the zoning district classifications along this portion of Walden Avenue, and

WHEREAS, this Town Board feels that it will need additional time to adequately review and consider this matter, and

WHEREAS, in accordance with the provisions of the Town Law, a public hearing on a proposal to extend the Special Review Zoning District Ordinance for an additional period of 30 days was held on the 20th day of November, 1989 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens were given an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the Special Review Zoning District Ordinance as proposed, NOW, THEREFORE, BE IT

No. 28

No. 29

No. 30

Item No. 5a cont'd

RESOLVED that the Special Review Zoning District Ordinance shall be amended as follows:

RESOLVED THAT SECTION 1 of the Special Review Zoning District Ordinance shall be amended by the deletion of the number "90" therein and by substituting in its place the number "180".

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 November 20, 1989; 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 an affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED that this amendment to the Special Review Zoning District Ordinance shall take effect ten (10) days after publication and posting, 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 its passage and entry in the minutes.

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.

..... Scott Benson, 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..... NOV 30 1989 ;
last publication..... NOV 30 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

NOV 30 1989

Sworn to before me this

day of, 19.....

..... *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, 1991

**LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA TOWN
BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 20th day of November, 1989 at 7:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson.

Jr.
Councilman Patricia A. Jaworwicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

ABSENT: 0
Motion by Councilman Kulyk and
Seconded by Councilman Johnson

WHEREAS, by resolution dated July 17, 1989, this Town Board adopted the "Special Review Zoning District" Ordinance, and

WHEREAS, such Ordinance established a moratorium on the issuance of certain building permits along Walden Avenue from the Buffalo City line east to Harlem Road, and

WHEREAS, the such Ordinance was adopted in order to provide the Town Board with time to review the zoning along this portion of Walden Avenue, and

WHEREAS, the Town Board and the Town Economic Development Corporation are currently considering proposals for the zoning district classification along this portion of Walden Avenue, and

WHEREAS, this Town Board feels that it will need additional time to adequately review and consider this matter, and

WHEREAS, in accordance with the provisions of the Town Law, a public hearing on a proposal to extend the Special Review Zoning District Ordinance for an additional period of 30 days was held on the 20th day of November, 1989 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens were given an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the Special Review Zoning District as proposed, **NOW, THEREFORE, BE IT**

RESOLVED, that the Special Review Zoning District Ordinance shall be amended as follows:

RESOLVED THAT SECTION 1 of the Special Review Zoning District Ordinance shall be amended by the deletion of the number "90" therein and by substituting in its place the number "180."

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 November 20, 1989; 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 an affidavit of such publication shall be filed with the Town

Clerk, and **BE IT FURTHER RESOLVED**, that this amendment to the Special Review Zoning District Ordinance shall take effect ten (10) days after publication and posting, 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 its passage and entry in the minutes.

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

**STATE OF NEW YORK
COUNTY OF ERIE**

I, RICHARD M. MOLESKI Town Clerk of the Town hereinafter described, **DO HEREBY CERTIFIED** 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 November 20, 1989, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meeting of said Board, and such minutes appear at item 5a, 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 hereto affixed the corporate seal of said Town, this 20th day of November, 1989.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 30, 1989

No. 28

No. 29

No. 30

EVE J. ALLEN
Notary Public
Qualified in Erie County
My commission expires...

Item No. 5b Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, pursuant to Section 82-70 of the Code of the Town of Cheektowaga ("Zoning Ordinance"), this Town Board may from time to time, on its own motion, amend, supplement or repeal provisions of said Zoning Ordinance, and

WHEREAS, by resolution dated November 6, 1989, this Town Board called for a public hearing on a proposal to amend Section 82.26.B.(1) of the Zoning Ordinance, and

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing on such proposal was held on the 20th day of November, 1989 at 7:30 P.M., at a meeting of the Town Board at the Town Hall, Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens had an opportunity to be heard; and

WHEREAS, this Town Board feels it is in the public interest to amend the Zoning Ordinance, NOW, THEREFORE, BE IT

RESOLVED that the Zoning Ordinance be and hereby is amended and changed as follows:

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.26.B.(1), which pertains to limitations on permitted used in the M1-Light Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "purposes" and prior to the word "shall" in the first sentence of such subsection.

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 November 20, 1989; and that a certified copy be published in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and an affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED that this amendment to the Zoning Ordinance shall take effect ten (10) days after publication and posting, 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 its passage and entry in the minutes.

MOTION BY COUNCILMAN JOHNSON, SECONDED BY SUPERVISOR SWIATEK
TO TABLE THE ABOVE RESOLUTION

Item No. 6 Motion by Councilman Kazukiewicz, Seconded by Councilman Jaworowicz

WHEREAS, the Town Board awarded contracts for the purchase of one New One Ton Dump Truck to Bison Ford Truck Sales on November 6, 1989, and

WHEREAS, the account number reflected on these resolutions was erroneously stated as 05862251320315, NOW,

RESOLVED that the account number for these resolutions be amended to 05513089041201.

Item No. 6 cont'd

Upon Roll Call....

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

Item No. 7a Motion by Councilman Kazukiewicz, Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated November 6th, 1989, this Town Board directed that a Notice to Bidders be published advertising for labor and equipment necessary to remove snow during snow emergency, and

WHEREAS, such bids were duly received and opened on November 27, 1989, and

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

RESOLVED that the bid for labor and material necessary for the removal of snow during a snow emergency on an as-needed basis be awarded to Custom Topsoil, Inc., 320 Crabapple Lane, Cheektowaga, New York 14227, being the only bidder at the bid prices specified on the attached sheet as prepared by such company.

* See next two pages

Upon Roll Call....

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

FORMAL BID PROPOSAL ON

EMERGENCY SNOW REMOVAL

FOR THE TOWN OF CHEEKTOWAGA 1989-90 WINTER SEASON

Covered by Specifications ADVERTISED ON: 11/17/88 This bid must be returned to the Town Clerk's Office, Cheektowaga Town Hall, Broadway & Union Rd., Cheektowaga, NY 14227 on or before 11:00 A.M., November 17, 1989. At which time all bids will be publicly opened.

THE UNDERSIGNED SUBMITS THE FOLLOWING BID WHICH IS IN COMPLETE CONFORMITY WITH THE INTENT OF THE SPECIFICATIONS:

SUPERVISOR WITH PICK-UP TRUCK \$ 35.00

	<u>BASE HOURLY RATE</u>	<u>PREMIUM TIME</u>
3 C.Y. Loaders	\$50.00/hr.	NONE
4 C.Y. Loaders	\$75.00/hr.	NONE
5 C.Y. Loaders	\$90.00/hr.	NONE
Road Graders	\$75.00/hr.	NONE
Tandem Axle Dump Trucks	\$45.00/hr.	NONE

CONTRACTOR CUSTOM TOPSOIL, INC.

ADDRESS 320 Crabapple Lane Cheektowaga, New York 14227

PHONE NO. 716-668-4444

EMERGENCY SNOW REMOVAL PLAN

1. CONTRACTOR must be able to provide service 24 hours each day seven (7) days per week.
2. CONTRACTOR must be able to mobilize within four (4) hours. Failure to do so will terminate this contract.
3. CONTRACTOR must have a Supervisor with two-way radio equipped pick-up truck on duty while trucks and equipment are working.
4. A minimum of 50% of trucks and equipment must be two-way radio equipped on a common frequency. In case of breakdowns or down time, Town will not be responsible for this time.
5. CONTRACTOR must have at least a two day supply of fuel and spare parts on hand for emergency use.
6. CONTRACTOR must have an office with a telephone and radio communications to the Supervisor in the field, manned, 24 hours each day.
7. CONTRACTOR must have insurance in the amount of \$500,000.00.
8. CONTRACTOR must be able to show proof of past experience in managing an emergency snow removal operation of this size.
9. The CONTRACTOR must be able to assemble a minimum of 15 front end loaders (rubber-tired) 25 tandem axle dump trucks.

IF PREMIUM TIME IS REQUIRED FOR SATURDAYS, SUNDAYS, HOLIDAYS, OR OVER 40 HOURS, INDICATED BELOW:

NONE REQUIRED

Indicate TOTAL number of pieces of equipment (eg., hi-lifts, tandems) you can provide: 15 Hilifts 25 Trucks

ALL EQUIPMENT OPERATORS WILL BE REQUIRED TO REPORT TO THE HIGHWAY DEPARTMENT PRIOR TO STARTING EACH SHIFT. THEY WILL SUPPLY TIMES SHEETS DAILY AND WILL WORK UNDER THE DIRECT SUPERVISION OF THE HIGHWAY SUPERINTENDENT.

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

WHEREAS, sealed bids for two (2) landscape trailers for the Facilities Department were received and opened on November 6, 1989 at a public bid opening, and

WHEREAS, said bids were reviewed by the Town Engineer and his recommendations are contained in a letter dated November 13, 1989, NOW, THEREFORE, BE IT

RESOLVED that the bid for two (2) landscape trailers for the Facilities Department be awarded to Thru Air, Inc., 3180 Transit Road, West Seneca, New York 14224 for submitting the lowest bid in the amount of \$4,400.00, said bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that said funds have been appropriated in the Facilities Department budget, Account No. 05-7110-8908=1203 for this purpose.

Upon Roll Call....

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

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

WHEREAS, sealed bids for one (1) crawler trencher for the Facilities Department were received and opened on November 6, 1989 at a public bid opening, and

WHEREAS, bids were reviewed by the Town Engineer and his recommendations are contained in a letter dated November 13, 1989, NOW, THEREFORE, BE IT

RESOLVED that the bid for one (1) crawler trencher for the Facilities Department be awarded to Monroe Tractor and Implement Company, 5035 Genesee Street, Cheektowaga, New York 14225 for submitting the lowest bid in the amount of \$13,913.00, said bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that said funds have been appropriated in the Facilities Department budget, Account NO. 05-7110-8908-1203 for this purpose.

Upon Roll Call....

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

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

WHEREAS, it is in order that bids be advertised for the purchase of custodial supplies for the 1990, 1991 and 1992 fiscal years 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 December 4, 1989 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 December 4, 1989 at 11:00 A.M., Eastern Standard Time at the Town Hall corner of Broadway and Union Roads, for the supplying of custodial supplies.

Item No. 8a cont'd

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: November 20, 1989

* * * * *

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.

..... Scott Benson, 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 NOV 22 1989 ;
last publication NOV 22 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this NOV 22 1989

day of, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 4, 1989 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

DATED: November 20, 1989

PUBLISH: November 22, 1989

EVE L. ALLIS
Notary Public State of New York
Qualified in Erie County
My commission expires

Item No. 8b 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 1990, 1991, 1992 fiscal years, 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 December 4, 1989 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 Board of the Town of Cheektowaga on December 4, 1989 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 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: November 20, 1989

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.

.....Scott Benson....., 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.....NOV. 22 1989..... ;
last publication.....NOV 22 1989..... ;
and that no more than six days intervened be-
tween publications.

.....*Scott Benson*.....

Sworn to before me this NOV 22 1989.....

day of, 19.....

.....*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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town Board of the Town of Cheektowaga on December 4, 1989 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

DATED: November 20, 1989
PUBLISH: November 22, 1989

EVE J. ALLEN

My commission expires on
November 22, 1989
Qualified in Erie County
Notary Public, State of New York

Item No. 8c Motion by Councilman Kazukiewicz, Seconded by Councilman Solecki

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting in Spring, 1990. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York 14227, AND BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on December 1, 1989, at 11:00 A.M. in the Council Chambers of the Cheektowaga Town Hall.

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on December 1, 1989 at a public bid opening at 11:00 A.M. at the Town Hall, Broadway and Union Roads, Town of Cheektowaga, New York, for the purpose of furnishing new trees for spring, 1990 tree planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways, Christopher J. Kowal, 3145 Union Road, Cheektowaga, New York 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Dated: November 20, 1989

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.

..... Scott Benson
....., 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..... NOV 22 1989 ;
last publication..... NOV 22 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this NOV 22 1989
day of, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA,
NEW YORK**

Sealed proposals will be received and considered by the Cheektowaga Town Board on December 1, 1989 at a public bid opening at 11:00 A.M. at the Town Hall, Broadway and Union Roads, Town of Cheektowaga, New York, for the purpose of furnishing new trees for spring, 1990 tree planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways, Christopher J. Kowal, 3145 Union Rd., Cheektowaga, NY, 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

**NON-COLLUSION FORMS
MUST BE SIGNED AND SUBMITTED WITH EACH BID.**

RICHARD M. MOLESKI

Town Clerk

**DATED: November 20, 1989
PUBLISH: November 22, 1989**

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

WHEREAS, Ronald C. Zoeller, Sanitation Department Foreman, has requested that bids be received for the purchase of one 3/4 ton 1990 pick up truck with super cab for the Sanitation Department, and

WHEREAS, funds have been allocated for said truck, NOW, THEREFORE, BE IT

RESOLVED that this requested be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one 3/4 ton 1990 pick up truck with super cab, said notice to be published in THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 4th of December at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 4, 1989 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for ONE (1) 3/4 TON 1990 PICK-UP TRUCK WITH SUPERCAB.

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: November 20, 1989

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.

Scott Benson
....., 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..... NOV 22 1989 ;
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tween publications.

..... *Scott Benson*

Sworn to before me this NOV 22 1989

day of, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheekowaga on December 4, 1989 at 11:00 A.M., Eastern

Standard Time, at the Town Hall, corner of Broadway and Union Roads, for ONE (1) 3/4 TON 1990 PICK-UP TRUCK WITH SUPERCAB.

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 Cheekowaga, Erie County, New York

RICHARD M. MOLESKI
Town Clerk

DATED: November 20, 1989

PUBLISH: November 22, 1989

EVE J. ALLIS

Notary Public State of New York
Qualified in Erie County
My commission expires on 12/31/91

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

WHEREAS, the Town is interested in constructing a golf course within the Town of Cheektowaga, and

WHEREAS, there is insufficient Town-owned land available for the construction of such a golf course, and

WHEREAS, privately-owned undeveloped properties are in the area of the proposed golf course and this Town Board is interested in acquiring such properties, and

WHEREAS, the Town has commissioned appraisal of such properties and found the appraised values of such properties to adequately represent just compensation for same, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute Purchase Offers for the following referenced properties in the following referenced amounts:

<u>Property S. B. L. No.</u>	<u>Compensation</u>
92.04-1-18	\$193,000
92.04-1-20	\$ 43,900
92.04-1-24	\$ 74,500
92.15-6-4	\$107,100

Upon Roll Call....

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

Item No. 10 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, pursuant to the Environmental Impact 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 Impact 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 November 8, 1989, rendered the determinations shown on the attached memo dated November 9, 1989 and

WHEREAS, this Town Board has reviewed the applications submitted and 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 November 9, 1989 memo attached hereto:

ITEM I

354 Cayuga Road

* See next page for letter

Upon Roll Call....

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

OFFICE OF
BUILDING & PLUMBING INSPECTIONS



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
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: Thomas Adamczak
Building Inspector

DATE: November 9, 1989

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 8, 1989. in the Town Hall Council Chambers.

ITEM I 354 Cayuga Road - Proposed Santo Tour Office Building

Applicant: Bob Gill, Architect

This proposal had been before the Committee previously, but for a two-story building. Due to financial constraints, the Developer now wishes to construct a one-story office building.

The drainage and landscaping will remain essentially the same, therefore the Committee deems the revised plans non-significant.

ITEM II 550 Cayuga Road - Proposed Rezoning and Park Expansion

Applicant: Norman Castine

Determination: Tabled - The applicant attended the meeting with a revised plan. The plan showed the new road for the industrial park along the rear lot lines of homes on Applewood. Such a location would result in zoning restrictions for the residents abutting the right-of-way.

The rezoning request has been changed to M1 - Light Manufacturing, a more restrictive zoning district.

Item No. 11a Motion by Councilman Gabryszak, Seconded by

WHEREAS, on the 15th day of September, 1975, an agreement was entered into between the Cheektowaga-Maryvale U.F.S.D. and the Town of Cheektowaga for outdoor recreational purposes on the Maryvale U-Crest Elementary school (Parcel A) and Maryvale East Elementary School (Parcel B) sites, for a term ending on September 15, 1990, and

WHEREAS, in 1986, the Maryvale East Elementary School site was sold to a private developer, and

WHEREAS, subsequent to such sale of Parcel B, the Town has not maintained or otherwise utilized such property for outdoor recreational purposes, and

WHEREAS, the private developer has requested the Town to execute a release relating to such property, and

WHEREAS, the Town desires to terminate that portion of the aforementioned agreement pertaining to Parcel B and to otherwise release itself from the terms of such agreement relating to Parcel B, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby terminates and releases itself from that portion of the above referenced agreement dated September 15, 1989 pertaining to Parcel B, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a release pertaining to that portion of the aforementioned agreement relating to Parcel B.

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY COUNCILMAN JOHNSON TO TABLE THE ABOVE ITEM.

Item No. 11b Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, the Cheektowaga Youth Bureau is desirous of continuing the operation of the Youth Engaged in Service Program with the Youth Department - Diocese of Buffalo of 795 Main Street, Buffalo, New York, which prepares teenage volunteers to assist their community in various projects that require a need for volunteers, and

WHEREAS, said project is open to all Cheektowaga Youth regardless of race, color, or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute said agreement between the Town of Cheektowaga and the Youth Department - Diocese of Buffalo to continue said program for a twelve (12) month period, January 1, 1990 through December 31, 1990 with a total cost not to exceed the sum of \$26,190.00, and BE IT FURTHER

RESOLVED that the Youth Department - Diocese of Buffalo will reimburse the Town for up to \$6,109.00 (20%) of the actual costs of operating said program and the New York State Division for Youth will reimburse the Town up to \$13,095.00 (50%) leaving the actual cost to the Town at \$7,863.00 (30%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-0004-4685.

Upon Roll Call....

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

Item No. 11c Motion by Councilman Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the Cheektowaga Youth Bureau is desirous of continuing the operation of a joint program with the Cheektowaga Public Library System at each of Cheektowaga's four branch libraries, which provide special activities that encourage children to read and become more familiar with the library, and

WHEREAS, the Library Enrichment Program is open to all Cheektowaga Youth regardless of race, color, or creed, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga continue said program for a twelve (12) month period, January 1, 1990 through December 31, 1990 with a total cost not to exceed \$1,400.00 and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute said agreement between the Town of Cheektowaga and the Cheektowaga Public Library System. CONTRACT # (BUDGET LINE ITEM) 01-7310-0004-4675.

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 Kazukiewicz

WHEREAS, the Cheektowaga Youth Bureau is desirous of continuing the operation of the Cheektowaga Youth Employment Program with Catholic Charities Manpower Services, Inc., 525 Washington Street, Buffalo, New York, which assists youth seeking employment and develops employment opportunities, and

WHEREAS, said program is open to all Cheektowaga Youth regardless of race, color, or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute said agreement between the Town of Cheektowaga and the Catholic Charities Manpower Services, Inc. to continue said program for a twelve (12) month period, January 1, 1990 through December 31, 1990 with a total cost not to exceed the sum of \$21,010.00, and BE IT FURTHER

RESOLVED that the New York State Division for Youth will reimburse the Town for up to \$10,505.00 (50%) of the total costs of operating said program leaving the actual cost to the Town of \$10,505.00 (50%).

Contract # (BUDGET LINE ITEM) 01-7310-0004-4694)

Upon Roll Call....

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

Item No. 11e Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, the Cheektowaga Youth Bureau is desirous of continuing the operation of a joint program with Child and Family Services of Erie County, 330 Delaware Avenue, Buffalo, New York, 14202, for the purpose of providing group, individual and family counseling to police and court referred juveniles, youthful offenders, and runaway and homeless youth, and

WHEREAS, the First Offender and Troubled Youth Counseling Program would be located at the agency's East Regional Office located at 45 Anderson Road, in Cheektowaga, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, or creed, NOW, THEREFORE, BE IT

Item No. 11e cont'd

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute said agreement between the Town of Cheektowaga and the Child and Family Services to continue said program for a twelve (12) month period, January 1, 1990 through December 31, 1990 with a total cost not to exceed the sum of \$55,987.00, and BE IT FURTHER

RESOLVED that Child and Family Services will reimburse the Town for up to \$8,275.00 (15%) of the actual costs of operating said program and the New York State Division for Youth will reimburse the Town for up to \$27,993.00 (50%) leaving the actual cost to the Town at \$19,719.00 (35%).

Contract # (BUDGET LINE ITEM) 01-7310-0004-4687)

Upon Roll Call....

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

Item No. 11f Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

WHEREAS, the Cheektowaga Youth Bureau is desirous of continuing the operation of a joint program with Catholic Charities Metropolitan Services Department of 525 Washington Street, Buffalo, New York, 14203, whereby school drop-outs, potential drop-outs, and high risk youth within the Town will receive vocational, educational, and personal adjustment counseling through the School Intervention Services; and

WHEREAS, said program is open to all Cheektowaga Youth regardless of race, color, or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute said agreement between the Town of Cheektowaga and the Catholic Charities Metropolitan Services Department, to continue said program for a twelve (12) month period, January 1, 1990 through December 31, 1990 with a total cost not to exceed the sum of \$83,096.00, and BE IT FURTHER

RESOLVED that Catholic Charities Manpower Services, Inc. will reimburse the Town up to \$20,774.00 (25%) of the actual cost of operating said program and the New York State Division for Youth will reimburse the Town up to \$41,548.00 (50%) leaving the actual cost to the Town of \$20,774.00 (25%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-0004-4677)

Upon Roll Call....

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

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

WHEREAS, the Cheektowaga Youth Engaged in service (Y.E.S.) Program has requested permission to conduct an overnight experience on December 9th and 10th, 1989 at the community center in 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 the Cheektowaga Youth Engaged in Service (Y.E.S.) Program for the use of the community center in John C. Stiglmeier Park on December 9th, and 10th, 1989, and BE IT FURTHER

Item No. 12 cont'd

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. 13 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, this Town Board has previously determined that it was in the best interest of the Town for the position of Director of Administration and Finance to be placed in the exempt category of Civil Service, and

WHEREAS, a request for such has previously been made to the Erie County Department of Personnel, and

WHEREAS, the Town has been advised that the New York State Civil Service Commission has not yet acted upon such request, and

WHEREAS, upon further consideration, it is in the best interest of the Town that the position of Director of Administration and Finance remain in the competitive class of Civil Service, NOW, THEREFORE, BE IT

RESOLVED that the position of Director of Administration and Finance remain a competitive Civil Service position and that the Erie County Department of Personnel be advised that the Town's previously request for exempt status for said position be withdrawn.

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 Jaworowicz

WHEREAS, Richard Szymecki was previously appointed to the position of Public Safety Dispatcher effective August 21, 1989, and

WHEREAS, Richard Szymecki has tendered his resignation from such position, effective November 14, 1989, NOW, THEREFORE, BE IT

RESOLVED that the resignation of Richard Szymecki from his position as Public Safety Dispatcher with the Town of Cheektowaga is hereby accepted, effective November 14, 1989.

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal and/or Part-time employees as listed:

COUNCIL OFFICE

Nicole McKibbin

EFFECTIVE

Immediately

Item No. 15 cont'd

SEWER DEPARTMENT

Joseph Divissich

11/24/89

Upon Roll Call....

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

Item No. 16 Motion by Councilman Kazukiewicz, Seconded by

WHEREAS, by resolution dated January 3, 1989, this Town Board appointed Town Bingo Inspectors and a Bingo Inspector Chairman, and

WHEREAS, no term was established for such positions, and

WHEREAS, this Town Board wishes to replace one of the Bingo Inspectors and to appoint another person to such position, NOW, THEREFORE, BE IT

RESOLVED that Jacqueline Blachowski be and hereby is terminated from her position as Town Bingo Inspector, effective immediately, and BE IT FURTHER

RESOLVED that Richard Lipczynski, 8 Eden Lane, Cheektowaga, New York 14225 be and hereby is appointed to the position of Bingo Inspector, effective immediately and termination on

THE ABOVE RESOLUTION FAILED DUE TO LACK OF A SECOND.

Item No. 17a Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk

WHEREAS, there currently exists vacancies in the position of Public Safety Dispatcher, and

WHEREAS, there is no current valid Civil Service eligible list for said position, and

WHEREAS, Raymond J. Heron meets the minimum qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that Raymond J. Heron of Cheektowaga, New York be appointed provisionally to a vacant position of Public Safety Dispatcher, effective November 21, 1989, pending the results of a competitive Civil Service exam to be held for the position, and BE IT FURTHER

RESOLVED that the starting salary of said position be \$18,000 per annum.

Upon Roll Call....

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

Item No. 17b Motion by Councilman Solecki, Seconded by Councilman Gabryszak

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

Item No. 17b cont'd

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

WHEREAS, John Szczepanik, _____, Cheektowaga, New York is currently serving as a Cleaner in the Sanitation Department, NOW, THEREFORE, BE IT

RESOLVED that John E. Szczepanik, having properly bid on the above mentioned vacancy, be and hereby is appointed to the position of Laborer in the Sanitation Department, at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment effective November 20, 1989.

Upon Roll Call....

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

Item No. 17c Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk

WHEREAS, with the hiring of civilian dispatchers in the Police Department, the size of administrative division of such department has increased in size from 30+ to 60+ persons, and

WHEREAS, one captain has been in charge of the administrative division and, with the increased size of such division, another captain is needed to supervise the employees, and

WHEREAS, according to records maintained by the Erie County Department of Personnel, there are vacant Captain positions in the Town of Cheektowaga, and

WHEREAS, the civil service list for Captain has been canvassed, and

WHEREAS, Lieutenant John Howlett appears firsts on such Captain civil service list, and

WHEREAS, Lieutenant Howlett has the expertise necessary to properly administer the civilian dispatchers and Communications Unit of the Police Department and has worked diligently in training the civilian dispatchers and in maintaining police records, NOW, THEREFORE, BE IT

RESOLVED that John Howlett be and hereby is promoted to the position of Captain in the Police Department, effective immediately, at a salary in accordance with the collective bargaining agreement between the Town and the Captains and Lieutenants Association, and BE IT FURTHER

RESOLVED that John Howlett's former position of Lieutenant be and hereby is abolished, effective immediately.

Upon Roll Call....

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

Item No. 18 Hiring of part time employee for Law Department and Employee Relations Department
This item was withdrawn.

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

WHEREAS, the Training Center of Monroe Community College will be holding an "Evidence Technician Refresher" seminar on December 18, 1989 in Rochester, New York, and

WHEREAS, the Chief of Police has requested permission for the Police Department's three Scientific Investigation Officers to attend this seminar, and

WHEREAS, such seminar would assist the Police Department with homicide investigation and missing persons, NOW, THEREFORE, BE IT

RESOLVED that the following referenced officers be and hereby are authorized to attend the aforementioned seminar:

Lieutenant Thomas Rowan
Detective Floyd Lukowski
Detective Donald Glewa

and BE IT FURTHER

RESOLVED that the Town shall pay costs for such seminar not to exceed \$81.00 from the Patrolman Training Budget Account No. 01312000044093, and BE IT FURTHER

RESOLVED that such officers shall be authorized to use a police vehicle for transportation to and from such seminar.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 20a Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, this Town Board, by resolution dated April 17, 1989, awarded a contract for the Police Dispatch Remodeling to Warren's Electric for Electrical Work, and

WHEREAS, during the course of the remodeling it was necessary to repair, relocate and delete electrical apparatus at some five (5) separate locations for the total cost of \$428.56 as identified as Change Order No. E-1 and, additionally, it was also required in concurrence with the Police Department to provide additional outlets, reinstall lighting fixtures and repair the ceiling at the total additional cost of \$1,372.59 as identified in the six (6) items of Change Order NO. E-2, which changes were recommended and approved by Trautman Associates, Consulting Engineers, and the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. E-1 as an addition of \$428.56 and Change Order No. E-2 as an addition of \$1,372.59 to the contract of Warren's Electric be approved, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be authorized and directed to sign said Change Orders No. E-1 and E-2.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 20b Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, this Town Board, by resolution dated April 17, 1989, awarded a contract for the Police Dispatch Remodeling to Miller Enterprises for General Construction Work, and

Item No. 20b cont'd

WHEREAS, at the request of the Police Department it was necessary to add a wire glass window and install an access door, as identified in Change Order No. C-2 at a total cost of \$2,311.00, and it was also necessary to perform seven (7) additional modifications as enumerated in the seven (7) items of Change Order No. C-3, at a total additional cost of \$2,106.90, which changes were recommended and approved by Trautman Associates, Consulting Engineers, and the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. C-2 as an addition of \$2,311.00 and Change Order No. C-3 as an addition of \$2,106.90 to the contract of Miller Enterprises be approved, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be authorized and directed to sign said Change Orders No. C-2 and C-3.

Upon Roll Call....

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

Item No. 20c Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, this Town Board, by resolution dated April 17, 1989, awarded a contract for the Police Dispatch Remodeling to Allied Controls for Heating and Ventilation Work, and

WHEREAS, there is need to delete one new return and one ceiling supply diffuser, which was approved by Trautman Associates, Architect, and the Town Engineer, at a decrease in cost of \$80.00, and

WHEREAS, this Town Board approves of the requested changes as recommended by Trautman Associates and the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. M-1 as a credit of \$80.00 to the contract of Allied Controls be approved, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be authorized and directed to sign said Change Order No. M-1.

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 transfers are hereby approved and made a part hereof:

GENERAL FUND

FROM:	2772-0000	(Revenue-Sesquicentennial Ball)	\$ 18,000.00
	1110-04-4592	(Contracted Clerical-Justice)	2,000.00
	9010-08-8111	(Police-Retirement)	15,000.00
	1010-01-1352	(Staff Assist.-Councilman Jaworowicz)	800.00
	9010-08-8111	(Police-Retirement)	28,000.00
TO:	7550-04-4392	(Sesquicentennial Ball)	\$ 18,000.00
	1110-04-4001	(Office Equip. Justice Dept.)	2,000.00
	1910-04-4261	(Postage-Townwide)	15,000.00
	1010-01-1355	(Staff Assist.-Councilman Kulyk)	800.00
	7110-04-4460	(Parks-Land Acquisition)	28,000.00

Item No. 21 cont'd

SPECIAL DISTRICT FUND

FROM:	8127-04-4438 (Emergency Repairs-S.D.#7)	\$ 1,500.00
	2799-0000 (WD #10-Appropriated Fund Balance)	1,500.00
	8160-04-4021 (Maintenance Supplies-Sanitation)	1,000.00
	8160-04-4021 (Maintenance Supplies-Sanitation)	1,500.00
TO:	8127-04-4501 (Lawsuit Settlement)	\$ 1,500.00
	8350-04-4345 (WD #10 - Lawsuit Settlement)	1,500.00
	8160-04-4431 (Equip. Repairs - Sanitation)	1,000.00
	8160-04-4001 (Office Supplies-Sanitation)	1,500.00

RISK RETENTION FUND

FROM:	2798-0000 (Appropriated Reserves)	\$100,000.00
TO:	1930-04-4703 (Worker's Comp Claims)	\$100,000.00

COMMUNITY DEVELOPMENT - CDBG FUND

FROM:	1989-0017-0705 (Economic Development)	\$ 20,000.00
TO:	1989-0084-0701 (Planning)	20,000.00

HIGHWAY FUND

FROM:	5141-01-1931 (Labor Allocation)	\$ 79,329.00
TO:	5110-01-1701 (General Labor)	79,319.00

PART TOWN FUND

FROM:	3620-01-1402 (Asst. Bldg. Inspector)	\$ 18,605.16
TO:	3620-01-1100 (Super. Bldg. & Plumbing)	\$ 1,800.00
	3620-01-1165 (Fire Inspector)	800.00
	3620-01-1376 (Senior Clerk Typist)	600.00
	3620-01-1430 (Asst. Plumbing Insp.)	13,605.16
	3620-01-1600 (Asst. Building Insp.)	1,800.00

Upon Roll Call....

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

Item No. 22 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 November 20, 1989 are hereby approved and made a part hereof:

FUND	AMOUNT
GENERAL FUND	\$102,306.30
HIGHWAY FUND	39,999.08
TRUST & AGENCY FUND	1,550.77
PART TOWN FUND	1,373.53
RISK RETENTION FUND	28,275.94
HUD-CDBG FUND	51,480.56
STATE AHC FUND	4,096.80
HUD-REHAB. FUND	5,920.00
SPECIAL DISTRICT FUND	64,913.74
CAPITAL FUND	139,933.22
	<u>\$439,849.94</u>

Item No. 22 cont'd

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 23a Minutes of October Meeting - Library Board
Received and Filed.

Item No. 23b Minutes of October Meeting - Planning Board
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 24 Traffic Impact Analysis - 3637 Union Road Plaza - Union Consumer
Square
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board
Members
Received and Filed.

Item No. 25 Deloitte, Haskins & Sells - Statement of Cash Receipts &
Disbursements of Receiver of Taxes, Town Clerk & Town Justice
Received and Filed.

Item No. 26a Notice of Claim - John Stypa 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; S.I.S. Services-
Insurance Carrier.
Received and Filed.

Item No. 26b Harmony Elgar/Carol B. Ricchiazzi 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; Zambelli Int., Joseph J. Naples, Insurance
Carrier; S.I.S. Service - Insurance Carrier.
Received and Filed.

Item No. 26c William F. Taylor as Adm. of Estate of Evelyn Taylor
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Michael Miecznikowski, Director of Facilities
Department; S.I.S. Services - Insurance Carrier.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Supervisor Swiatek, Seconded by Councilman Kulyk
to suspend the rules to include the following three (3) items.

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

WHEREAS, by resolution dated December 7, 1987, the Cheektowaga Town Board designated the Cheektowaga Patriotic Commission as the official Town Sesquicentennial Committee, and

WHEREAS, the Town received special legislative authorization to expend \$50,000 for such event and thereafter the Town appropriated \$45,000 for same, and

WHEREAS, the Town Sesquicentennial committee scheduled activities and expended Town funds for various Sesquicentennial events in 1989, and

WHEREAS, the Town Board when it authorized the Sesquicentennial Committee to expend Town funds, expected and intended that all moneys would be accounted for, a financial report be filed with this Town Board, and all moneys received from any events would be returned to the Town, and

WHEREAS, this Town Board has not received any revenue/expenditure report from the Sesquicentennial Committee, and

WHEREAS, this Town Board desires to have all Town funds utilized by the Sesquicentennial Committee accounted for, NOW, THEREFORE, BE IT

RESOLVED that the Sesquicentennial Committee/Cheektowaga Patriotic Commission be and hereby is directed to prepare a financial report showing expenditures and revenues relating to the Town's Sesquicentennial and submit same to this Town Board no later than December 4, 1989, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the Sesquicentennial Committee/Cheektowaga Patriotic Commission.

* * * * *

THE ABOVE RESOLUTION FAILED, AS COUNCILMAN KULYK OBJECTED.

* * * * *

Item No. 28 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has received another notification of an unsafe, abandoned structure at 830 Borden Road, Cheektowaga, New York, SBL #114.20-9-12 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors' Office is owned by the County of Erie, 95 Franklin Street, Buffalo, New York 14202, and

WHEREAS, the Erie County Commissioner of Finance, has authorized the Town of Cheektowaga Housing Inspector to take immediate steps to board over and secure all openings in this structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that all openings in this structure be boarded over and secured and all costs incurred be assessed against the property hereinbefore described.

* * * * *

Motion by Councilman Johnson, 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

Amended resolution as follows:

Item No. 28 cont'd

Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has received another notification of an unsafe, abandoned structure at 830 Borden Road, Cheektowaga, New York, SBL #114.20-9-12 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors' Office is owned by the County of Erie, 95 Franklin Street, Buffalo, New York 14202, and

WHEREAS, the Erie County Commissioner of Finance, has authorized the Town of Cheektowaga Housing Inspector to take immediate steps to board over and secure all openings in this structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that all openings in this structure be boarded over and secured and all costs incurred be assessed against the property hereinbefore described and the County of Erie.

Upon Roll Call....

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

Item No. 29 Motion by Supervisor Swiatek, Seconded by Unanimous

WHEREAS, over the last several years, the Town of Cheektowaga has entered into agreements within the County of Erie to remove snow and ice from various County roads within the Town, and

WHEREAS, the County of Erie has submitted to the Town of Cheektowaga a snow and ice removal contract covering various County highways in the Town for a three year period beginning on the 1st day of November, 1989 and ending on August 31, 1992, and providing for payment to the Town by the County for such snow and ice removal, and

WHEREAS, such snow and ice removal contract provides for the County to pay the Town \$1,100.00 per lane mile for the first year and amounts to be negotiated in the second and third years of the contract, and

WHEREAS, although this Town Board feels that \$1,100 per lane mile is insufficient payment for the work involved, the health, safety and welfare of the residents of the Town would be affected if the Town did not remove snow and ice from the listed County highways, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, under protest, hereby approves the 1989-92 Snow and Ice Removal Agreement with the County of Erie and authorizes and directs the Supervisor to execute such agreement, and BE IT FURTHER

RESOLVED that this Town Board hereby petitions the County Executive and County Legislature to approve more equitable payments for the second and third years of this agreement.

Upon Roll Call....

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

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a 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 December, 1989 at 7:30 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; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Robert M. Lis, Chief of Police; Sal LaGreca, Employment and Training Director II, also Planning Board Chairman; Chester Bryan, Town Engineer; Jacqueline A. Blachowski, Councilman Elect.

I. FROM THE TABLE

Item No. 2 Motion by Councilman Kazukiewicz Seconded by Councilman Johnson

WHEREAS, the citizens of this Town and of the United States are indebted to the numerous veterans who have risked their lives to protect our freedom and rights, and

WHEREAS, this Town Board feels that a committee should be established to assist veterans and to investigate what we can do to help them, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby creates an Ad Hoc Veterans Committee; the purpose of which shall be to meet with veterans' groups and to keep them informed as to benefits and services available to them and to assist veterans in any way they can, and BE IT FURTHER

RESOLVED that the following individuals shall be appointed to serve on the Ad Hoc Veterans Committee:

- Sylvia Lipowski
- Earl Rosenthal
- Leo Kazukiewicz
- George Ross
- Elaine Rosenthal

* * * * *

MOTION BY COUNCILMAN JOHNSON AND 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

Item No. 2 continued

AMENDED

Motion by Councilman Kazukiewicz Seconded by Councilman Johnson

WHEREAS. the citizens of this Town and of the United States are indebted to the numerous veterans who have risked their lives to protect our freedom and rights, and

WHEREAS. this Town Board feels that a committee should be established to assist veterans and to investigate what we can do to help them. NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby creates a Veterans Committee; the purpose of which shall be to meet with veterans' groups and to keep them informed as to benefits and services available to them and to assist veterans in any way they can, and BE IT FURTHER

RESOLVED that the following individuals shall be appointed to serve on the Veterans Committee:

Sylvia Lipowski
Earl Rosenthal
Leo Kazukiewicz
George Ross
Elaine Rosenthal

AND BE IT FURTHER RESOLVED that the term shall be for one year and total number of committee members shall be (12) members and remaining members to be appointed by the Town Board.

Upon Roll Call....

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

Item No. 3 Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS. pursuant to Section 82-70 of the Code of the Town of Cheektowaga ("Zoning Ordinance"). this Town Board may from time to time. on its own motion, amend, supplement or repeal provisions of said Zoning Ordinance, and

WHEREAS. by resolution dated November 6. 1989, this Town Board called for a public hearing on a proposal to amend Section 82.26.B.(1) of the Zoning Ordinance, and

WHEREAS. in accordance with the provisions of the Town Law of the State of New York, a public hearing on such proposal was held on the 20th day of November. 1989 at 7:30 P.M., at a meeting of the Town Board at the Town Hall. Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens had an opportunity to be heard; and

WHEREAS. this Town Board feels it is in the public interest to amend the Zoning Ordinance. NOW, THEREFORE, BE IT

RESOLVED that the Zoning Ordinance be and hereby is amended and changed as follows:

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.26.B.(1), which pertains to limitations on permitted uses in the M1-Light Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "purposes" and prior to the word "shall" in the first sentence of such subsection.

and. BE IT FURTHER

Item No. 3 continued

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 December 4, 1989; and that a certified copy be published in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and an affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED that this amendment to the Zoning Ordinance shall take effect ten (10) days after publication and posting, 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 its passage and entry in the minutes.

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.

Scott Benson
....., 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..... DEC 07 1989 ;
last publication..... DEC 07 1989 ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this DEC 07 1989

day of, 19.....

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, 1991

**LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA TOWN
BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 20th day of November, 1989 at 7:30 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

Motion by Councilman Johnson
Seconded by Councilman Solecki
WHEREAS, pursuant to Section 82-70 of the Code of the Town of Cheektowaga ("Zoning Ordinance"), this Town Board may from time to time, on its own motion, amend, supplement or repeal provisions of said Zoning Ordinance, and

WHEREAS, by resolution dated November 6, 1989, this Town Board called for a public hearing on a proposal to amend Section 82.26.B.(1) of the Zoning Ordinance, and

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing on such proposal was held on the 20th day of November, 1989 at 7:30 P.M., at a meeting of the Town Board at the Town Hall, Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens had an opportunity to be heard; and

WHEREAS, this Town Board feels it is in the public interest to amend the Zoning Ordinance, NOW, THERE-

**FORE, BE IT
RESOLVED**, that the Zoning Ordinance be and hereby is amended and changed as follows:

**RESOLVED THAT ARTICLE IV -
MANUFACTURING DISTRICT
REGULATIONS, Section**
82.26.B.(1), which pertains to limitations on permitted uses in the M1-Light Manufacturing district, shall be amended by adding thereto the words, "including mobile homes" after the word "purposes" and prior to the words, "shall" in the first sentence of such subsection.

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 December 4, 1989; and that a certified copy be published in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and an affidavit of such publication shall be filed with the Town Clerk, and **BE IT FURTHER**

RESOLVED, that this amendment to the Zoning Ordinance shall take effect ten (10) days after publication and posting, 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 its passage and entry in the minutes.
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**

**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 December 4, 1989, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 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 5th day of December, 1989.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: December 7, 1989

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

WHEREAS, on the 15th day of September, 1975, an agreement was entered into between the Cheektowaga-Maryvale U.F.S.D. and the Town of Cheektowaga for outdoor recreational purposes on the Maryvale U-Crest Elementary School (Parcel A) and Maryvale East Elementary School (Parcel B) sites, for a term ending on September 15, 1990, and

WHEREAS, in 1986, the Maryvale East Elementary School site was sold to a private developer. and

WHEREAS, subsequent to such sale of Parcel B, the Town has not maintained or otherwise utilized such property for outdoor recreational purposes, and

WHEREAS, the private developer has requested the Town to execute a release relating to such property. and

WHEREAS, THE Town desires to terminate that portion of the aforementioned agreement pertaining to Parcel B and to otherside release itself from the terms of such agreement relating to Parcel B, NOW, THEREFORE BE IT

RESOLVED. that this Town Board hereby terminates and releases itself from that portion of the above referenced agreement dated September 15, 1989 pertaining to Parcel B. and BE IT FURTHER

RESOLVED. that the Supervisor be and hereby is authorized and directed to execute a release pertaining to that portion of the aforementioned agreement relating to Parcel B.

Upon Roll Call....

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

II. RESOLUTIONS

Item No. 5a Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, Harold P. and Kay F. Kopp have petitioned for the rezoning from C-Retail Business District to M1-Light Manufacturing District of property owned by them and located at 2421 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 6th day of November, 1989 at 7:00 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, subject to the following conditions:

1. Parking spaces numbered 16 and 19 be eliminated in front of the building, 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 Harold P. &

Item No. 5a continued

Kay F. Kopp for the rezoning from C-Retail Business District to M1-Light Manufacturing District of the property specified in the attached legal description be and the same is hereby approved subject to the aforementioned condition as recommended by the Environmental Advisory Committee, and BE IT FURTHER

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

Upon Roll Call....

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

* See Legal Description attached

AFFIDAVIT - NEXT PAGE

PETITION BY HAROLD & KAY KOPP - REZONING

8. Legal Description of Property

2421 Harlem Road - all that parcel of property being Sublots 41, 42, 43 and 44 on Tax Map #102.54-03-001 situated at the northeast corner of Harlem Road and Freda Avenue in Cheektowaga, New York and described as follows:

Beginning at a point on the southerly boundary of Freda Avenue where it intersects with Harlem Road's easterly boundary, said point being 47 feet distant from the centerline of Harlem Road; thence southerly at a 90° angle for a distance of 107 feet to the northerly boundary of the property of Joseph P. Nelson (reputed owner); thence easterly at a 90° angle for a distance of 122 feet to the westerly boundary of the property of John A. Wudarnewski (reputed owner); thence northerly at a 90° angle for a distance of 107 feet to the southerly boundary of Freda Avenue; thence westerly at a 90° angle for a distance of 122 feet to the easterly boundary of Harlem Road.

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

..... Scott Benson
....., 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..... DEC 07 1989..... ;
last publication..... DEC 07 1989..... ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this DEC 07 1989

day of, 19.....

..... *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, 1991

**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 December, 1989 at 7:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson,
Ir.

Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
ABSENT: 0

Motion by Councilman Kulyk and
Seconded by Councilman Jaworowicz

WHEREAS, Harold P. and Kay F. Kopp have petitioned for the rezoning from C-Retail Business District to M1-Light Manufacturing District of property owned by them and located at 2421 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 6th day of November, 1989 at 7:00 o'clock P.M., after publication and service of 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, subject to the following conditions:

1. Parking spaces numbered 16 and 19 be eliminated in front of the building,

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 Harold P. & Kay F. Kopp for the rezoning from C-Retail Business District to M1-Light Manufacturing District of the property specified in the attached legal description be and the same is hereby approved subject to the aforementioned conditions recommended by the Town Environmental Advisory Committee, and **BE IT FURTHER**

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

Upon roll call.....

Supervisor Swiatek Voting **AYE**
Councilman Johnson Voting
NAYE

Councilman Jaworowicz Voting
AYE

Councilman Gabryszak Voting
AYE

Councilman Kulyk Voting **AYE**
Councilman Kazukiewicz Voting

AYE
Councilman Solecki Voting **NAYE**

AYES: 5

NAYES: 2

ABSENT: 0

**PETITION BY HAROLD &
KAY KOPP - REZONING**

8. Legal Description of Property
2421 Harlem Road - all that parcel of property being Sublots 41, 42, 43, and 44 on Tax Map #102 54-03-001 situated at the northeast corner of Harlem Road and Freda Avenue in Cheektowaga, New York and described as follows:

Beginning at a point on the southerly boundary of Freda Avenue where it intersects with Harlem Road's easterly boundary, said point being 47 feet distant from the centerline of Harlem Road; thence southerly at a 90 degree angle for a distance of 107 feet to the

northerly boundary of the property of Joseph P. Nelson (reputed owner); thence easterly at a 90 degree angle for a distance of 122 feet to the westerly boundary of the property of John A. Wudarnewski (reputed owner); thence northerly at a 90 degree angle for a distance of 107 feet to the southerly boundary of Freda Avenue; thence westerly at a 90 degree angle for a distance of 122 feet to the easterly boundary of Harlem Road.

**STATE OF NEW YORK
COUNTY OF ERIE**

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFIED 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 December 4, 1989, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meeting of said Board, and such minutes appear at item 5a, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of December, 1989.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: December 7, 1989

Item No. 5b Motion by Councilman Johnson Seconded by Councilman Solecki

WHEREAS, this Town Board held a public hearing on November 20, 1989 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
HILLPINE ROAD	East-west	Hillpine Road at 256 Hillpine Road	Southbound	N.W. Corner
CHERRYWOOD DR.	East-west	Baywood Street	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Knollwood Drive	Southbound	N.W. Corner
BAYWOOD STREET	East-west	Cherrywood Drive	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

RUSHFORD LANE	East side	from the south curbline of Losson Road, southerly to the north curbline of Butternut Road
RUSHFORD LANE	West side	from the north lot line of #38, southerly to the north curbline of Hillpine Road
BUTTERNUT ROAD	South side	from the west curbline of Hillpine Road westerly to the east curbline of Rushford Lane
HILLPINE ROAD	East side	from the south curbline of Losson Road, southerly to the north lot line of #9
HILLPINE ROAD	East and south side	from the south curbline of Losson Road to the west line of #125, then the complete outer curve line to the intersection of Hillpine and Hillpine.
CHERRYWOOD DR.	North side	from the west curbline of Borden Road, westerly to the east edge of the driveway at #94, then the north and west side around the curve on the west

Item No. 5b continued

CHERRYWOOD DR. North side side to the north curbline of Baywood*
*or as far as has been accepted

BAYWOOD STREET East side from the south curbline of Cherrywood around the
curve on the south side of entire length of the
street

C. No parking here to corner

HILLPINE ROAD West side from the south curbline of Losson Road southerly
a distance of 100 feet

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.

Scott Benson
....., 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..... DEC 07 1989 ;
last publication..... DEC 07 1989 ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....
DEC 07 1989

Sworn to before me this
day of, 19.....

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, 1991

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFIED 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 December 4, 1989, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meeting of said Board, and such minutes appear at item 5b, inclusive, of said book.
2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.
3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of December, 1989.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: December 7, 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 December, 1989 at 7:30 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

Motion by Councilman Johnson and Seconded by Councilman Solecki WHEREAS, this Town Board held a public hearing on November 20, 1989 at 7:30 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:

Section 2. Time to take effect.
(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.
(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application
These amendments shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the villages of Depew and Sloan.

Section 4. Publication.
That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Upon roll call.....
Supervisor 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

ARTICLE VIII
Stop and Yield Intersections

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
HILLPINE ROAD	East-west	Hillpine Road at 256 Hillpine Rd	Southbound	N.W. Corner
CHERRYWOOD DR.	East-west	Knollwood St	Northbound	S.E. Corner
CASTLEWOOD DR.	East-west	Knollwood Dr.	Southbound	N.W. Corner
BAYWOOD ST.	East-west	Cherrywood Dr.	Southbound	N.W. Corner

ARTICLE IX
Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

RUSHFORD LANE	East side	from the south curbline of Lossan Road, southerly to the north curbline of Butternut Road
RUSHFORD LANE	West side	from the north lot line of #38, southerly to the north curbline of Hillpine Road
BUTTERNUT RD	South side	from the west curbline of Hillpine Road westerly to the east curbline of Rushford Lane
HILLPINE ROAD	East and south side	from the south curbline of Lossan Road to the west line of #125, then the complete outer curve line to the intersection of Hillpine and Hillpins.
CHERRYWOOD DR.	North side	from the west curbline of Borden Road, westerly to the east edge of the driveway at #94, then the north and west side around the curve on the west side to the north curbline of Baywood * <small>*or as far as has been accepted</small>
BAYWOOD STREET	East side	from the south curbline of Cherrywood around the curve on the south side of entire length of the street

C. No parking here to corner

HILLPINE ROAD	West side	from the south curbline of Lossan Road southerly a distance of 100 feet
---------------	-----------	---

No. 29

No. 29

Item No. 6a Motion by Councilman Solecki Seconded by Councilman Johnson

WHEREAS, by Town Board resolution dated February 4, 1985, a Special Permit for an automotive wrecking and storage operation on property located at 2977 Broadway was granted subject to certain conditions, and

WHEREAS, the Supervising Building and Plumbing Inspector of the Town has informed this Town Board that the owner of such property has not complied with the conditions of such Special Permit and has recommended that such Special Permit be rescinded, and

WHEREAS, this Town Board wishes to give the owner of 2977 Broadway the opportunity to respond to these allegations, NOW, THEREFORE, BE IT

RESOLVED that a hearing before this Board be held on the 18th day of December, 1989 at 7:00 P.M. in the Cheektowaga Town Hall Council Chambers; at which hearing this Town Board shall hear testimony from the owner of 2977 Broadway, the Building Inspector's Office and all others interested in the above referenced matter, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward the attached Notice to Lawrence LaPaglia, Sr., the Supervising Building and Plumbing Inspector and the New York State Thruway Authority.

* * * * *

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED THAT, in pursuance of a resolution of the Town Board of the Town of Cheektowaga dated December 4, 1989, a hearing will be held on the 18th day of December, 1989 at 7:00 P.M. in the Council Chambers of the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to hear testimony and discuss the rescission/revocation of a Special Permit granted on February 4, 1985 to Lawrence LaPaglia, Sr. for the operation of an automotive wrecking and storage operation at 1977 Broadway, Cheektowaga, New York.

All persons interested in such matter shall be given an opportunity to be heard at such time.

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

DATED: December 4, 1989

RICHARD M. MOLESKI,
Town Clerk

* * * * *

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 Solecki

WHEREAS, pursuant to Section 82-70 of the Code of the Town of Cheektowaga ("Zoning Ordinance"), this Town Board may from time to time, on its own motion, amend, supplement or repeal provisions of said Zoning Ordinance,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 18th day of December, 1989 at 7:30 P.M., at a meeting of the Town Board at the Town Hall,

Item No. 6b continued

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 the Zoning Ordinance of the Town of Cheektowaga 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

ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 4th day of December, 1989. a public hearing will be held on the 18th day of December, 1989 at 7:30 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 the "Zoning Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.27.B. which pertains to limitations on permitted uses in the M2-General Manufacturing District. shall be amended by adding thereto the words. "including mobile homes" after the word "uses" and prior to the word "which" in the first sentence of such subsection.

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

DATED: December 4, 1989

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.

..... Scott Benson, 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..... DEC 07 1989 ;
last publication..... DEC 07 1989 ;
and that no more than six days intervned be-
tween publications.

..... *Scott Benson*

Sworn to before me this

day of DEC 07 1989, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE OF HEARING ON
PROPOSAL TO AMEND
ZONING ORDINANCE**

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 4th day of December, 1989, a public hearing will be held on the 13th day of December, 1989 at 7:30 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 the "Zoning Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.27.B., which pertains to limitations on permitted uses in the M2-General Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "uses" and prior to the word "which" in the first sentence of such subsection.

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

**Dated: December 4, 1989
RICHARD M. MOLESKI
Town Clerk
PUBLISH: December 7, 1989**

NY Commission on
Quality in Education
Notary Public State
of New York
EVE J. VLI

MEETING NO. 28
December 4, 1989

Item No. 7a Award of Bid: One 3/4 Ton 1990 Pickup truck with supercab.
This item was withdrawn.

Item No. 7b Motion by Councilman Kazukiewicz Seconded by Councilman Solecki

WHEREAS, bids were duly received by this Town Board at a public bid opening for the purchase of new trees for the Town's planting season: Spring, 1990, by the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to Schichtel Nursery, 6745 Chestnut Ridge Road, Orchard Park, New York 14127; said bidder being the sole and lowest responsible bidder meeting specifications as set forth in the tabulation attached hereto and made a part hereof.

Account No. 01-85600044291

Upon Roll Call....

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

* SEE ATTACHED

TOWN OF CHEEKTOWAGA

ERIE COUNTY - NEW YORK

OFFICES LOCATED AT:

CHEEKTOWAGA TOWN HALL
BROADWAY & UNION RD.
CHEEKTOWAGA, NY 14225

SPECIFICATION AND BID FORM

FOR NEW TREES FOR SPRING, 1990 PLANTING

BIDS TO BE RECEIVED UNTIL DECEMBER 1, 1989, 11:00 A.M.

AT WHICH TIME THEY WILL BE PUBLICLY OPENED AND READ IN THE COUNCIL CHAMBERS OF THE TOWN HALL, BROADWAY AND UNION RD., CHEEKTOWAGA, NY 14225.

NOTE: In order to be considered, all bids must be filed with the Town Clerk prior to the time of opening of said bids.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

NAME OF BIDDER SCHICHEL'S NURSERY, INC.

ADDRESS OF BIDDER 6745 Chestnut Ridge Rd., Orchard Park, N.Y. 14127

PHONE NUMBER OF BIDDER (716) 662-9896

It is intended by these specifications to permit free competition and wherever a particular brand or make of article is specified, another brand or make may be provided; and that the same is equal in quantity and performance to the brand and make specified.

RECEIVED NOV 22 1989

SPECIFICATIONS AND BID SHEET FOR NEW TREES
TOWN OF CHEEKTOWAGA, NEW YORK

1. All trees are to conform with the standards as set forth by the American Association of Nurserymen.
2. Trees are to arrive in a moist horticulturally satisfactory condition.
3. All trees to be bare root. Approximately 250 trees.
4. Caliper of trees shall be measured at a point 6" above ground level. Caliper of all trees shall be 1½" - 1 3/4" dia.
5. All trees must be branched.
6. F.O.B., 3145 Union Rd., Cheektowaga, NY, 14227
7. All trees shall be supplied to the Cheektowaga Highway Department commencing on: APRIL 9, 1990 AND NOT LATER THAN MAY 1, 1990.

<u>TYPE OF TREE</u>	<u>UNIT BID PRICE</u>
1. <u>Aristocrat Flowering Pear</u> (Pyrus calleryana 'Aristocrat') (Spring only)	43.00
2. <u>Bradford Flowering Pear</u> (Pyrus calleryana 'Bradford') (Spring only)	Not Available
3. <u>Cleveland Select Flowering Pear</u> (Pyrus calleryana 'Cleveland Select') (Spring only)	43.00
4. <u>Redspire Flowering Pear</u> (Pyrus calleryana 'Redspire') (Spring only)	43.00
5. <u>Skyline Honeylocust</u> (Gleditsia triacanthos inermis 'Skyline') (Spring or fall)	39.00
6. <u>Glenleven Linden</u> (Tilia cordata 'Glenleven') (Spring or fall)	39.00
7. <u>Greenspire Linden</u> (Tilia cordata 'Greenspire') (Spring or fall)	42.00
8. <u>Summit Ash</u> (Fraxinus pennsylvanica lanceolata 'Summit') (Spring or fall)	33.00

continued...

<u>TYPE OF TREE</u>	<u>UNIT BID PRICE</u>
9. <u>Olmsted Columnar Norway Maple</u> (Acer platanoides Columnare 'Olmsted'), (Spring or fall)	39.00
10. <u>Ivory Silk Japanese Lilac</u> (Syringa reticulata 'Ivory Silk') (Spring or fall) <u>Available in Fall 1990 only</u>	43.00
11. <u>Hedge Maple</u> (Acer campestre) (Spring or fall)	43.00
12. <u>Crimson King Maple</u> (Acer platanoides, 'Crimson King') (Spring or fall)	43.00
13. <u>Pyramidal European Hornbeam</u> (Carpinus betulus fastigiata) (Spring only)	49.00
<u>Limited Availability</u>	

Item No. 7c Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received and opened at a public bid opening on October 16, 1989 as a result of advertisement for the purchase of one van mounted television system for internal inspection of sanitary sewer lines, 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 November 22, 1989. AND

WHEREAS, funds have been budgeted in Account #05-8125-8823-11-3 for this purpose. NOW. THEREFORE. BE IT

RESOLVED that the contract for the purchase of one (1) new van mounted television system, as recommended by the Town Engineer, be and the same is hereby awarded to Telespector Corporation, 1460 Opdyke Road, Auburn Hills, Michigan 48057 for their bid in the amount of \$78,576.00, said bid being the lowest meeting the requirements of the specifications.

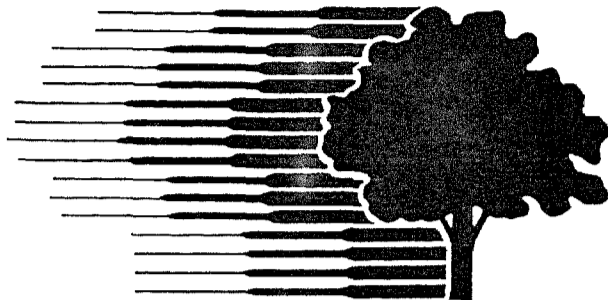
Upon Roll Call....

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

* SEE ATTACHED LETTER

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

November 22, 1989

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Purchase of One Van
Mounted 1990 Television
Inspection System

Gentlemen:

At a public bid opening on October 16, 1989, bids were received and opened for one (1) 1990 van mounted television inspection system. One (1) bid was received and is as follows:

<u>BIDDER</u>	<u>BID PRICE</u>
Telespector Corporation	\$78,576.00

This bid was reviewed by the Engineering Department, which included an inspection at the Telespector Headquarters of the unit. It is, therefore, recommended that the bid be awarded to Telespector Corporation, 1460 Opdyke Road, Auburn Hills, Michigan 48057, said bid being the only bid meeting the requirements of the specifications.

It was not recommended to trade-in the 1978 van mounted television system as it is felt that the Town should receive a higher bid price through the Town auction.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Assistant

ABB:dms

MEETING NO. 28
December 4, 1989

Item No. 7d Motion by Councilman Solecki Seconded by Councilman Kulyk

WHEREAS. by resolution dated November 6. 1989. bids for tires were advertised. and

WHEREAS. on November 17. 1989 bids were received and opened, and

WHEREAS. Richard Koszuta. the Foreman of the Central Garage has reviewed and analyzed these bids.

NOW. THEREFORE. BE IT RESOLVED. that the bids be awarded to the lowest responsible bidder as shown in the attached letter. (Lowest bidder being Goodyear Truck and Tire Center. 740 Young Street. Tonawanda, New York.)

Upon Roll Call....

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

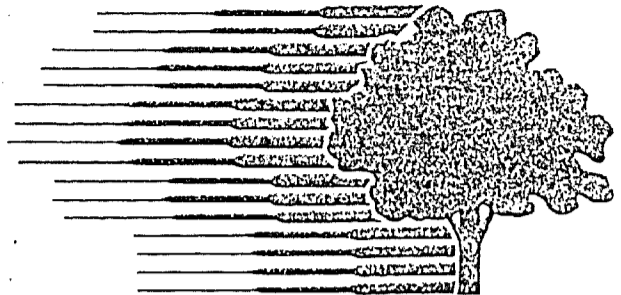
NAYES: 0

ABSENT: 0

* SEE ATTACHED LETTER

Central Garage
Richard J. Koszuta
General Foreman

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

SPECIFICATIONS FOR
CENTRAL GARAGE TIRE PURCHASES

ITEM 1 - TIRES: PASSENGER CAR
(Tubeless, Black, Radial Ply, Belted, Minimum Tire
Quality Grading as Follows:

REGULAR THREAD

<u>SIZE</u>		<u>PRICE PER TIRE</u>
185/80R13	CUSTOM PLY STEEL	28.72
195/75R14	"	32.67
215/75R15	"	37.54
225/75R15	"	39.19
235/75R15	"	41.02

TUBELESS, BLACK, RADIAL PLY, BELTED ALL SEASON THREAD

<u>SIZE</u>		<u>PRICE PER TIRE</u>
185/80R13	ARRIVA	29.84
195/75R14	"	33.94
215/75R15	"	38.99
225/75R15	"	40.73
235/75R15	"	42.59
185/75R14	"	32.57

TUBELESS, BLACK, RADIAL PLY, BELTED SNOW THREAD

<u>SIZE</u>		<u>PRICE PER TIRE</u>
185/80R13	FIRE	31.85
195/75R14	"	36.30
215/75R15	"	40.44
225/75R15	"	42.34
235/75R15	"	45.24

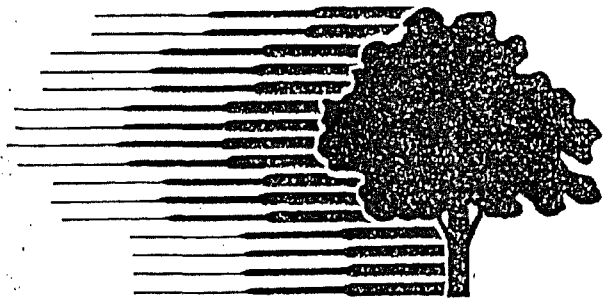
ITEM 2 - TIRES: TRUCK & BUS, RADIAL PLY, TUBE TYPE

REGULAR THREAD

<u>SIZE</u>	<u>PLY RATING</u>		<u>PRICE PER TIRE</u>
LT 215/85R16	8*	WRANGLER LT	62.22
7.50R16 LT	8	"	64.24
LT 235/85R16	10*	"	70.88
8.75R16.5 LT	8	"	62.22
9.50R16.5 LT	8	"	67.76
8.25R20	12	DE II	146.30
9.00R20	12	DE II	163.30
10.00R20	14 & 16	DE II	176.86 + 188.10

Central Garage
 Richard J. Koszuta
 General Foreman

Growing In A New Direction



TOWN OF CHEEKTOWAGA
 Erie County, New York

ITEM 2 - CONTINUED

SIZE	PLY RATING		PRICE PER TIRE
11.00R20	14 & 16	UET	204.14 + 214.70
12.00R20		G,186	262.65

SNOW THREAD

SIZE	PLY RATING		PRICE PER TIRE
LT 215/85R16	8	WRANGLER AT	70.47
7.50R16 LT	8	"	71.19
LT 235/85R16	10	"	78.80
8.75R16.5 LT	8	"	68.70
9.50R16.5 LT	8	"	79.94
8.25R20	12	TD	149.17
9.00R20	12	TD	166.49
10.00R20	14 & 16	TD	180.29 + 191.79
11.00R20	12 ² & 16	TD	208.17 + 219.14
12.00R20	16 & 18	NOT AVAILABLE	

ITEM 3 - TIRES: TRUCK & BUS, BIAS PLY, TUBE TYPE

REGULAR THREAD

SIZE	PLY RATING		PRICE PER TIRE
7.50-16	8	TRACKER LT JT	47.15
8.75-16.5	8	"	48.28
9.50-16.5	8	"	53.63
8.25-20	12	SUPER HI MILK	107.29
9.00-20	12	"	112.89
10.00-20	12 & 14	"	117.87 + 141.85
11.00-20	12 & 14	"	128.34 + 154.56
12.00-20	14 & 16	CUSTOM HI MILK	207.44 + 217.25

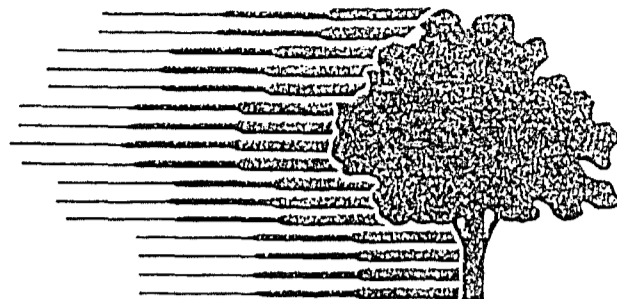
SNOW THREAD

SIZE	PLY RATING		PRICE PER TIRE
7.50-16	8	CUSTOM VIRA GRIP	66.20
8.75-16.5	8	"	58.70
9.50-16.5	8	"	63.30
8.25-20	10	"	91.03
9.00-20	12	"	120.76
10.00-20	12 & 14	"	125.52 + 148.24
11.00-20	12 & 14	"	146.10 + 162.33
12.00-20	16	NOT AVAILABLE	

Central Garage • 3175 Union Road • Cheektowaga, New York 14227 • 716/686-3439

Central Garage
 Richard J. Koszuta
 General Foreman

Growing In A New Direction



TOWN OF CHEEKTOWAGA
 Erie County, New York

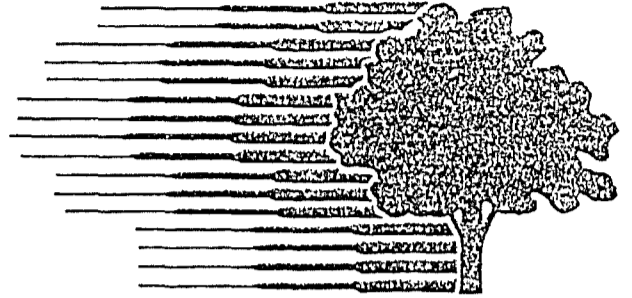
TIRES

BIDS FOR THE TOWN OF CHEEKTOWAGA 1989 - 1990

		<u>PRICE PER TIRE</u>	
P215/75 R 15	Police	CPS	37.54
1000/20 14 PR	Highway Steer	SHm	141.85
1000/20 14 PR	M & S	Cxg	148.24
900/20 10 PR	Highway Steer	SHm	95.29
900/20 10 PR	M & S	Cxg	103.75
825/20 10 PR	Highway Steer	SHm	81.89
825/20 10 PR	M & S	Cxg	91.03
750/16 8 Ply	Tubeless Steering	SHm	46.96
750/16 8 Ply	TT M & S	Cxg	56.52
875-16/5 8 Ply	Tubeless Steering	TR LT II	48.28
875-16/5 8 Ply	Tubeless M & S	Cxg	58.71
950-16/5 8 Ply	Tubeless Steering	TR LT II	53.63
950-16/5 8 Ply	Tubeless M & S	Cxg	63.30
LT 235/85R16 10 Ply	Tubeless ASR	WR AT	78.80
LT 235/85R16 10 Ply	Tubeless Rib	WR LT	70.88
LT 235/85R16 10 Ply	Tubeless M & S	WR AT	78.80
11 R 22/5 14 PR	Tubeless XM & S	TO	206.29
14-80 R/20 18 Ply	TT Steering	G186	272.27
385- 65R/5 18 Ply	Tubeless Steering	G165	311.92
LT 215/85R16 8 Ply	Tubeless ASR	WR AT	68.70
LT 215/85R16 8 Ply	Tubeless Rib	WL LT	62.22
LT 215/85R16 8 Ply	Tubeless M & S	WR AT	68.70

Central Garage
 Richard J. Koszuta
 General Foreman

Growing In A New Direction



TOWN OF CHEEKTOWAGA

Erie County, New York
 PRICE PER TIRE

LT 245/75R16	10 Ply Tubeless ASR	WK AT	82.34
LT 245/75R16	10 Ply Tubeless Rib	WK LT	72.30
LT 245/75R16	10 Ply Tubeless M & S	WK AT	82.34
1000R/20	14 PR Highway Steering	UEH	176.86
1000R/20	14 PR M & S	TD	150.28
750/16 Multi. Rib	8 Ply T Type	NOT AVAILABLE	
18.4/26 Torc Trac Armstrong	10 Ply Tubeless	DYNA TOR H	235.30
900/10 Tube Type	No Ply	?	
18.4/16.1 Torc Trac	6 Ply Tubeless	NOT AVAILABLE	
17.5/25 Loader, Grader	12 Ply Tubeless	Sq LINDEN LZ	383.76
14-9/24R4 TT	6 Ply	IND SURE GRIP.	170.82
750R/16	8 Ply Tubeless ASR	WK AT	71.19
750R/16	8 Ply Tubeless Rib	WK LT	64.24
750R/16	8 Ply Tubeless M & S	WK AT	71.19
800 16/5	8 Ply Tubeless Highway Steering	WK LT	57.52
800 16/5	8 Ply Tubeless M & S	WK AT	63.50
P235/75R15	Black ASR	TIEMPO	39.80
P175/80R13	Black ASR	ARLIM	29.46
P175/80R13	Black Snows	F32	31.37

ALL BIDS COMPARABLE TO MICHELIN-GOODYEAR-B.F. GOODRICH-BRIDGESTONE.

NON-COLLUSIVE BIDDING CERTIFICATION

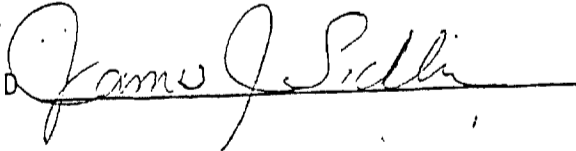
By submission of this bid, each bidder and each person signing on behalf of any bidder certifies; and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

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

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

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

SIGNED



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

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

WHEREAS, it is in order that bids be advertised for the purchase of lighting supplies for fiscal years 1990, 1991 and 1992 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 lighting supplies, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on December 18, 1989 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 December 18, 1989 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the supplying of lighting 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.

DATED: December 4, 1989

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.

Scott Benson

....., 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..... DEC 07 1989
last publication..... DEC 07 1989
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this DEC 07 1989

day of, 19.....

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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 18, 1989 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the supplying of lighting 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

DATED: December 4, 1989

PUBLISH: December 7, 1989

EVE J. ALLIS

Notary Public, Erie County
Qualified in Erie County
My commission expires on 12/31/91

Item No. 8b Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board has authorized the preparation of plans and specifications for the renovation of the 45 year old Delavan Avenue Sanitary Sewer Lift Station, AND

WHEREAS, the Town Engineer advises that plans and specifications have been completed and the project is ready for bidding. NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the renovation of the Delavan Avenue Sanitary Sewer Lift Station. 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 December, 1989 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

NOTICE IS HEREBY GIVEN that the 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 18th day of December, 1989 at 11:00 A.M., Eastern Standard 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 improvements proposed for the Delavan Avenue Pumping Station, including appurtenances and related work, complete in place, tested and ready for use, in accordance with the Contract Documents, including plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202 from which 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 Remodeling of the Delavan Avenue Pumping Stations."

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 awarded 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.

Item No. 8b continued

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 270 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

By Order of: Richard M. Moleski
Town Clerk
Town of Cheektowaga

Dated: December 4, 1989

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

**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 18th day of December, 1989 at 11:00 A.M., Eastern Standard 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 improvements proposed for the Delavan Avenue Pumping Station, including appurtenances and related work, complete in place, tested and ready for use, in accordance with the Contract Documents, including plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202 from which 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 Remodeling of the Delavan Avenue Pumping Station."

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 proposals 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 270 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

By Order of: Richard M.

Moleski

Town Clerk

Town of Cheektowaga

DATED: December 4, 1989

PUBLISH: December 7, 1989

Item No. 8c Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

WHEREAS. folding tables, stacking chairs and equipment are required for the Alexander Community Center, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish an Invitation to Bidders for supplying said furnishings for the Center; notice to be published in the Cheektowaga Times. and BE IT FURTHER

RESOLVED that specifications for said furnishings for the Alexander Community Center may be obtained from the Town Clerk's office located in the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, and BE IT FURTHER

RESOLVED that sealed proposals will be received and considered by the Cheektowaga Town Board on December 15th at a public bid opening at 11:00 a.m. Eastern Standard Time, Town Hall, Broadway and Union Road, in the Town of Cheektowaga, New York.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 15, 1989 at 11:00 a.m., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for Supplying Folding Tables, Stacking Chairs and Equipment for the Alexander Community Center.

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 Supplying Folding Tables, Stacking Chairs and Equipment for the Alexander Community Center" 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 information, make an award to other than the low bidder, should it be in the best interest of the Town.

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

Richard M. Moleski.
Town Clerk

DATED: December 1, 1989

* * * * *

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.

..... Scott Benson, 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..... DEC 07 1989 ;
last publication..... DEC 07 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this DEC 07 1989

day of, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 15, 1989 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for Supplying Folding Tables, Stacking Chairs and Equipment for the Alexander Community Center.

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 Supplying Folding Tables, Stacking Chairs and Equipment for the Alexander Community Center" 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.

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

**Richard M. Moleski
Town Clerk**

**DATED: December 1, 1989
PUBLISH: December 7, 1989**

NY Commission on
Qualified in Erie County
Marilyn R. Allen
EVE J. ALLEN

Item No. 8d Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

WHEREAS, a copier is desired for the Cheektowaga Youth Bureau. NOW,
THEREFORE. BE IT

RESOLVED that the Town Clerk be directed to publish an Invitation to Bidders for supplying said copier for the Cheektowaga Youth Bureau; notice to be published in the Cheektowaga Times. and BE IT FURTHER

RESOLVED that specifications for said copier for the Cheektowaga Youth Bureau may be obtained from the Town Clerk's office located in the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York. and BE IT FURTHER

RESOLVED that sealed proposals will be received and considered by the Cheektowaga Town Board on December 15th at a public bid opening at 11:00 a.m. Eastern Standard Time. Town Hall, Broadway and Union Road. in the Town of Cheektowaga, New York.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 15, 1989 at 11:00 a.m., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for Supplying a Copier for the Cheektowaga Youth Bureau.

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 Supplying a Copier for the Cheektowaga Youth Bureau" 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 information. make an award to other than the low bidder, should it be in the best interest of the Town.

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

Richard M. Moleski.
Town Clerk

DATED: December 1, 1989

* * * * *

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.

..... Scott Benson, 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..... DEC 07 1989 ;
last publication..... DEC 07 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this DEC 07 1989

day of, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 15, 1989 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for Supplying a Copier for the Cheektowaga Youth Bureau.

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 Supplying a Copier for the Cheektowaga Youth Bureau" 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.

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

**Richard M. Moleski
Town Clerk**

**DATED: December 1, 1989
PUBLISHED: December 7, 1989**

EVE J. ALLIS
Notary Public, State of New York
Qualified in Erie County
My commission expires March 30, 1991

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

WHEREAS. this Town Board. by resolution dated April 17, 1989. awarded a contract for the Police Dispatch Remodeling to Gross Plumbing & Heating Company. Inc. for Plumbing Work. AND

WHEREAS. there is need to provide a new faucet in the new toilet room for handicapped access. which was approved by Trautman Associates. Architect. and the Town Engineer. at an increase in cost of \$92.75. AND

WHEREAS. this Town Board approves of the requested change as recommended by Trautman Associates and the Town Engineer. NOW. THEREFORE, BE IT

RESOLVED that Change Order No. P-1 as an increase of \$92.75 to the contract of Gross Plumbing & Heating Company. Inc. be approved. AND. BE IT FURTHER

RESOLVED that the Supervisor. on behalf of this Town Board. be authorized and directed to sign said Change Order No. P-1.

Account #05-31208802-1100

Upon Roll Call....

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

Item No. 10 Motion by Councilman Kulyk Seconded by Unanimous

WHEREAS. The Cleveland Hill High School Football Team has compiled an 8-2 record this season. AND

WHEREAS. by virtue of their superior performance. they earned the right to participate in the Division VI Playoffs at Rich Stadium. AND

WHEREAS. at Rich Stadium they won the title of Class C Western New York Football Champions. AND

WHEREAS. the Cleveland Hill High School Football Team has performed. both on and off the field. in an exemplary fashion of fine sportsmanship, AND

WHEREAS. the Cleveland Hill High School Football Team has brought tremendous pride to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board has seen fit in proclaiming the week of December 4, 1989 as "Cleveland Hill Eagles Week" throughout the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Board wishes to congratulate Coach ? Dennis Mason and his staff, as well as the entire Cleveland Hill High School Football Team. in bringing recognition to the Town of Cheektowaga with a job well done.

Upon Roll Call....

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

Item No. 11a Motion by Councilman Johnson Seconded by Councilman Solecki.
Gabryszak. Jaworowicz & Kazukiewicz

WHEREAS. West Sobieski Avenue is a residential street and a connecting portion of Buell Avenue is developed residentially. and

WHEREAS. many motorists use these streets as a short-cut between Dick Road and Genesee Street. thereby creating safety concerns, and

Item No. 11a continued

WHEREAS. the residents of Buell Avenue and West Sobieski Avenue have petitioned this Town Board to dead-end Buell Avenue and West Sobieski Avenue because the physical safety of their families and others is endangered by the high volume and speed of motor vehicle traffic using such streets as a short-cut between Dick Road and Genesee Street, and

WHEREAS. the extremely high volume of traffic shown to exist on the aforesaid residential streets places an extraordinary burden and responsibility on the Town in terms of maintaining such highways. and

WHEREAS. this Town Board held a public hearing on the 20th day of November, 1989 at 7:00 P.M. on the matter of the dead-ending of such street or streets and public comment was received at such hearing. and

WHEREAS. comment was also received from U-Crest Fire Company stating that it had no objection to the dead-ending of Buell Avenue provided a gate or some similar mechanism was installed at the dead-ends for emergency access. and

WHEREAS. this Town Board may regulate and control traffic for the benefit of the public. and

WHEREAS. additional commercial development in the area is expected to further negatively impact the residents on Buell Avenue and West Sobieski Avenue, and

WHEREAS. this Board feels it is in the interests of the public health, safety and welfare to dead-end Buell Avenue at a point where residential and commercial property meet. NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby determines that it is reasonably necessary in the interest of public safety and welfare to dead-end Buell Avenue (north- and south-bound) at the northerly property line of 123 Buell Avenue, extending westerly across Buell Avenue. and BE IT FURTHER

RESOLVED that the Town Superintendent of Highways be and hereby is authorized and directed to properly post and maintain Buell Avenue (north- and south-bound) as a dead-end highway at the above referenced location, and BE IT FURTHER

RESOLVED that the Town Highway Superintendent be and hereby is directed to establish a gate at the specified dead-end location through which emergency service vehicles will have access. and BE IT FURTHER

RESOLVED that the Town Engineer and Highway Superintendent be and hereby are requested to designate or design for construction a "turn around" for the Buell Avenue dead-end to be used by Town and emergency service vehicles. and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to the following:

Property owners on Buell Avenue and West Sobieski Avenue
U-Crest Fire Company
Erie County Dept. of Public Works. Division of Highways
Maryvale School District
NYS Dept. of Transportation

* * * * *

MOTION BY SUPERVISOR SWIATEK AND SECONDED BY COUNCILMAN KULYK TO TABLE 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

MEETING NO. 28
December 4, 1989

Item No. 11b Direct Superintendent of Highways to dead-end Buell Avenue.
This item was withdrawn.

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

WHEREAS. the Town has received funding from the US Department of Housing & Urban Development under the Community Development Block Grant Program for the 1989-90 Program Year. and

WHEREAS. one of the purposes of said program is to improve the quality of community services which are essential for sound community development and for the development of viable urban communities. and

WHEREAS. the Housing Assistance Center of Niagara Frontier. Inc., located at 1233 Main Street, Buffalo, New York 14209, provides such services for Town residents. including but not limited to comprehensive housing counseling, mortgage default counseling, rental assistance and provision of housing-related information to low and moderate income residents. and

WHEREAS. funding for such services has been included in the Town's 1989-90 Community Development Block Grant Application. NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized to execute an Agreement with the Housing Assistance Center of Niagara Frontier. Inc., for the provision of said services, and Be It

FURTHER RESOLVED. that funding of said Agreement be in an amount not to exceed \$8,000.00. said amount to be paid from Program Year 1989-90 Community Development Block Grant funds.

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. the U. S. Army Corps of Engineers. 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 29 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. Geological Survey is willing to continue operation of this gaging station if the Town of Cheektowaga 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 the 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, 1989 to September 30, 1990. AND, BE IT FURTHER

RESOLVED that the Town's cost of \$3,845.00 is to be charged to Sewer District No. 5 Account No. 25-8125-0004-4543.

Item No. 12b continued

Upon Roll Call....

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

Item No. 12c Authorize Supervisor to execute grant with N.Y.S. Energy Office.
This item was withdrawn.

Item No. 12d Motion by Councilman Gabryszak Seconded by Councilman Kazukiewicz

WHEREAS, the Cheektowaga Youth Bureau is desirous of sponsoring two weekend camp experiences for developmentally disabled youngsters, from February 9th through February 11th, 1990 and from March 2nd through March 4th, 1990, 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 Campfire Council of Buffalo and Erie County, Inc. is willing to rent such facilities to the Town, at a sum not to exceed \$400 per weekend (T&A 894). BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement with the Camp Fire Council of Buffalo and Erie County, Inc. for the rental of the aforementioned camp ground facilities.

Upon Roll Call....

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

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

WHEREAS, the Town has received federal Community Development Block Grant funds under the Housing and Community Development Act of 1974, as amended, for the 1989-90 program year, and

WHEREAS, an eligible activity for the use of Community Development funds is the provision of planning services and

WHEREAS, the Town wishes to enter into an agreement with the Erie and Niagara Counties Regional Planning Board for the provision of planning services in relation to the upcoming 1990 Census, and

WHEREAS, said Regional Planning Board will assist the Town in ensuring an accurate and complete census count by analyzing and verifying housing and population data for the 1990 census, and

WHEREAS, funding for said services was included in the Town's 1989-90 Community Development Block Grant Application to the Department of Housing & Urban Development, and

WHEREAS, the Department of Housing & Urban Development has approved the Town's application and the use of Community Development funds for said planning services. NOW, THEREFORE. BE IT

RESOLVED that the Supervisor is hereby authorized to execute an Agreement with the Erie & Niagara Counties Regional Planning Board for the provision of 1990 census-related planning services for the Town at a fee not to exceed \$12,938, said fee to be paid from the 1989 Community Development Block Grant budget.

Item No. 12e continued

Upon Roll Call....

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

Item No. 12f Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement on behalf of the Town of Cheektowaga Youth Bureau and the Greater Buffalo Council on Alcohol and Substance Abuse for production, validation and dissemination of a survey at a cost not to exceed \$3,000.00 (Line Item No. 01-7310-0004-4671).

Upon Roll Call....

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

Item No. 13a Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS. Losson Park Village, Inc.. the developer of the Losson Park Village Subdivision, Phase I. deposited funds in the amount of \$13,800 in an escrow account with the Town to guarantee the installation of highway lighting improvements within said subdivision. AND

WHEREAS. the developer of the aforesaid subdivision has completed the installation of the street lighting system within Phase I of this residential development, which has yet to be energized by New York State Electric & Gas Corporation. NOW, THEREFORE. BE IT

RESOLVED that escrow funds in the amount of \$10,000 be released to Losson Park Village, Inc. at the present time from Account No. 06-0830-0100-0000, AND, BE IT FURTHER

RESOLVED that the remaining escrow account balance of \$3,800 be released to Losson Park Village Inc. upon completion of electrical connections by New York State Electric & Gas Corporation and the final inspection by the Town Engineer.

Upon Roll Call....

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

Item No. 13b Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS. the developer of the Woodlands at the Park Subdivision has completed the installation of the street lighting system on Countryside Lane. consisting of nine (9) 5200 lumen high pressure sodium luminaires and related equipment, NOW. THEREFORE, BE IT

RESOLVED that escrow funds in the amount of \$7200. being held by the Town to guarantee the installation of the subject lighting system, be released to Tom Greenauer Development from Account No 06-0830-0000-0000. AND, BE IT FURTHER

RESOLVED that the lighting system consisting of luminaires, standards and conductors furnished and installed by the developer are to be owned and maintained by the Town of Cheektowaga, and the connections, energy and lamp replacements are to be supplied and maintained by the New York State Electric & Gas Corporation.

Item No. 13b continued

Upon Roll Call....

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

Item No. 14 Motion by Councilman Johnson Seconded by Supervisor Swiatek

WHEREAS. the Cheektowaga Economic Development Corporation and the Cheektowaga Chamber of Commerce have raised funds from private contributions for the development of a Town promotional brochure. and

WHEREAS. said Brochure will be used to promote economic growth and development within the Town. and

WHEREAS. the Town of Cheektowaga wishes to contribute funds to this project to make publication of the Brochure possible. NOW, THEREFORE. BE IT

RESOLVED that the expenditure of funds in the amount of \$4.100.00 from budget account No. 01-6410-0004-4191 be and hereby is authorized as a payment to the Cheektowaga Economic Development Corporation Town Promotional Fund to be used for the publication of the Town Brochure.

Upon Roll Call....

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

Item No. 15 Motion by Councilman Johnson Supervisor Swiatek Councilman Solecki

WHEREAS. the Town operates a housing rehabilitation program for eligible Town homeowners to make necessary repairs to their homes. and

WHEREAS. the Town has previously established loan limits of \$10.000 for deferred loans and \$12.000 for payback loans. and

WHEREAS. the Community Development Director has requested the Town Board to consider authorizing a deferred loan to the owner of the property listed below in the amount of not to exceed \$17.000. which is over the established limits. due to the extent of the work required to bring the property into compliance with the Town's codes. NOW, THEREFORE. BE IT

RESOLVED that the Town Board authorizes a deferred loan in the amount of not to exceed \$17.000 to the owner of 27 Paula Drive. Cheektowaga. New York, and authorizes the Supervisor to execute loan documents with said property owner.

Upon Roll Call....

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

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

WHEREAS. this Town Board. by resolution dated August 1. 1988, engaged the services of Trautman Associates. Consulting Engineers. to prepare plans and specifications and to oversee the Police Dispatch Remodeling Project. AND

WHEREAS. during the course of construction there were a number of modifications made to the original plans and equipment furnished involving the four (4) separate bids. which modifications were made at the request of officials of the Police Department. AND

Item No. 16 continued

WHEREAS, said Consulting Engineers, Trautman Associates, are requesting an increase in their original contractual amount in order to cover their actual costs, expanded in making various changes, meeting with Town officials and contractors and making more on-site inspections due to changes in the scope of work. NOW, THEREFORE, BE IT

RESOLVED that the request of Trautman Associates, Consulting Engineers, for an additional increase in their contract in the amount of \$4,200 as recommended by the Town Engineer, be and hereby is authorized an approved, with said costs to be chargeable to the Police Dispatch Remodeling Account.

Account #05-31208802-1100

Upon Roll Call....

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

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

WHEREAS, the developer of the Losson Park Village Subdivision has furnished and installed the highway lighting system within Phase I of said subdivision consisting of six (6) 14,400 lumen H.P.S. luminaires on Towers Boulevard and six (6) 5,200 lumen H.P.S. luminaires on Park Trail and Whitney Place as required in conjunction with the subdivision development. NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to connect the aforesaid public highway lighting system at an annual increase to the Town's General Lighting District of \$711.54 in accordance with the attached New York State Electric & Gas Corporation proposal dated November 30, 1989, which is hereby made a part of this resolution.

Upon Roll Call....

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

* SEE NEXT PAGES

NYSEG

November 30, 1989

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
LOSSON PARK SUBDIVISION - PHASE I

SC #2

Park Trail - 3
Whitney Place - 3.

Connect 6-5200 lumen hps lamps (energy & bulb rate) @ \$42.53 -- \$ 255.18
(Stds. 1 through 3; Stds. 1 through 3.)

Towers Blvd. - 6

Connect 6-14400 lumen hps lamps (energy & bulb rate) @ \$76.06 - \$ 456.36
(Stds. 19 through 24)

TOTAL ANNUAL INCREASE ----- \$ 711.54

Standards, underground conductors and fixtures to be supplied and installed by developer; owned and maintained by the Town of Cheektowaga

Connections, energy, lamp and photo-electric eye replacements to be supplied by NYSEG

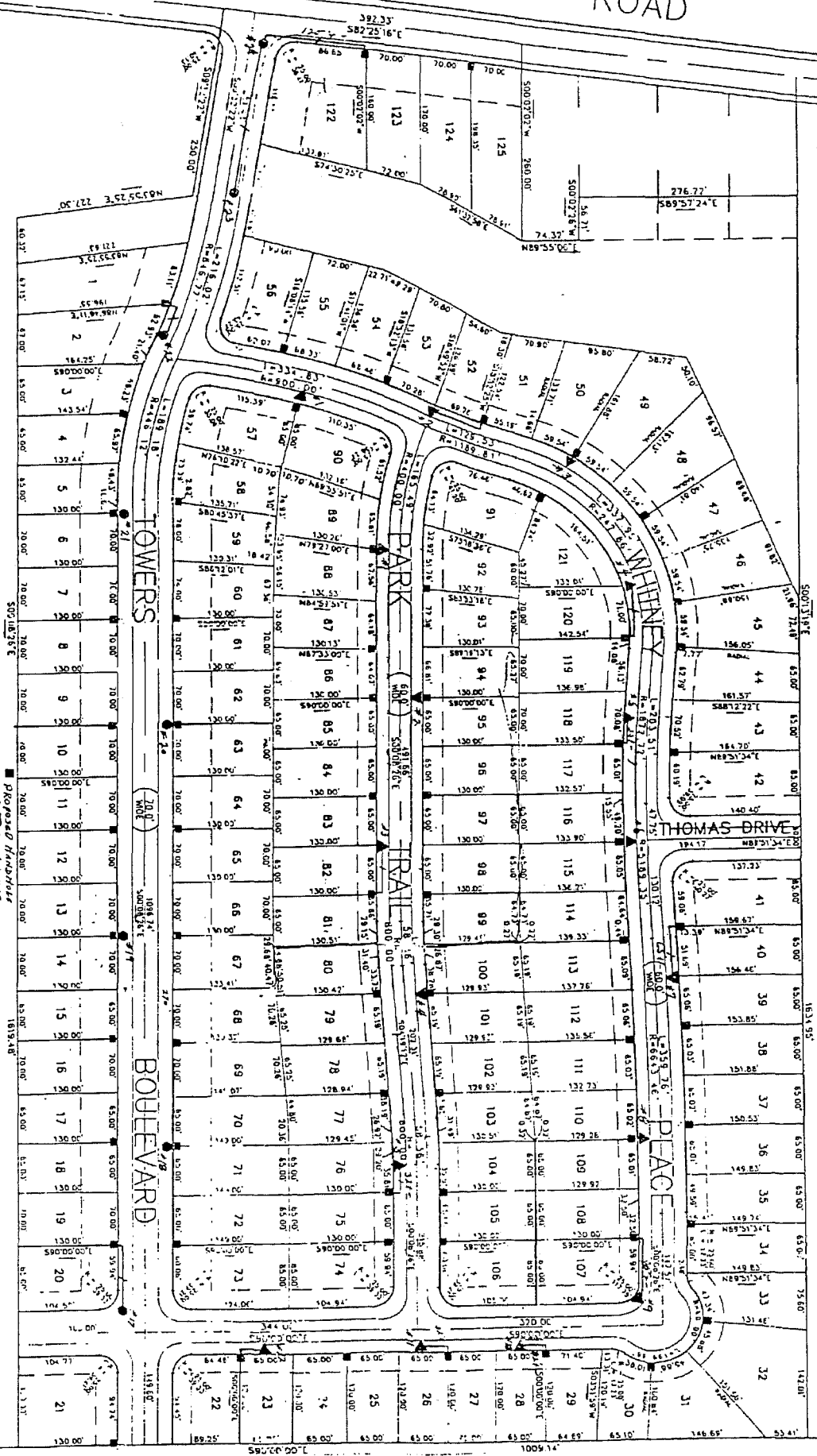
(see attached sketch)

(this proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of Cheektowaga)

LOSSON

(66.0' WIDE)

ROAD



- ▲ PROPOSED HANDRAILS AT THUNDERBOLT
- ▲ PROPOSED STREET LIGHT STATIONARY POSTS AT THUNDERBOLT HANDRAIL
- PROPOSED STREET LIGHT AT THE LUMEN (DOWN) AT THUNDERBOLT STREET
- PASSAGE UNDER EXISTING STREET LIGHT CONDUITS

NEW YORK STATE ELECTRIC & GAS CORP.

STREET LIGHT LAYOUT
 LOSSON PARK VILLAGE SUBD.
 CHEER-ROUADA TOWN

MEETING NO. 28
December 4, 1989

Item No. 18 Authorize firm to prepare application for funding from N.Y.S. Energy Office.
This item was withdrawn.

Item No. 19a Motion by Councilman Solecki Seconded by Supervisor Swiatek

WHEREAS, a vacancy exists in the position of Working Foreman in the Sanitation/Recycling Departments. AND

WHEREAS, a notice of such vacancy has been posted in accordance with the provisions of the Town's agreement with the Town of Cheektowaga Supervisory Unit, AND

WHEREAS, David J. Kulik has applied for such position and meets the qualifications. NOW, THEREFORE BE IT

RESOLVED that David J. Kulik, Cheektowaga, be appointed to the position of Working Foreman in the Sanitation/Recycling Departments at a salary pursuant to the Town of Cheektowaga Supervisory agreement.

* * * * *

MOTION BY COUNCILMAN JAWOROWICZ AND SECONDED BY COUNCILMAN JOHNSON TO TABLE 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

Item No. 19b Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, a vacancy exists in the position of Public Safety Dispatcher, AND

WHEREAS, there is no currently valid Civil Service competitive examination list for such position. AND

WHEREAS, Edward A. Dean, Jr. meets the minimum qualifications for such examination. NOW, THEREFORE, BE IT

RESOLVED that Edward A. Dean, Jr., Cheektowaga, New York be hereby appointed, provisionally, to the position of Public Safety Dispatcher, pending the results of a competitive Civil Service examination therefore.

Upon Roll Call....

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

Item No. 19c Motion by Councilman Kulyk Seconded by Councilman Solecki
Councilman Gabryszak

WHEREAS, a vacancy exists in the position of Senior Clerk-Typist in the Building and Plumbing Department due to retirement, AND

WHEREAS, a notice of such vacancy has been posted in accordance with the provisions of the Town's agreement with the Town of Cheektowaga Employees Association, AND

WHEREAS, Sandra Metros has applied for such position and meets the qualifications. NOW, THEREFORE BE IT

Item No. 19c continued

RESOLVED that Sandra Metros of Depew, New York be appointed to the position of Senior Clerk-Typist in the Building and Plumbing Department at a salary pursuant to the Town of Cheektowaga Employees Association, effective December 11, 1989.

Upon Roll Call....

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

Item No. 20a Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS. the Attorneys Office is periodically in need of secretarial assistance when the Legal Secretary is on vacation. etc.. and

WHEREAS. Kristen Mulcahy has had experience working for the Town and is presently receiving legal secretary training. NOW. THEREFORE. BE IT

RESOLVED that Kristen Mulcahy. Cheektowaga, New York 14225 be and hereby is hired as a part-time employee in the Attorney's Office on an as needed basis commencing on December 18, 1989, at a salary of \$5.00 per hour, and BE IT FURTHER

RESOLVED that moneys for such salary shall be appropriated from line item 1420-000-1-1391.

Upon Roll Call....

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

Item No. 20b Motion by Councilman Solecki 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 as listed:

SANITATION DEPARTMENT - \$5.00 per hour

EFFECTIVE

Mark Stolinski

Immediately

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 transfers are hereby approved and made a part hereof:

GENERAL FUND

FROM: 7310-01-1803	(Devel. Disabled ARP-Youth)	\$ 6,973.08
7310-01-1812	(Youth Cons. Corps-Participants)	1,336.71
7310-01-1812	(Youth Cons. Corps-Participants)	4,296.79
7310-01-1815	(NYS Conservation-Supervisors)	149.50
7310-04-4003	(NYS Conservation-Supplies)	73.04
1910-04-4711	(Contingency)	1,500.00
7140-04-4025	(Athletic Supplies-Recreation)	4,000.00
7140-01-1612	(Recreation Attendants)	2,000.00
7140-04-4025	(Athletic Supplies-Recreation)	1,000.00

MEETING NO. 28
December 4, 1989

Item No. 21 continued

FROM:	1420-04-4001	(Office Supplies-Law Office)	\$ 200.00
	9110-01-8101	(Retirement-Accounting)	21,550.00
TO:	7310-01-1802	(Devel. Disabled-Summer Day Camp)	6,973.08
	7310-01-1816	(NYS Cons. Corp-Participants)	1,336.71
	7310-01-1811	(Youth Conservation-Supervisors)	4,296.79
	7310-01-1816	(NYS Conservation-Participants)	149.50
	7310-01-1816	(NYS Conservation-Participants)	73.04
	7550-04-4374	(Polish Festival)	1,500.00
	7140-04-4491	(Special Events-Recreation)	4,000.00
	7140-01-1611	(Rink Personnel)	2,000.00
	7140-01-1611	(Rink Personnel)	1,000.00
	1420-01-1391	(Part Time Employee)	200.00
	1910-04-4101	(Unallocated Insurance)	21,550.00

SPECIAL DISTRICT FUND

FROM:	8125-04-4543	(Remedial-Main Pump Station)	2,800.00
TO:	8135-04-4581	(Consulting Services)	2,800.00

HIGHWAY FUND

FROM:	5150-01-1701	(Labor-Spec. Imp.)	45,000.00
	5142-04-4433	(Stakes, Blades, etc.)	13,000.00
	5110-04-4173	(Stone - Gen.)	20,000.00
	5110-04-4178	(Blacktop-Gen.)	40,000.00
TO:	5110-01-1701	(Labor-Gen. Repairs)	45,000.00
	5142-04-4029	(Salt)	13,000.00
	5142-04-4029	(Salt)	20,000.00
	5142-04-4029	(Salt)	40,000.00

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

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to December 4, 1989 are hereby approved and made a part hereof:

FUND	AMOUNT
GENERAL FUND	\$2,780,534.33
HIGHWAY FUND	1,062,462.25
CAPITAL FUND	1,062,319.51
TRUST & AGENCY FUND	29,672.66
HUD CDBG FUND	46,203.90
PART TOWN FUND	59,869.20
HUD RENTAL REHAB. FUND	4,980.92
RISK RETENTION FUND	41,565.30
STATE AHC FUND	9,351.80
HUD REHAB. FUND	11,347.00
SPECIAL DISTRICT FUND	1,475,188.42
	<u>\$6,583,495.29</u>
	=====

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

- Item No. 23 Supervisor's Statement of Funds - September, 1989
Received and Filed.
- Item No. 24 Minutes of Cheektowaga Traffic Safety Commission - November, 1989
Received and Filed.
- Item No. 25 Letter of resignation/Town of Cheektowaga Bingo Inspector
Received and Filed.

IV. GENERAL COMMUNICATIONS

- Item No. 26 External Audit Report/Deloitte, Haskins & Sells
Received and Filed.
- Item No. 27 Erie County Highway Department regarding traffic control at
Cherrywood Drive and Borden Road.
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Town Board Councilmen.
Received and Filed.

V. SUSPENSION OF RULES

* * * * *

MOTION BY SUPERVISOR SWIATEK AND SECONDED BY COUNCILMAN KULYK TO SUSPEND THE RULES
TO INCLUDE THE FOLLOWING 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

* * * * *

- Item No. 28a Notice of Claim: James Rybaczski 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; Highway Department; Sewer Department; S.I.S.
Services. Insurance Carriers.
Received and Filed.
- Item No. 28b Notice of Claim: Antoinette Bellanti 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; Highway Department; Joseph J. Naples,
Insurance Carriers.
Received and Filed.
- Item No. 28c Notice of Claim: Jane Zawodzinski 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; Sanitation Department; Joseph J. Naples,
Insurance Carriers.
Received and Filed.

Item No. 29 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the New York State Energy Office and the Local Government Public Care Conservation Program is accepting applications for 50% matching grants for Technical Assistance Studies, AND

WHEREAS, Babinsky . Klein Engineering. P.C.. has considerable experience in preparing Technical Assistance Studies. AND

WHEREAS, Babinsky . Klein Engineering. P.C.. has proposed to provide site survey. condition and configuration of existing energized systems. systems performance tests on mechanical equipment. analysis of renewable energy source applications. lighting surveys. identify possible energy conservation measures and preparations of the final report. NOW. THEREFORE. BE IT

RESOLVED that the firm of Babinsky . Klein Engineering. P.C.. 150 Creekside Drive. Amherst. New York 14150. is hereby retained to prepare said Technical Assistance Study for the Highway Department Garage and Sanitation Department Central Garage Building at a fee not to exceed \$1,000.00. and BE IT FURTHER

RESOLVED the funds for said action are available from Account No. 01-7110-0004-4451.

Upon Roll Call....

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

Item No. 30 Building Permits.
Received and Filed.

Item No. 31 Motion by Supervisor Swiatek Seconded by Unanimous

WHEREAS, the Town is restructuring the supervisory positions and job titles in the Accounting/Payroll Department, AND

WHEREAS, the Town has determined that a need exists to create the position of Chief Accountant. AND

WHEREAS, Theresa A. Rusin is currently serving as the Director of Administration and Finance on a temporary basis and is on leave from her position as Junior Accountant. AND

WHEREAS, the Town has been advised by the Erie County Department of Personnel that Theresa A. Rusin has successfully taken a number of open competitive and promotional Civil Service examination for various accounting job titles, including that of school district Business Manager. AND

WHEREAS, the Town has been further advised by the Erie County Department of Personnel that a sufficient similarity exists between the job descriptions and examinations for the positions of Business Manager and Chief Accountant and that the New York State Civil Service Commission has approved the use of the Business Manager list for the Chief Accountant position under the foregoing circumstances. AND

WHEREAS, the Town has determined that it is in its best interest to create such position and to appoint Theresa A. Rusin thereto. NOW, THEREFORE, BE IT

RESOLVED that the position of Chief Accountant be established and that the Employee Relations Department process the necessary paperwork with the County Department of Personnel. AND. BE IT FURTHER

RESOLVED that Theresa A. Rusin of Depew, New York be appointed to the position of Chief Accountant. on a provisional basis. pending

Item No. 31 continued

the approval of the County Department of Personnel of a non-competitive promotion of Theresa A. Rusin to said position and the Employee Relations Department is directed to process the necessary paperwork to obtain such approval; the salary for such position shall be that as previously determined for the position of Director of Administration and Finance.

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 Unanimous

WHEREAS. the records of the County of Erie Department of Personnel reflect that the Town has an existing position. the position of Supervising Accountant, AND

WHEREAS. such position has been vacant since April. 1988, AND

WHEREAS. the structure of the Town Accounting Department is such that there no longer exists a need for said position. NOW. THEREFORE, BE IT

RESOLVED that the position of Supervising Accountant be and hereby is abolished.

Upon Roll Call....

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

Item No. 33 Reappointment of members to Cheektowaga Traffic Safety Commission.
This item was withdrawn.

Item No. 34 Motion by Councilman Kulyk Seconded by Councilman Kazukiewicz to adjourn the meeting.

RICHARD M. MOLESKI,
Town Clerk

Item No. 1 At a 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 December, 1989 at 7:30 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; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Robert M. Lis, Chief of Police; Sal LaGreca, Employment and Training Director II, also Planning Board Chairman; Bruce Chamberlin, Asst. Chief of Police; Ken Kopacz, Executive Director of Youth Bureau; Terry Rusin, Director of Administration & Finance (Provisional); Don Wegner, Chairman of Zoning Board of Appeals; Dave Kulik, Recycling Foreman (provisional); Jacqueline A. Blachowski, Councilman Elect.

I. PUBLIC HEARINGS

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

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.27.B., which pertains to limitations on permitted uses in the M2-General Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "uses" and prior to the word "which" in the first sentence of such subsection.

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. FROM THE TABLE

Item No. 3 Direct Superintendent of Highways to dead end Buell Avenue
Motion by Supervisor Swiatek, Seconded by Councilman Kulyk to table Item No. 3 and the voting was as follows:

Item No. 3 cont'd

Upon Roll Call....

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

This motion was denied.

Motion by Councilman Johnson, Seconded by Councilmen Solecki,
Gabryszak, Jaworowicz and Kazukiewicz

WHEREAS, West Sobieski Avenue is a residential street and a connecting portion of Buell Avenue is developed residentially, and

WHEREAS, many motorists use these streets as a short-cut between Dick Road and Genesee Street, thereby creating safety concerns, and

WHEREAS, the residents of Buell Avenue and West Sobieski Avenue have petitioned this Town Board to dead-end Buell Avenue and West Sobieski Avenue because the physical safety of their families and others is endangered by the high volume and speed of motor vehicle traffic using such streets as a short-cut between Dick Road and Genesee Street, and

WHEREAS, the extremely high volume of traffic shown to exist on the aforesaid residential streets places an extraordinary burden and responsibility on the Town in terms of maintaining such highways, and

WHEREAS, this Town Board held a public hearing on the 20th day of November, 1989 at 7:00 P.M. on the matter of the dead-ending of such street or streets and public comment was received at such hearing, and

WHEREAS, comment was also received from U-Crest Fire Company stating that it had no objection to the dead-ending of Buell Avenue provided a gate or some similar mechanism was installed at the dead-ends for emergency access, and

WHEREAS, this Town Board may regulate and control traffic for the benefit of the public, and

WHEREAS, additional commercial development in the area is expected to further negatively impact the residents on Buell Avenue and West Sobieski Avenue, and

WHEREAS, this Board feels it is in the interests of the public health, safety and welfare to dead-end Buell Avenue at a point where residential and commercial property meet, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby determines that it is reasonably necessary in the interest of public safety and welfare to dead-end Buell Avenue (north- and south-bound) at the northerly property line of 123 Buell Avenue, extending westerly across Buell Avenue, and BE IT FURTHER

RESOLVED that the Town Superintendent of Highways be and hereby is authorized and directed to properly post and maintain Buell Avenue (north- and south-bound) as a dead-end highway at the above referenced location, and BE IT FURTHER

RESOLVED that the Town Highway Superintendent be and hereby is directed to establish a gate at the specified dead-end location through which emergency service vehicles will have access, and BE IT FURTHER

RESOLVED that the Town Engineer and Highway Superintendent be and hereby are requested to designate or design for construction a "turn around" for the Buell Avenue dead-end to be used by Town and emergency service vehicles, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to the following:

Item No. 3 cont'd

Property owners on Buell Avenue and West Sobieski Avenue
U-Crest Fire Company
Erie County Dept. of Public Works, Division of Highways
Maryvale School District
NYS Dept. of Transportation

Upon Roll Call....

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

Motion by Councilman Johnson, Seconded by Councilman Solecki
to amend the above resolution to include "Road be closed and
gates installed not later than January 15, 1989 and funds be
appropriated by January 1st, 1990."

Motion by Councilman Kulyk, Seconded by Supervisor Swiatek
to table the amendment to the adjourned meeting of
December 29, 1989.

Item No. 4 Motion by Councilman Solecki, Seconded by Supervisor Swiatek

WHEREAS, a vacancy exists in the position of Working Foreman in the
Sanitation/Recycling Departments, and

WHEREAS, a notice of such vacancy has been posted in accordance with
the provisions of the Town's agreement with the Town of Cheektowaga Supervisory
Unit, and

WHEREAS, David J. Kulik has applied for such position and meets the
qualifications, NOW, THEREFORE, BE IT

RESOLVED that David J. Kulik, Cheektowaga, be
appointed to the position of Working Foreman in the Sanitation/Recycling Departments
at a salary pursuant to the Town of Cheektowaga Supervisory agreement.

Upon Roll Call....

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

III. RESOLUTIONS

Item No. 5 Motion by Supervisor Swiatek, Seconded by Councilman Solecki

WHEREAS, this Town Board normally meets on the first and third
Mondays of each month, and

WHEREAS, the first Monday in January of 1990 falls on New Year's Day,
a holiday, and

WHEREAS, this Board desires that the first Town Board meeting of 1990
be held as soon as possible, NOW, THEREFORE, BE IT

RESOLVED that the first Town Board meeting in 1990 shall be held on
Tuesday, January 2, 1990 at 7:30 P.M. in the Council Chambers of the Town Hall,
corner of Broadway and Union Road, Cheektowaga, New York.

Item No. 5 cont'd

Upon Roll Call....

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

Item No. 6 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga and the Town of Cheektowaga Captains and Lieutenants Association have agreed to the terms and conditions for a successor 1989-1990 collective bargaining agreement between such parties, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Captains and Lieutenants Association.

* See next pages for Agreement

Upon Roll Call....

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

AGREEMENT

between

THE TOWN OF CHEEKTOWAGA

and

THE TOWN OF CHEEKTOWAGA POLICE
CAPTAINS AND LIEUTENANTS ASSOCIATION

1989 - 1990

SANFORD M. SILVERBERG
ATTORNEY & COUNSELOR AT LAW
635 BRISBANE BUILDING
BUFFALO, NY 14203 ;
716-854-6495

RECEIVED
1990 APR -4 - PM 4: 25
CHEEKTOWAGA
TOWN CLERK

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This Agreement, entered into the 4TH day of APRIL, 1990 by and between THE TOWN OF CHEEKTOWAGA, NEW YORK, hereinafter referred to as the "Town" and TOWN OF CHEEKTOWAGA POLICE CAPTAINS AND LIEUTENANTS ASSOCIATION, hereinafter referred to as the "Association".

ARTICLE I

SECTION 1.01 - PURPOSE OF AGREEMENT

The parties hereto desire to provide, through this Agreement: methods for orderly collective bargaining between the Town and the Association; to secure prompt and equitable disposition of grievances that may arise; to establish fair wages, fringe benefits and working conditions for police personnel in the negotiating unit; and to promote, to the highest degree, efficiency in providing service to the public. In consideration of the mutual covenants and agreements, herein contained, the Town and the Association, through their authorized representatives, agree as follows:

SECTION 1.02 - APPLICABLE LAW

This Agreement has been negotiated pursuant to the provisions of the Public Employees Fair Employment Act and is governed by the provisions of New York State Law and any non-conflicting local laws of the Town.

SECTION 1.03 - LEGISLATIVE REQUIREMENTS

IT IS AGREED BY AND BETWEEN THE PARTIES THAT ANY PROVISION OF THIS AGREEMENT REQUIRING LEGISLATIVE ACTION TO PERMIT ITS IMPLEMENTATION BY AMENDMENT OF LAW OR BY PROVIDING THE ADDITIONAL FUNDS THEREFORE; SHALL NOT BECOME EFFECTIVE UNTIL THE APPROPRIATE LEGISLATIVE BODY HAS GIVEN APPROVAL.

ARTICLE II

SECTION 2.01 - RECOGNITION

a. The Town recognizes the Association as the sole and exclusive bargaining representative for all police officers of the rank of Captain or Lieutenant who are hereinafter referred to, individually as "Captain or Lieutenant" and collectively as "Captains and Lieutenants".

b. This recognition shall extend for the maximum period of time allowed by law and until the expiration of this Agreement, according to its terms. The Town shall not negotiate during this Agreement with any organization on behalf of the police officers defined herein, other than the Association.

ARTICLE III

SECTION 3.01 - DUES CHECKOFF

a. Upon written authorization from a Captain or Lieutenant, on a form provided by the Association, the Town will deduct weekly from such person membership dues in an amount certified to the Town by the Association. The Town will transmit said amounts to the Association monthly within five (5) business days from the end of each month.

b. The Town agrees to deduct from the salary of a Captain or Lieutenant who is not a member of the Association an amount equal to the amount of Association dues which shall be known as an agency fee. Such sum shall be transmitted to the Association in the same manner as dues.

c. The Association hereby affirms that it has established and will maintain a procedure providing for the refund to any non-member Captain or Lieutenant who shall make request of a part of such agency fee deduction which represents a pro-rata share of expenditures by the Association in aid of activities or causes of a political or ideological nature, only incidentally related to the terms and conditions of employment.

d. The Association agrees to indemnify and hold harmless the Town for any and all deductions made pursuant to this Section.

SECTION 3.02 - NEW JOB CLASSIFICATIONS

The Town agrees that, in the event it establishes any new civil service classifications within the bargaining unit, the Town will furnish the Association with the new job description and will confer and negotiate with the Association the basic annual salary for each position.

ARTICLE IV

SECTION 4.01 - UNIFORM ALLOWANCE

a. Each bargaining unit member shall be paid the sum of \$600.00 for the year 1989, for the purchase, maintenance and cleaning of police clothing, uniforms and equipment. This sum shall be \$650.00 for the year 1990. Uniform allowance shall be paid by January 30th of each year.

b. Members assigned to one or more of the following: motorcycle, honor guard, mounted division, tactical unit and K-9 shall receive an additional sum of \$50.00 per year, provided the assignment requires the purchase or maintenance of additional items of police clothing, uniforms or equipment.

c. Bullet-proof vest covers that become worn and unserviceable will be replaced by the Town at no expense to the officer.

d. Uniforms and equipment unintentionally damaged by an officer in the performance of duty will be replaced by the Town at no expense to the officer. Officers will be required to complete any paperwork deemed necessary by the Police Department to obtain such replacement and will forward a copy of the items damaged and the replacement cost to the appropriate court for inclusion in the defendants file.

e. Each officer shall be responsible for maintenance of uniforms and equipment. Failure to reasonably maintain such may subject the officer to disciplinary action.

f. The Town will negotiate with the Association regarding the impact of changes in clothing or equipment.

ARTICLE V

SECTION 5.01 - SENIORITY WITHIN RANK AND SHIFT PREFERENCE

a. Seniority within rank shall be determined according to the date of promotion in rank, and in the event promotion in rank is on the same day, then seniority shall be determined by badge number with the lower badge number constituting the senior officer for the purposes of seniority within this Agreement.

b. Captains and Lieutenants shall have the right to select their shift according to seniority on a particular platoon provided their choice is made within the scope of their job assignment and rank (i.e.: Patrol Captains & Lieutenants within patrol; and, Detective Lieutenants within the Detective Bureau (General Unit)). Shift changes must be requested in writing to the Office of the Chief of Police no later than three (3) weeks prior to the annual schedule change. Each officer shall remain on an assigned shift until the next annual schedule change. The annual schedule change meeting shall be held on or about the third Monday of each December.

c. Although officers in patrol job assignments are precluded from utilizing their seniority alone to move to nonpatrol job assignments due to the procedure of Section 5.03 below, officers in non-patrol job assignments may elect to use their seniority to move into patrol job assignments only when a patrol vacancy exists.

SECTION 5.02 - TRANSFERS AND FILLING OF VACANCIES

The transferring and assignments of Captains and Lieutenants will be the responsibility of the Chief of Police, in accordance with Section 5.01 and 5.03 of this Agreement.

SECTION 5.03 - VACANCIES

a. When a vacancy exists in a patrol assignment, the Chief of Police shall notify, in writing, officers of qualified rank offering them an opportunity to indicate their desire to exercise their seniority pursuant to Section 5.01 to fill such vacancy.

b. When a vacancy exists in a non-patrol job assignment (i.e.: Administration and Detective Division), the Chief of Police shall notify, in writing, officers of qualified rank, offering them the opportunity to indicate their desire and interest to fill the vacancy. Selection shall be based on seniority , qualifications and experience, provided that the selection process is equitable and the decision is not arbitrary or capricious.

c. If the Town declares a vacancy, the same must be filled within thirty (30) days after the vacancy exists.

ARTICLE VI

SECTION 6.01 - SALARIES

a. Bargaining unit members shall be paid pursuant to the following salary schedule:

<u>Rank</u>	<u>January 1, 1989</u>	<u>January 1, 1990</u>
Lieutenant	\$39,008.58	\$41,154.04
Captain	\$42,924.16	\$45,472.26

b. Captains and Lieutenants regularly assigned to the third platoon will be paid the additional sum of \$.30 per hour. Captains and Lieutenants regularly assigned to the first platoon will be paid the additional sum of \$.40 per hour. This differential will not apply to court pay, training time or to those not regularly assigned to these platoons. In the event a Captain or Lieutenant is temporarily assigned to a shift other than his normally assigned shift for one or more weeks, such Captain or Lieutenant shall receive the shift differential set forth herein during such temporary assignment. In such event, the replaced Captain or Lieutenant shall not receive a shift differential for his non-working period in excess of one (1) week or more. It is agreed that the provisions set forth herein shall not be used to replace those situations set forth in Section 6.06 infra.

SECTION 6.02 - OUT OF RANK PAY - PATROL

If the Chief of Police requires a Captain on a patrol job assignment, and a Captain is not present or will not be present for one (1) or more hours, the senior available Lieutenant on that platoon will serve as "Acting Captain" and shall be compensated on an out of rank basis as "Acting Captain" for each hour worked.

SECTION 6.03 - OUT OF RANK PAY - NONPATROL

If the Chief of Police requires a Captain on a non-patrol assignment and that Captain is not present or will not be present for eight (8) or more hours as a result of authorized leave other than regular days off, the senior available and/or appropriate lieutenant connected to that non-patrol assignment will serve as "Acting Captain" and shall be compensated on an out-of-rank basis as "Acting Captain" for each hour of work.

SECTION 6.04 - RATE OF PAY

The hourly rate of pay shall be obtained by dividing the annual salary by 2080.

SECTION 6.05 - OVERTIME PAY

Overtime shall be all work beyond a normally scheduled eight (8) hour tour of duty and any work beyond a normally scheduled forty (40) hour work week. All overtime work shall be paid at the rate of time and one-half.

SECTION 6.06 - CALL IN PAY

a. If a Captain or Lieutenant is requested to report to the police station for duty or ordered to report for duty, during other than regularly scheduled hours (except for reasons of his own neglect) and more than two (2) hours prior to his regularly scheduled work shift, he shall be paid a minimum of three (3) hours pay at the rate of time and one-half. Court appearances and training schedules will not be considered call-in, and this section will not apply in those instances.

b. In the event Captains or Lieutenants are called to duty because of personnel shortage, call-in will be accomplished on a seniority basis for each shift, and in the event of a general call to duty, on a seniority basis, based upon the seniority within the department.

c. Call-in, on each shift, shall be accomplished in the following manner, when supervision manpower shortages exist:

Call-in will be; (1) by seniority within the shift, by rank and seniority, and the supervisory position, if required, will be within the division and the position will be filled by the shift in the division; (2) by seniority in the division; (3) by seniority outside the division.

d. Shifts may be split among members of the Association.

SECTION 6.07 - LONGEVITY PAY

a. Each bargaining unit member shall be paid the following cumulative longevity increment each year:

After 5 years of service	\$400.00
After 10 years of service	\$325.00
After 15 years of service	\$425.00

b. Beginning January 1, 1990, \$50.00 will be added to the five (5) and ten (10) year steps; \$125.00 will be added to the fifteen (15) year step.

c. Longevity pay will be paid within thirty (30) days after a Captain's or Lieutenant's anniversary date and will be included in salary for all purposes, including retirement.

d. Upon termination of service, prior to an anniversary date, any accrued longevity pay shall be paid to the Captain or Lieutenant, or, in the event of death, to his estate on a pro-rata basis.

e. In addition to the foregoing, any bargaining unit member who has more than twenty-five (25) years of service shall be paid an additional \$1,000.00 annually.

SECTION 6.08 - REDEMPTION OF ACCUMULATED TIME

The Town will have the right to buy back compensatory time on the books for all Captains and Lieutenants or a portion of such compensatory time over 120 hours. If a Captain or Lieutenant has over 120 hours accumulated, the Chief may, at his option, order the Captain or Lieutenant to take time off or pay the Captain or Lieutenant for all or a portion of the hours over 120. The Chief will exercise this option right from November 15th to December 15th of each year.

SECTION 6.09 - EDUCATION INCENTIVE PAY

Each Captain and Lieutenant who has obtained a degree in a police science or criminal justice program from a duly accredited college or university shall receive, as an educational incentive, annually:

1. \$100.00 a year to a member who has an Associate Art and Science degree (two-year program) and who was appointed to the Department before January 1, 1987. Effective January 1, 1990, this will be \$200.00.

2. \$300.00 to an officer who has a Bachelor of Science or Bachelor of Arts degree (four-year program). Effective January 1, 1990, this sum will be \$500.00.

3. Beginning January 1, 1990, the sum of \$600.00 will be paid annually to an officer who has a Masters degree or better.

SECTION 6.10 - ADDITIONAL SALARIES

Captains and Lieutenants shall be paid pursuant to and consistent with the salary schedule set forth in Section 6.01. For the additional responsibility of filing reports and administrative procedures outside of regularly scheduled work hours, such officers shall receive an additional amount of salary based on the following formula for the year 1989: the sum of \$200 plus 5.5% of the additional salary amount for 1988 plus the 1988 additional salary amount. For 1990, the additional salary shall be determined as follows: 1989 additional salary amount plus 6.5% of the 1989 additional salary amount plus an amount equal to 1.631% of the Lieutenant's 1990 base salary for Lieutenants, and 1.18% of the Captain's 1990 base salary for Captains.

SECTION 6.11- OFF-DUTY AUTHORITY

All Captains and Lieutenants are presumed to be subject to duty twenty-four (24) hours per day. Any action taken by a member of the police force on his time off which would have been properly taken by the officer while on active duty, shall be considered police action, and the employee shall have all the rights and benefits concerning such action as if he were then on active duty, provided that the action taken by the Captain or Lieutenant is within the scope of the Captain or Lieutenant's Town employment and authority.

ARTICLE VII

SECTION 7.01 - WORK DAY AND WORK WEEK

a. The standard work day shall be eight (8) hours and the standard work week shall be forty (40) hours. The work day and work week shall be pursuant to existing New York State Law. Whenever practicable two (2) consecutive days off shall be provided within a seven (7) day calendar period. Each officer shall be entitled to a thirty (30) minute lunch period in each eight (8) hour tour of duty. When practicable, each police officer shall work a three (3) platoon system.

b. Each Captain or Lieutenant shall sign-in at the start of his tour of duty and sign-out at the end of his tour of duty in order to be compensated. A daily record shall be kept by the Chief of Police or his designee, which record shall be collected, daily, and be made part of the officer's personnel record. Each officer shall observe the scheduled work hours that are posted in all reports of duty, according to the posted time and date.

c. Captains and Lieutenants in the patrol division shall be assigned and work four (4) days followed by two (2) consecutive days off; followed by four (4) days work and two (2) consecutive days off; followed by five (5) days work and two (2) consecutive days off and the cycle shall then be repeated, continually, to provide rotating days off. This schedule shall be referred to as the 4-2/5-2 work schedule.

d. Captains and Lieutenants shall not be arbitrarily removed from their selected and assigned work schedules, and those members assigned to the 5-2 work schedule shall receive the same number of days off as those working a 4-2/5-2 work schedule. The granting of any such additional days off will be made in such a manner as to avoid the necessity to work overtime.

SECTION 7.02 - INTERRUPTED LUNCH

In the event a Captain or Lieutenant is precluded from eating his meal by headquarters or as a result of an offense being committed in the Captain's or Lieutenant's presence which requires the Captain's or Lieutenant's continuous commitment throughout the shift, said Captain or Lieutenant shall be compensated at the rate of time and one-half for the unused part of the Captain's or Lieutenant's thirty (30) minute lunch period.

ARTICLE VIII

SECTION 8.01 - COURT PAY

a. If a member is required to make a court appearance within the Town of Cheektowaga, at any time other than his regularly scheduled work hours, he shall be paid a minimum of three (3) hours salary at his regular hourly rate. If an officer is required to appear outside of the Town of Cheektowaga, he shall be paid a minimum of four (4) hours salary at his regular hourly rate. If the appearance exceeds the minimum hours set forth, the officer shall be entitled to payment for all actual time spent at his regular hourly rate.

b. An officer scheduled to appear in court will be paid the minimum appearance times set forth above in the event of an adjournment, unless he is given notice of the adjournment at least ten (10) hours prior to the scheduled appearance.

c. The Town will provide verification court appearance forms, to be signed by the presiding judge, justice, administrative officer, court clerk, or other appropriate personnel. The Town will make reasonable effort to pay court pay in the pay period immediately following the time during which it was earned:

ARTICLE IX

SECTION 9.01 - HOLIDAYS

a. Each Captain or Lieutenant shall be given compensatory time-off or be paid the value of the following holidays, whether he works the holiday or not:

New Years Day	Labor Day
January 2nd	Columbus Day
Lincoln's Birthday	Election Day
Washington's Birthday	Veterans Day
Good Friday	Thanksgiving Day
Memorial Day	December 24th
Independence Day	Christmas Day

b. Each Captain or Lieutenant shall notify the Chief of Police, or his designee by December 1st as to the holidays he elects to be paid for and the holidays he elects for compensatory time off during the following year. If requested, holiday pay will be paid in a lump sum no later than the third pay period of October.

c. In addition to the above holidays, each Captain or Lieutenant shall be given compensatory time-off for any holiday granted to other employees of the Town of Cheektowaga, by resolution of the Town Board or declaration of the Town's Supervisor outside of their respective collective bargaining agreements. A Captain or Lieutenant who elects to be paid for such holiday may be granted the day off which shall be charged against the Captain's or Lieutenant's accumulated compensatory time-off, without loss of the holiday pay.

ARTICLE X

SECTION 10.01 - VACATIONS

a. Each Captain or Lieutenant shall be entitled to an annual vacation, with pay, during each calendar year as follows:

After 1 year	12 working days
After 5 years	19 working days
After 10 years	22 working days
After 15 years	26 working days
After 20 years	29 working days

b. Beginning January 1, 1990, each Captain and Lieutenant shall be entitled to annual vacation, with pay, during each calendar year as follows:

After 1 year	12 working days
After 5 years	19 working days
After 10 years	23 working days
After 15 years	27 working days
After 20 years	30 working days

c. Request for vacation by Lieutenants shall be submitted in writing and approved by their immediate Supervisor. Captains shall submit their requests to the Chief of Police. The lower badge number and rank shall determine seniority and vacation approval shall be based upon the seniority of the Captain and Lieutenant of each shift.

d. Vacation periods will be divided into the following:

Winter	December through February
Spring	March through May
Summer	June through September
Fall	October through November

e. Captains and Lieutenants shall not be entitled to more than ten (10) or thirteen (13) consecutive days of vacation as described below, during any of the above vacation periods, unless in the opinion of the commanding officer, additional vacation days, during any such period will not interfere with the smooth operation of the department. The commanding officer shall have the sole right to designate the number of Captains and Lieutenants who will be on vacation at any time.

SECTION 10.02 - UNUSED BENEFITS

a. Each member of the unit shall be paid at the time of retirement the monetary value of any unused vacation time and overtime to his credit on the date of retirement. In the event of the death, in service, of a Captain or Lieutenant, the value of such time to his credit on the date of death shall be paid to his estate or heirs at law.

b. Captains and Lieutenants intending to retire may notify the Town two (2) years in advance and will be permitted to accumulate time off and vacations for one and one-half (1 1/2) years, the value of which will be paid in the form of salary during the final year of employment.

c. Upon termination of employment, an officer will be paid the value of all accumulated vacation or other time-off except as otherwise set forth in this Agreement.

d. A Captain or Lieutenant with at least seventeen (17) years of service may elect to be paid the value of up to ten (10) days of accumulated vacation each year in lieu of such leave. Payment for such shall be made in the first pay period of February.

SECTION 10.03 - VACATION PAY ADVANCE

Upon written request, at least two (2) weeks prior to vacation, a Captain or Lieutenant will be paid the estimated amount due him for his vacation period, no later than the Friday before he begins his vacation.

ARTICLE XI

SECTION 11.01 - BEREAVEMENT LEAVE

a. Upon request of a Captain or Lieutenant, a leave of absence shall be granted because of death in his/her immediate family. Such leave shall be taken without loss of pay or other benefits and shall begin on the date of death.

b. Such leave shall consist of four (4) working days if the officer is assigned to a four (4) day work week and of five (5) working days if the officer is assigned to a five (5) day work week.

c. Immediate family, for the purpose of this section, shall mean mother, father, spouse, child, grandchild, grandparent, brother, sister, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law.

d. In the event of death of a relative, not included in the immediate family, the officer, upon request, shall be granted time off, without loss of pay or other benefits, for the day of the funeral, which time shall be charged against accumulated time off or sick leave, at the officer's choice.

ARTICLE XII

SECTION 12.01 - PERSONAL LEAVE

a. Each officer shall be entitled to five (5) non-cumulative personal leave days which shall be credited in January of each year. Personal leave shall be used at the Captain's or Lieutenant's discretion. In order to enable the department to maintain necessary manpower requirements, personal leave must be requested at least twenty-four (24) hours in advance of the requested time-off. This will not preclude the granting of personal leave on less than twenty-four (24) hours notice, in the event of an emergency, upon approval of the commanding officer. Personal leave will not be granted if the granting of such leave will seriously hamper or impede the operation of the police department.

b. Personal leave will not be used in less than one-half (1/2) day increments.

c. Personal leave will be granted upon the priority of the emergency and if no emergency exists, upon the chronological order requested.

d. Except in case of emergency, request for personal leave on a Saturday, Sunday or holiday will be denied, if such leave will reduce manpower below the minimum manpower standards as set by the Chief of Police.

e. Each Captain or Lieutenant, shall at the end of each year, or upon retirement elect to credit unused personal leave days to vacation or accumulated sick leave, at the member's option.

SECTION 12.02 - AUTHORIZED LEAVE

a. Authorized leave means personal leave, accumulated compensatory time off, vacation time and all other authorized time off.

b. Request for authorized leave shall not be unreasonably denied.

ARTICLE XIII

SECTION 13.01 - SICK LEAVE

a. Each Captain or Lieutenant, except as otherwise provided, shall be entitled to accumulate one and one-half (1 1/2) sick days per month to a maximum accumulation of three hundred and thirty-six (336) days.

b. A female Captain or Lieutenant who is incapable of performing her duties because of maternity disability may utilize accumulated sick leave credits and continue all other benefits under this agreement during such absence.

c. Maternity leave shall be considered to commence on the date that the officer is no longer capable of performing her duties and shall end on the date that the officer can resume the performance of her regular duties. The officer will be required to produce a doctor's note to verify the date when she is not capable of performing her duties and when she is capable of returning to work. In addition, she may be required to submit to a physical examination by a doctor of the Town's choice to verify the starting and ending date of such maternity leave.

d. Each bargaining unit member shall have the option of selling any accumulated sick leave days in excess of 336 back to the Town at the officer's regular rate of pay. Determination of the number of sick leave days shall be made annually at the end of each year and payment for such shall be made in the following January.

SECTION 13.02 - PROCEDURES FOR TAKING SICK LEAVE

a. Members shall report on sick leave only when suffering from illness or injury that would prevent them from properly performing their duty or illness in member's immediate family requiring the care and attention of said member. The immediate family shall include parents, spouse, children and step-children.

b. Members reporting on sick leave shall notify headquarters at least one (1) hour before their scheduled starting time stating the reasons for such sick leave, and the desk officer will record the information in the sick leave notification book.

c. Members, when on sick leave, shall not leave their place of residence except to receive medical attention. If it is necessary to leave their place of residence for reasons other than to receive medical attention, headquarters must be notified and authorization must be given by a ranking officer. This requirement may be waived by the Chief of Police or his designee upon application based upon the nature of the illness or injury and the waiver will not be unreasonably withheld.

d. Members will not engage in any outside employment while on sick leave unless permission is granted by the Chief or his designee.

e. Members who become sick must report same to his immediate superior before reporting off duty. Notation of such will be recorded on the member's attendance record.

f. In the event three (3) working days of sick leave is not sufficient to recover from illness, the member will be required to submit medical documentation attesting to the member's illness, including diagnosis, prognosis and the expected duration. The documentation will be submitted to the Chief of Police.

g. A member may be ordered to submit to a medical examination by the Chief of Police, given by a Town-designated doctor.

SECTION 13.03 - SICK BANK

In order to aid members who have suffered a prolonged illness and whose regular sick leave has been exhausted, a sick bank has been established.

a. Each member who participates in the sick bank has contributed two (2) accumulated sick-leave days from his current accumulated sick-leave. An officer who elected not to participate will not be allowed to enter the sick bank, except between January 1 and January 30 each year.

b. The Town has contributed twenty-five (25) sick-leave days to the sick bank.

c. Each year, members who participate shall contribute one (1) additional sick-day to the bank, between January 1 and January 30, in order to continue as a participant.

d. If at any time, the accumulated number of sick days in the sick bank falls below seventy-five (75), the Town will contribute a sufficient number of days to bring the total number of sick-days, in the sick bank to seventy-five (75) days.

e. A member who elects to participate and who is otherwise qualified, must elect, in writing, between January 1 and January 30 each year. Members who become qualified after January 30, in any year, must submit their election in writing, within 30 days after the time they become qualified to participate and thereafter will submit their election, in writing, between January 1 and January 30, each year.

f. Members who enter the sick bank after January 1, 1983, and who have been previously qualified to participate, will be required to contribute the same number of sick-days as they would have contributed had they become a participant when first qualified to enter the sick-leave bank.

g. A member who is a participant in the sick bank and who has exhausted all of his accumulated sick-leave and any other accumulated time, may apply for additional sick-leave from the sick bank, created herein, to a committee consisting of the President of the Captains and Lieutenants Association and the Supervisor of the Town of Cheektowaga, or their designees.

h. An applicant may be allowed sick-leave of absence, debited from the sick-bank, provided the committee consents to the application.

i. In the event both members of the committee cannot agree to accept or reject the granting of such sick leave, then, in that event, the committee shall select a third person, in accordance with the procedure for the selection of an arbitrator, as provided in the Grievance Procedure in this Agreement. The decision of the sick leave bank committee shall be final and binding upon the Town and the applicant.

j. The Town will provide the Association with an accounting of the number of accumulated sick-days in the sick-leave bank by March 1, of each year.

k. If the sick-leave bank is discontinued, unused sick days shall be equally distributed to those members of the sick-leave bank, who are members at the time.

SECTION 13.04 - SICK LEAVE RECORDS

Each Captain and Lieutenant shall be provided with a record of his accumulated sick leave within sixty (60) days of the beginning of each calendar year.

SECTION 13.05 - WORK RELATED DISABILITY

A member injured in the performance of his duties or taken sick as a result of the performance of his duties shall be entitled to the benefits of and subject to the provisions of Section 207(c) of the General Municipal Law. Absence from duty as a result of such sickness or injury shall not be chargeable against sick leave, and no benefits provided by this Agreement will be lost during the period of time of such absence.

The following procedure shall be applicable to members, pursuant to this section:

1. If a dispute exists as to whether the member was injured in the line of duty or if the sickness is a result of the performance of duty, it shall be resolved:

a. Reports, statements, etc., shall be provided to the Chief of Police, who, when necessary, shall interview the member involved, or any witnesses, and shall make a determination, in writing, within three (3) days after conclusion of such investigation.

b. In the event the member is dissatisfied with such decision, he shall immediately advise the Chief of Police of such, who shall immediately forward copies of all reports, statements, investigations, etc., to the Coordinator of Employee Relations for review. In the event a decision cannot be made on such review, the Coordinator of Employee Relations shall schedule a hearing on the issue.

c. In the event the member is dissatisfied after such hearing, he may then demand arbitration of such issue before an arbitrator of his choice from among the following: Stuart Pohl, Wade Newhouse, Eric Lawson.

2. In the event a dispute should arise, whether given an injury or sickness resulting from the performance of duty, the member is disabled from performing the duties of such:

a. Pursuant to the provisions of Section 207(c), the Town would have the member examined by a physician appointed for that purpose to make the determination.

b. In the event the member is dissatisfied with such determination, he may then demand arbitration before one of the aforementioned arbitrators.

3. In the event a dispute should arise as to whether the member's disability continues or whether he can return to work and there exists conflicting medical reports, such dispute shall be resolved by the member demanding arbitration before one of the aforementioned arbitrators.

4. In the event a dispute should arise as to whether a member injured in the performance of his duty or taken sick as a result of the performance of his duties, should require certain medical treatment, the Town shall send that member to a doctor, of the Town's choice, for an examination. If the dispute or difference should continue to exist, the member may again demand arbitration before one of the aforementioned arbitrators.

In the event of any arbitration proceeding, as set forth above, the cost for such shall be borne equally by the Town and the Association. An arbitrator shall be requested to render a decision immediately upon the close of the proceedings before him.

It is acknowledged that the procedure set forth herein is to expeditiously resolve any disputes that may arise with respect to members allegedly injured or taken sick as a result of the performance of duty, and is not intended to diminish the rights afforded either the member or the Town by Section 207(c) of the General Municipal Law of the State.

SECTION 13.06 - SICK LEAVE UPON TERMINATION

a. Upon termination of employment by retirement or resignation, other than by reason of disciplinary action, the unit member shall be paid the value of accumulated, unused sick leave, as follows:

1. The member shall give written notice to the Town, on a form provided by the Town. This notice shall be, once received by the appointing officer, irrevocable without the consent of the Town Board. Upon receipt, the Town will convert the member's accumulated, unused sick leave into value by determining the actual cash value of such days and multiplying said amount by 65%.

2. The resulting sum shall be paid to the Captain or Lieutenant, at his option, as follows:

(i) As part of the final year's salary by dividing the sum by the number of pay periods, thus allowing for equal distribution over the last year of employment, or

(ii) In a lump sum within two (2) weeks after the effective date of retirement or resignation.

3. If more than six (6) months notice is provided the Town, the officer shall be entitled to choose one of the options set forth above. If the notice provided is six (6) months or less, payment shall be made as set forth in (a.), (2.), (ii.) above.

b. In the event termination of employment is as a result of disciplinary action, no payment shall be made for the value of accumulated, unused sick leave.

c. In the event of a death of a Captain or Lieutenant while employed by the Town, payment for a portion of accumulated unused sick time, as determined above, shall be made to the decedent's estate or heirs at law, as applicable, within a reasonable time after death.

ARTICLE XIV

SECTION 14.01 - EXPENSES

a. A Captain or Lieutenant who is required to leave the Town by reason of his Town employment or as part of his official duty shall be reimbursed for all actual, reasonable and necessary expenses incurred, including meals, if he is absent from the Town during normal meal time.

b. A Captain or Lieutenant on official police business will be provided with transportation by the Town. If he is required to use his own vehicle on police business, the officer shall be paid at the current rate per mile. In no event will a Captain or Lieutenant be required to use his own motor vehicle during the normal course of his employment.

ARTICLE XV

SECTION 15.01 - LIFE INSURANCE

a. The Town will provide each officer with a \$25,000 group life insurance policy insuring the officer, without cost, pursuant to the life insurance plan offered through the Police Conference of New York. The Town will further allow Captains and Lieutenants to exercise options provided in this program through weekly payroll deductions, and will comply with the requirements of the same.

SECTION 15.02 - HEALTH INSURANCE

a. The Town will provide, without contribution, the following health insurance benefits:

Blue Shield (Traditional Choice), together with the following riders or their equivalent:

\$1 million major medical, \$50.00 deductible;

\$1.00 co-pay prescription rider;

Basic Rider 8 (dependent to age 23);

Major Medical Rider 8

Prescription Drug Rider 8 ;

Option Two, Vision Care, with Rider 8;

Basic Rider 4 (emergency, accidents, etc.);

Basic Rider 3 (in-patient visits to 365);

Basic Rider 12;

Basic Rider 21 (psychiatric care);

Dental Plan No. 3, with all riders;

b. If an officer dies while employed by the Town, the Town will provide health insurance benefits for the officer's surviving spouse and dependents until the spouse remarries or obtains comparable coverage.

c. The Town will continue to provide health insurance for officers who retire after December 31, 1982 and before June 29, 1985 up to age 65 years. Officers who retire prior to that date have the option of participating in a health insurance plan at their own expense.

d. The Town will continue to provide health insurance for officers who retire after June 29, 1985, including all present health insurance benefits up to age 55 years. Upon reaching age 55, retirees shall receive the same benefits as officers who retire at age 55 or older.

e. Officers who retire at age 55 years will be provided, without expense, Blue Shield Health Insurance, at least equivalent to the 82-83 plan, including the \$1 million major medical rider with \$50.00 deductible and \$1.00 co-pay prescription rider, Blue Shield rider 21, plus any additional riders provided to other retired Town employees.

f. At age 65, retirees will be provided with Blue Shield Supplemental Coverage with \$1.00 co-pay prescription rider plus those riders which are provided to other retired Town employees.

g. The Town may select a different carrier or carriers or may decide to self-insure for some or all of the health insurance benefits provided for herein, as long as the benefits provided are substantially the same and the issue, if any, of substantially the same benefits is agreed to by the Association.

h. In addition to the medical insurance set forth above, it is also recognized that the Town currently provides, without contribution from the employee, those health insurance plans offered by Community Blue and Health Care Plan. In the event the Town should make available health insurance options other than those set forth, and a bargaining unit member shall opt for coverage therein, he shall pay the difference in premium between such plan and the members prior insurance plan. Comparison of such premiums shall be made on an annual basis.

SECTION 15.03 - INDEMNIFICATION

The Town will indemnify each Captain and Lieutenant for claims made against him based upon false arrest, false imprisonment, civil rights violations, and other torts within indemnification coverage pursuant to the provisions of Section 50-j of the General Municipal Law and Section 1983 et. seq. of the United States Code.

ARTICLE XVI

SECTION 16.01 - RETIREMENT BENEFITS

a. The Town will provide and maintain a non-contributory retirement plan for Captains and Lieutenants, pursuant to the following provisions of the New York State Retirement and Social Security Law.

b. The benefits provided in Section 384 (f), (g), and (h) to provide what is commonly known as the 1/60th, 25 year retirement plan;

c. The benefits pursuant to Section 375 (i), more commonly known as the Improved Retirement Benefits;

d. The benefits pursuant to Section 302, 9(d), more commonly referred to as the Final Average Salary, and Section 360(b), Death Benefit; and

e. The benefits pursuant to Section 384(d), more commonly known as the 20-year Retirement Plan.

ARTICLE XVII

SECTION 17.01 - ASSOCIATION REPRESENTATIVES

a. Captains and Lieutenants who are designated by the Association as representatives for the purposes of adjusting grievances or assisting in the negotiation or administration of this or future Agreements shall be permitted a reasonable amount of time from their regular duty to fulfill these obligations when and if so required. Reasonable advance notice shall be given to the Chief of Police or his designee stating the reason for such absence. The President of the Association shall be allowed four (4) hours per week for these purposes.

b. The Association agrees that no more than one (1) member thereof, plus the President and Vice-President may have time off, with pay, to conduct the affairs of the Association, including attendance at Association meetings.

c. Whenever possible, a request for time off shall be submitted at least three (3) days prior to the required date, but the parties recognize that circumstances may arise which will not permit such notice, and, in such event, time off will be granted upon reasonable request.

d. Captains and Lieutenants who are designated by the Association to attend state-wide conventions and meetings of the Police Conference of New York Inc., Western New York Police Association Inc., and the Erie County Captains and Lieutenants Association in the pursuance of their profession as police officers shall be authorized to do so without loss of time or pay. Additional officers may be granted the privilege by the Town if the functioning of the Police Department is not placed in jeopardy by such attendance, as approved by the Chief of Police or his designee. The foregoing is limited in that not more than three (3) Captains and Lieutenants may attend the conventions or meetings under these provisions at any one time.

SECTION 17.02 - ASSOCIATION OFFICES

The Town will allow the Association to install its own telephone. The fees for installation and monthly charges will be paid by the Association. The telephone shall not be connected, in any manner, with the police telephone communication system.

ARTICLE XVIII

SECTION 18.01 - DISCIPLINARY ACTIONS

Disciplinary action against a Captain or Lieutenant shall be governed by the provisions of Sections 75 and 76 of the Civil Service Law of the State of New York.

A Captain and Lieutenant will be given a copy of any warning, reprimand, suspension or disciplinary action entered into his personnel record within two (2) weeks of the action taken.

SECTION 18.02 - RECORD OF COMPLAINTS

No record or reference to a complaint, either departmental or external, lodged against a Captain or Lieutenant will be entered into his record if after investigation the complaint is decided by the Town to be unfounded.

SECTION 18.03 - SUBSTANCE OF COMPLAINTS

A Captain or Lieutenant who has a complaint lodged against him by a citizen shall have the substance of the complaint presented to him in writing.

ARTICLE XIX

SECTION 19.01 - IN SERVICE TRAINING

a. Any Captain or Lieutenant required to attend in-service training on his off-duty time, shall be compensated for such time at his regular rate of pay with a minimum pay of two (2) hours.

b. The Town will notify all Captains and Lieutenants, by posting, of law enforcement educational and training opportunities being offered by other departments or other police or educational agencies, so that Captains and Lieutenants who are eligible and who desire to attend may notify their superiors of their interest. The Town will provide the same notice and opportunity as to training opportunities being offered by the Town Police Department.

SECTION 19.02 - TUITION

a. The Town will pay the full costs of all tuition, books, and other fees for all Captains and Lieutenants authorized by the Town or Chief of Police who attend school or seminars relating to Police Science courses.

SECTION 19.03 - CIVIL SERVICE EXAMINATIONS

a. The Town may request from the Civil Service Commission a new examination to be held before the expiration date of each promotional list. All existing promotional vacancies are to be filled within a reasonable time after the vacancy occurs and a promotional list is available after the Town declares that a vacancy exists.

b. A Vacancy shall exist in the rank of Captain and Lieutenant when the Town Board declares the vacancy. The Town Board shall eliminate the position or declare a vacancy within forty-five (45) days of the retirement or separation of a Captain or Lieutenant.

c. The Town agrees to notify the Association forty-five (45) days in advance of its intent to either cancel a Promotional Civil Service Exam or to request extensions of the Civil Service List.

SECTION 19.04 - TABLE OF ORGANIZATION

a. The Chief for the purposes of day-to-day administration will establish a Table of Organization. The design and implementation of said Table of Organization is to be the sole and exclusive prerogative of the Chief of Police. Any said Table of Organization will be established and/or modified when and as the Chief sees fit and will not serve as the foundation for job assignments or classifications. Copies of the current Table of Organization will be provided within thirty (30) days of the signing of this Agreement.

ARTICLE XX

SECTION 20.01 - BULLETIN BOARD

a. The Town will provide one bulletin board at police headquarters to be used exclusively for Association notices.

SECTION 20.02 - MEETING ROOM

a. The Town will continue to provide a meeting room in the police station for use by the Association, without cost, where the Association may transact business and engage in other activities and also store its records and equipment. The meeting room will be furnished by the Association, and the location of the same will be mutually agreed upon by the Town and Association.

SECTION 20.03 - FUND RAISING

a. The Association may engage in fund raising activities, provided that said activities do not interfere with the efficient operation of the department and do not violate any law, rule or regulation.

ARTICLE XXI

SECTION 21.01 - GRIEVANCE PROCEDURE

A grievance shall mean any difference or dispute, between the parties hereto, as to the interpretation or application of any portion of this Agreement or any administrative act affecting general working conditions.

Step 1 - Any Captain or Lieutenant may present a grievance, orally or in writing, to the Chief of Police or his designee within twenty (20) days of the occurrence and attempt to adjust the matter. If the matter is not satisfactorily adjusted, the Captain or Lieutenant may request a representative of the Association meet with him and the Chief of Police or his designee for the purpose of adjusting the grievance.

Step 2 - If the grievance is not satisfactorily settled under Step 1, the Association's representative or the grievant may forward the grievance to the Association's Grievance Committee. After review of the grievance, the Association will forward the grievance, in writing, to the Chief of Police or his designee whereupon such grievance must be received by the Chief of Police or his designee within twenty (20) working days after the conclusion of step 1. The Chief of Police or his designee will meet with the Association's Greivance Committee and discuss the grievance within seven (7) calendar days of the receipt thereof. The Chief of Police or his designee will within seven (7) calendar days of presentation to him provide a written response to the Association's Grievance Committee.

Step 3 - In the event the grievance is not resolved at Step 2, a report thereof, together with all written responses, will be filed with the Coordinator of Employee Relations within seven (7) calendar days of the date of the Chief's Step 2 response or the date such is due, whichever is sooner. The Coordinator of Employee Relations will meet with the Association's Grievance Committee to Discuss the greivance within ten (10) work days thereof and will provide a written answer to the Association's Grievance Committee within seven (7) work days of said meeting.

Step 4 - If the grievance is not resolved at Step 3, either party to this Agreement may take the matter to arbitration, upon service of a written demand therefore, pursuant to the provisions of the Public Employment Relations Board of New York. Such demand must be recieved within thirty (30) days of the date of the Step 3 response or the date said response was due, whichever is sooner.

The arbitration proceeding shall then be conducted by an arbitrator selected pursuant to the rules of the Public Employment Relations Board of New York.

Expenses for the arbitrator and the arbitration proceeding shall be shared equally by the parties hereto. However, each party shall be solely responsible for compensating its own representatives that may appear. A unit member who appears during his normal work hours shall not suffer any loss of salary or benefits.

If either party desires a transcript of the arbitration proceeding, it shall pay the cost thereof and shall make a copy thereof available to the other party and the arbitrator, without charge.

The arbitrator shall issue his decision within thirty (30) days after the conclusion of the hearing, unless such time is mutually extended. An arbitrator shall not have the power to amend, notify or delete any provision of this Agreement, and his decision shall be final and binding on the parties.

Any of the time limits set forth in this Article may be extended by the mutual consent of the parties, in writing.

ARTICLE XXII - BILL OF RIGHTS

The provisions of this Article shall not apply to criminal investigations or investigations of possible criminal activity or violations.

SECTION 22.01 - TIME OF INTERROGATION

Interrogation of Captains and Lieutenants shall be conducted at reasonable hours, preferably, when the officer is on duty, and if not on duty during daylight hours, unless the exigencies of the investigation dictate otherwise.

SECTION 22.02 - IDENTIFICATION OF INVESTIGATING OFFICERS

a. A Captain or Lieutenant who is under investigation for a matter which would not constitute a crime, must be informed of the name of the officer in charge of the investigation and the names of the officers who will be conducting any portion of interrogation or investigation.

SECTION 22.03 - INFORMATION REGARDING INVESTIGATION

a. A Captain or Lieutenant must be informed of the nature of an investigation before any interrogation begins. The information must be sufficient to reasonably inform him of the investigation which is being conducted.

SECTION 22.04 - LENGTH OF INTERROGATION

Interrogation shall be completed with reasonable dispatch. Reasonable rest periods will be allowed and time will be provided for personal necessities, meals, telephone calls, and rest periods as reasonably required.

SECTION 22.05 - COERCION

A Captain or Lieutenant shall not be subjected to offensive language and shall not be threatened with transfer, dismissal, or other disciplinary punishment. No promise or reward shall be made as an inducement to answering questions. Nothing herein is to be construed as to prohibit the investigating officer from informing a Captain or Lieutenant that his conduct may be subject to other disciplinary action with resultant disciplinary punishment.

SECTION 22.06 - RIGHT TO COUNSEL

A Captain or Lieutenant who is under investigation has the right to have a representative of the Association present and also has the right to the presence of an attorney, with him, during any questioning, hearing, or interrogation.

SECTION 22.07 - RECORDING OF INTERROGATION

Interrogation of a Captain or Lieutenant for any disciplinary investigation will be recorded, either mechanically or by a stenographer, and there will be no off-the-record statements.

SECTION 22.08 - ADVICE OF CONSTITUTIONAL RIGHTS

If any Captain or Lieutenant is the subject or target of a disciplinary investigation, he shall be advised of his constitutional rights.

SECTION 22.09 - FURNISHING OF COPIES

A Captain or Lieutenant under investigation will be furnished with a copy of any statement he has signed or made, or of any proceedings that have been recorded, in any manner.

SECTION 22.10 - POLYGRAPH

Captains and Lieutenants will not be given polygraphic examinations.

SECTION 22.11 - NON-WAIVER OF CONSTITUTIONAL RIGHTS

No Captain or Lieutenant will be required to or requested to waive constitutional rights granted under the United States or the New York State Constitution.

SECTION 22.12 - HEARING OFFICER

In the event the Town elects to select a hearing officer, pursuant to Section 75 of the Civil Service Law, who is neither a Town employee or Town official, then, in that event, the hearing officer will be mutually selected by the Town and by the Captain or Lieutenant who is charged. If the parties are unable to agree upon a hearing officer, or if the hearing officer agreed upon is, or becomes unable to or unwilling to act, then the parties shall mutually apply to Special Term of the New York State Supreme Court for the appointment of a hearing officer.

ARTICLE XXIII

SECTION 23.01 - LEAVE OF ABSENCE

Captains and Lieutenants may be granted leave of absence, with or without pay, as provided for in the Civil Service Law of the State of New York.

SECTION 23.02 - NON-DISCRIMINATION

There will be no discrimination with respect to race, color, creed, sex, political persuasion, or because of a Captain or Lieutenant engaged in Association activities. All Captains and Lieutenants shall receive the full protection of all of the provisions herein.

SECTION 23.03 - PAYROLL DEDUCTION

The Town will provide a payroll savings and U.S. Savings Bond deduction plan and make it available for Captains and Lieutenants who desire such.

SECTION 23.04 - RESIDENCY

After fifteen (15) years of employment as a police officer, the officer may reside within the County of Erie, State of New York.

ARTICLE XXIV

SECTION 24.01 - MANAGEMENT RIGHTS

a. All of the authority, rights and responsibilities possessed by the Board and not covered by this Agreement are retained by it, including but not limited to, the right to determine the mission, purposes, objectives, and policies of the Board; to determine the facilities, methods, means, and number of personnel required for conduct of Board programs; to administer the examination, selection, recruitment, hiring, appraisal, training, retention, promotions, assignments or transfer of employees, pursuant to law; to direct, deploy, and utilize the work force; to establish specifications for each class of positions, and to classify or re-classify and to allocate or re-allocate new or existing positions, in accordance with law; and to discipline or discharge employees, in accordance with law, and within provisions of this Agreement.

SECTION 24.02 - CONFORMITY TO LAW

If any section, sub-section, sentence, clause, phrase, or any portion of this Agreement is, for any reason, held to be invalid or unconstitutional by any Court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Agreement.

SECTION 24.03 - TERMS OF AGREEMENT

This Agreement, except as may be hereafter modified in writing, by both parties, shall become effective January 1, 1989 (retroactively) and remain in force until December 31, 1990, or until such time as subsequent Agreement becomes effective.

SECTION 24.06 - PROFESSIONAL CONDUCT

In order to maintain good order and morale, each nonsupervising officer shall treat each supervising officer with proper respect and accord. Failure to comply will not be grounds for a grievance against the Town.

ARTICLE XXV

SECTION 25.01 - RENEWAL OF AGREEMENT

The parties agree that renewal of this Agreement shall commence on or about the completion of negotiations by the Town of Cheektowaga Police Club, Inc.

SECTION 25.02 - PAST PRACTICE

This Agreement shall supercede conflicting rules, regulations, or practices heretofore existing. Established practices not specifically covered herein, shall continue in full force and effect.

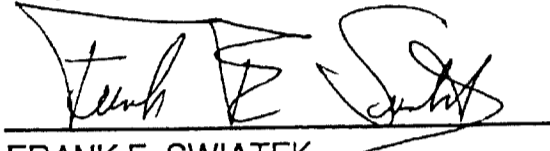
SECTION 25.03 - ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties

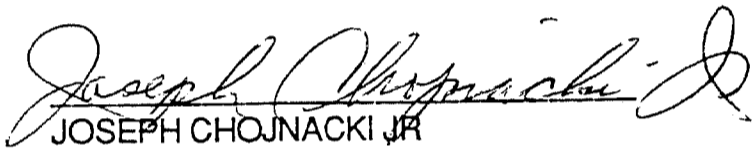
IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 4TH day of APRIL 1990.

TOWN OF CHEEKTOWAGA:

BY:



FRANK E. SWIATEK
SUPERVISOR
TOWN OF CHEEKTOWAGA



JOSEPH CHOJNACKI JR
PRESIDENT, TOWN OF CHEEKTOWAGA POLICE
CAPTAINS AND LIEUTENANTS ASSOCIATION

Item No. 7 Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, in 1976, the Zoning Ordinance of the Town of Cheektowaga was amended to completely prohibit residential uses in a M2-General Manufacturing District, and

WHEREAS, it was the intent of such amendment to include in such prohibition mobile homes, and

WHEREAS, in order to clarify this matter, this Town Board held a public hearing on December 4, 1989 on a proposal to amend Section 82.27 of the Zoning Ordinance to specifically prohibit mobile homes in the M2 District; at which hearing all parties in interest and citizens had an opportunity to be heard, and

WHEREAS, this Town Board feels it is in the public interest to amend the Zoning Ordinance, NOW, THEREFORE, BE IT

RESOLVED that the Zoning Ordinance be and hereby is amended and changed as follows:

* * * * *

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.27.B., which pertains to limitations on permitted uses in the M2-General Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "uses" and prior to the word "which" in the first sentence of such subsection.

* * * * *

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 December 18, 1989; and that a certified copy be published in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and an affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED that this amendment to the Zoning Ordinance shall take effect ten (10) days after publication and posting, 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 its passage and entry in the minutes.

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.

Scott Benson
....., 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..... DEC 21 1989 ;
last publication..... DEC 21 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this DEC 21 1989

day of, 19.....

..... *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, 1991

**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 December, 1989 at 7:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.

Councilman Patricia A. Jaworwicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki

ABSENT: 0

Motion by Councilman Johnson and Seconded by Councilman Solecki

WHEREAS, in 1976, the Zoning Ordinance of the Town of Cheektowaga was amended to completely prohibit residential uses in a M2-General Manufacturing District, and

WHEREAS, it was the intent of such amendment to include such prohibition mobile homes, and

WHEREAS, in order to clarify this matter, this Town Board held a public hearing on December 4, 1989 on a proposal to amend Section 82.27 of the Zoning Ordinance to specifically prohibit mobile homes in the M2 District, at which hearing all parties in interest and citizens had an opportunity to be heard, and

WHEREAS, the Town Board feels it is in the public interest to amend the Zoning Ordinance, **NOW, THEREFORE, BE IT**

RESOLVED, that the Zoning Ordinance be and hereby is amended and changed as follows:

RESOLVED, THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 82.27.B., which pertains to limitations on permitted uses in the M2-General Manufacturing District, shall be amended by adding thereto the words, "including mobile homes" after the word "uses" and prior to the word "which" in the first sentence of such subsection, 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 December 18, 1989; and that a certified copy be published in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and an affidavit of such publication shall be filed with the Town Clerk, and **BE IT FURTHER**

RESOLVED, that this amendment to the Zoning Ordinance shall take effect ten (10) days after publication

and posting, 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 its passage and entry in the minutes.

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**

**STATE OF NEW YORK
COUNTY OF ERIE**

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFIED 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 December 18, 1989, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meeting of said Board, and such minutes appear at item No. 7, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 19th day of December, 1989.

**RICHARD M. MOLESKI
Town Clerk
PUBLISH: December 21, 1989**

Item No. 8 Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz

WHEREAS, with the inception of the new 911 system and the public safety dispatchers and the purchase of new equipment in the Police Department, the Police Department has surplus unneeded console equipment as listed on the attached sheet, and

WHEREAS, such equipment has been valued at \$8,985.00, and

WHEREAS, the Town of Hamburg is interested in purchasing such console equipment from the Town for their appraised values, and

WHEREAS, this Town Board has authority to dispose of surplus equipment, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the sale of the equipment listed on the attached sheet to the Town of Hamburg for \$8,985.00.

* See next page for list

Upon Roll Call....

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

MOTOROLA CONSOLE EQUIPMENT INVENTORY

1.	1 - 4 panel 21" console bay #B1604A, w/end panels	\$900.00
2.	1 - 3 panel 21" console bay #B1603A, w/end panels	\$625.00
3.	2 - 45° corner/4-panel console bays #B1604F	\$2,000.00
4.	2 - 21"x45"x21" work surfaces w/mounting frames	\$425.00
5.	1 - 29" high desk stand w/21"x39" writing surface #B1224	\$650.00
6.	2 - 29" high desk stand w/39"x42" writing surface #B1224	\$1,000.00
7.	2 - 29" high desk stand w/39"x42" writing surface #b1244	\$1,000.00
8.	2 - 19"x60" typewriter extension tables	\$700.00
9.	2 - 21"x40" typewriter extension tables	\$500.00
10.	3 - 2-bay work surfaces w/mounting frames	\$300.00
11.	3 - 5 1/4"x19" blank panels	\$30.00
12.	3 - console terminal mounting panels w/strapping	\$180.00
13.	2 - component module rack panels w/mounts & strapping	\$675.00

TOTAL \$8,985.00

Item No. 9a Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

WHEREAS, bids were received on December 4, 1989 for the purchase of custodial supplies for the 1990, 1991 and 1992 fiscal years, 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 December 14, 1989, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of custodial supplies for the fiscal years 1990, 1991 and 1992 be awarded to the following at the total bid price listed below:

	<u>TOTAL BID PRICE</u>
CATEGORY I - Paper Products	\$100.00
CATEGORY II - Liners	\$ 57.49
CATEGORY III - Cleaner/Disinfectant	\$222.20
CATEGORY IV - Cleaners/Polishers	\$158.45

AWARD OF CATEGORY I & II

D.J. Mead/Hubbs & Hose, Inc.
2200 Harlem Road
Cheektowaga, New York 14225

AWARD OF CATEGORY III & IV

Corr Distributors, Inc.
33 Chandler Street
Buffalo, New York 14207

* See next two (2) pages for letter

Upon Roll Call....

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

December 14, 1989

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Custodial Supplies - Award of Bid

Gentlemen:

Bids were received and opened on December 4, 1989 for the purchase of custodial supplies for the fiscal years of 1990, 1991 and 1992. Four (4) bidders submitted bids as follows:

	CATEGORY I Paper Products	CATEGORY II Liners	CATEGORY III Cleaner/ Disinfectant	CATEGORY IV Cleaners/ Polishers
D.J. Mead/ Hubbs & Howe Inc.	\$100.00*	\$57.49	\$297.60	\$179.93
Dobmeier Janitor Supply Inc.	\$ 64.06*	\$66.91	\$340.97	\$235.79
Comm Distributors, Inc.	NO BID	NO BID	\$222.20	\$158.45
Jochum Distributors	NO BID	\$76.42	\$238.97	\$169.65

*The award in Category I was made for Scott paper products. D.J. Mead/Hubbs & Howe, Inc. also submitted an alternate bid for Fort Howard paper products, as did Dobmeier Janitor Supply Inc. As with Scott products, D.J. Mead/Hubbs & Howe, Inc. submitted the low bid, however, Fort Howard paper products are far inferior and unacceptable.

NOTE: Airken Professional Products of WNY, Inc. also forwarded a bid package. This was a late bid received past the scheduled bid opening time. The bid prices additionally were much higher than awarded low bids.

The bids were reviewed by the Engineering and Facility Departments. It is, therefore, recommended that bids be awarded to the following bidders for their submission of the lowest bid meeting the requirements of the specifications.

CATEGORY I - Paper Products - be awarded to: D.J. Mead/Hubbs & Howe Inc.
2200 Harlem Road
Cheektowaga, New York 14225

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

TO THE SUPERVISOR AND
TOWN BOARD MEMBERS

December 14, 1989

CATEGORY II - Liners - be awarded to : D.J. Mead/Hubbs & Howe, Inc.
2200 Harlem Road
Cheektowaga, New York 14225

CATEGORY III - Cleaner/Disinfectants - be awarded to : Corr Distributors, Inc.
33 Chandler Street
Buffalo, New York 14207

CATEGORY IV - Cleaners/Polishers - be awarded to : Corr Distributors, Inc.
33 Chandler Street
Buffalo, New York 14207

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski
Henry Borkowski
Engineering Aide

HB:mjj

Item No. 9b Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, bids were duly received and opened at a public bid opening on December 4, 1989 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 December 13, 1989, NOW, THEREFORE, ~~BE~~ IT

RESOLVED that the contract for the purchase of dimensional and pressure treated lumber for fiscal years 1990-1991 and 1992 be awarded to

Forest Materials, Inc. (895-3900)
1665 Harlem Road
Cheektowaga, New York 14206

at the total bid prices listed below, said bid prices being the lowest meeting the requirements of the specifications:

ITEM I - Dimensional lumber

Average bid price per foot of thirteen various sizes \$.87

ITEM II - Plywood

Average bid price per sheet of eleven various sizes \$17.66

ITEM III - Nova Board and Particle Board

Average bid price per sheet of six various sizes \$17.76

ITEM IV - Pressure Treated Lumber

Average bid price per foot of nine various sizes \$ 1.17

* See next page for letter

Upon Roll Call....

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

December 13, 1989

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid - Lumber

Gentlemen:

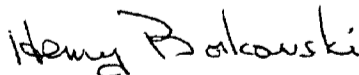
Bids were received and opened on December 4, 1989 for the purchase of dimensional lumber and pressure treated lumber for fiscal years 1990-1991 and 1992. The bid condition was "on basis of 'total' bid price of each of the four (4) items" or groups. One (1) bid was received as follows:

	FOREST MATERIALS INC.
Item I - Lumber	
Average Bid Price	\$.87
Item II - Plywood	
Average Bid Price	\$17.66
Item III - Nova Board and Particle Board	
Average Bid Price	\$17.76
Item IV - Pressure Treated Lumber	
Average Bid Price	\$ 1.17

After reviewing the bids it is, therefore, recommended that the bid be awarded to Forest Materials Inc., 1665 Harlem Road, Cheektowaga, New York 14206 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA



Henry Borkowski
Engineering Aide

HB:mjj

Item No. 9c 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 one (1) sewer rodding machine for the Sewer Department, which bids were duly received and opened at the October 2, 1989 public bid opening, and

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

WHEREAS, bids were reviewed and it is recommended that the award be made to the lowest responsible bidder meeting the intent of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of one (1) sewer rodding machine be and hereby is awarded to MVR Equipment Company, 493 Franklin Street, P.O. Box 174, Buffalo, New York 14216, said bid being the lowest meeting the intent of the specifications at the bid price of \$18,949.00, and BE IT FURTHER

RESOLVED that funding for said sewer rodding machine shall be charged to Account #25-8125-02-2515.

Upon Roll Call....

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 3/4 ton, 4 X 4 pick-up with plow for the Facilities Department, which bids were duly received and opened at the November 6, 1989 public bid opening, and

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

WHEREAS, bids were reviewed and it is recommended that the award be made to the lowest responsible bidder meeting the intent of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of one (1) 3/4 ton, 4 X 4 pick-up with plow be and hereby is awarded to Gillogly Chevrolet, Inc., 1777 Union Road, West Seneca, New York 14224, said bid being the lowest meeting the intent of the specifications at the bid price of \$16,272.00, and BE IT FURTHER

RESOLVED that funding for said 3/4 ton pick-up shall be charged to Account #05-7110-8908-1203.

Upon Roll Call....

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

Item No. 9e Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, by resolution dated November 20, 1989, bids for one 3/4 ton pick-up truck with supercab, were advertised, and

WHEREAS, on December 4, 1989 bids were received and opened, and

WHEREAS, Ronald Zoeller, the General Foreman of the Sanitation Department has reviewed and analyzed these bids, NOW, THEREFORE, BE IT

Item No. 9e cont'd

RESOLVED that the bid be awarded to the lowest responsible bidder as shown in the attached bid proposal (lowest bidder being Bison Ford Truck Sales, Inc. 2370 Walden Avenue, Cheektowaga, New York, and BE IT FURTHER

RESOLVED that expenditures shall be charged to Account No. V 05-8160-0024-0200.

* See next page for bid proposal

Upon Roll Call....

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

BID PROPOSAL

Pursuit to and in accordance with your advertisement for bids dated November 20, 1989 and the specifications relating thereto, the undersigned hereby offers to deliver the following to the Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York.

ITEM I

ONE (1) 3/4 TON 1990 PICK-UP TRUCK WITH SUPERCAB:

Fifteen Thousand Four Hundred Twenty-Seven Dollars \$ 15,427.10
 & 10/100

Total for ONE (1)

Fifteen Thousand Four Hundred Twenty-Seven Dollars \$15,427.10
 & 10/100

Delivery Max 90 days after receipt of order.

(See Item I of Bid Conditions)

SIGNED

Jack G. Hill

Jack G. Hill
Sales Engineer

TITLE

COMPANY BISON FORD TRUCK SALES, INC.

ADDRESS 2370 Walden Avenue

Buffalo, NY 14225

PHONE NUMBER (716) 684-0010

Item No. 9f Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, sealed bid proposals for Furnishings and Equipment at the Alexander Community Center were duly received by the Town Clerk on December 15, 1989, and

WHEREAS, bid proposals were reviewed for compliance with the terms of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby award the following Categories for Furnishings and Equipment for the Alexander Community Center to the following Corporation as being in compliance with the terms of the specifications including the submission of warranty information and product specification literature as advertised:

Expert/Lyons
3755 Harlem Road
Cheektowaga, New York 14215

Category I:	Tables and Table Trucks	\$ 9,809.07
Category II:	Stacking Chairs and Stack Chair Dolly	\$25,434.35
Category III:	Miscellaneous Equipment	\$ 3,174.00

Upon Roll Call....

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

Item No. 9g Motion by Councilman Gabryszak, Seconded by Councilman Kazukiewicz

WHEREAS, bids were received by the Cheektowaga Town Clerk and publicly opened and read on December 15, 1989, for a copier for the Cheektowaga Youth Bureau, and

WHEREAS, such bid was referred to the Youth Bureau for analysis, tabulation and report, on the said bid proposal, and

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

RESOLVED that the bid be awarded to the bidder, Copies, Inc. 1517 Kenmore Avenue, Buffalo, New York 14217, as per the attached list; said bidder being the sole responsible bidder meeting specifications. Monies to be charged to Line Item No. 01-7310-0002-2501.

* See next page for list

Upon Roll Call....

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

BID PROPOSAL

Pursuant to and in accordance with your advertisement for bids dated December 4, 1989 and the specifications relating thereto, the undersigned hereby offers to deliver the following item(s) to the Town Hall, Broadway and Union Roads, Town of Cheektowaga, for the following bid price:

ITEM I - BASE BID

One (1) EP4300 Minolta Copier (or equal) - for the bid price of:

MINOLTA EP4300 COPIER WITH AUTO DUPLEX UNIT \$5,096.00

ALTERNATE I - OPTIONS

One (1) Reversing Automatic Document Feeder - for the bid price of:

Reversing Automatic Document Feeder (RADF) \$1,055.00

ALTERNATE II - OPTIONS

One (1) 20 Bin Sorter - for the bid price of:

20 Bin Stationary Sorter \$1,344.00

ALTERNATE III - OPTIONS

One (1) Large Capacity (2000) Cassette - for the bid price of:

Large Capacity Tray (LCT) \$ 645.00

ALTERNATE IV - OPTIONS

One (1) Additional Color Unit - for the bid price of:

Additional Color Units \$ 166.00

Custom Console \$ 180.00

Delivery approximately 7 days after receipt of order.

SIGNED 

Mel Matthews

TITLE Sr. Vice President

ADDRESS 1517 Kenmore Avenue

Buffalo, New York 14217

COMPANY COPIES. INC.

PHONE NO. 874-2333

Item No. 10a Motion by Councilman Solecki, Seconded by Councilman Johnson

WHEREAS, the Engineering Department is in need of a camera tractor unit for the televising of sanitary sewers, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of a camera tractor unit, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received by the Town of Cheektowaga on January 8, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, at which time they will be publicly opened and read.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 8, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall corner of Broadway and Union Roads, for the furnishing of a camera tractor for the televising of sanitary sewers.

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: December 18, 1989

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.

Scott Benson
....., 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..... DEC 21 1989 ;
last publication..... DEC 21 1989 ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....
DEC 21 1989

Sworn to before me this

day of, 19.....

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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on January 8, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of a camera tractor for the televising of sanitary sewers.

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: December 18, 1989
PUBLISH: December 21, 1989

EVE J. ALLIS
Member Public Standards
Qualified in Erie County
My commission expires

Item No. 10b Motion by Councilman Gabryszak, Seconded by Councilman Solecki

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for furnishing of baseball and football equipment to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on January 3, 1990 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 3, 1990 at 11:00 A.M., Eastern Standard Time at the Town Hall corner of Broadway and Union Roads, for baseball and football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the item originally designated.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and 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.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

Richard M. Moleski
Town Clerk

* * * * *

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.

..... Scott Benson, 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 DEC 21 1989 ;
last publication DEC 21 1989 ;
and that no more than six days intervened be-
tween publications.

..... *Scott Benson*

Sworn to before me this DEC 21 1989
day of, 19.....

..... *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, 1991

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 3, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for baseball and football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in **SIXTY (60) DAY OR LESS** from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the item originally designated.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and 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.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

RICHARD M. MOLESKI
Town Clerk

DATED: December 18, 1989

PUBLISH: December 21, 1989

EVE J. ALLIS
Member Erie County Board
District in Erie County
My commission expires March 30, 1991

Item No. 10c Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 1990 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 1990, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 15th day of January 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 15, 1990 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 1990.

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: December 18, 1989

* * * * *

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.

Scott Benson

....., 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..... DEC 21 1989 ;
last publication..... DEC 21 1989 ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

Sworn to before me this DEC 21 1989

day of, 19.....

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, 1991

STATE
COUNTY
TOWN

LEGAL NOTICES

**LEGAL NOTICE
NOTICE TO BIDDERS**

Scaled proposals will be received and considered by the Town of Cheektowaga on January 13, 1990 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 1990.

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: December 18, 1989
PUBLISH: December 21, 1989**

EVE J. ALTS
Notary Public, State of New York
Qualified in Erie County
My commission expires March 31, 1991

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

WHEREAS, a subdivision plan for Maplegrove Estates Subdivision, a subdivision having 12 lots fronting on existing portions of Kennedy Avenue and Girard Avenue, was submitted to the Town for review, and

WHEREAS, the Cheektowaga Planning Board recommended approval of each single-family subdivision, and

WHEREAS, the Town Environmental Review Advisory Committee reviewed such subdivision plan and rendered a determination that such development will not have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby affirms the recommendation made by the Environmental Advisory Committee with respect to Maplegrove Estates Subdivision, and BE IT FURTHER

RESOLVED that this Town Board hereby approves the Maplegrove Estates subdivision, as per the attached letter dated December 15, 1989.

* See next two (2) pages for letter

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

CHRISTOPHER J. KOWAL
SUPERINTENDENT OF HIGHWAYS

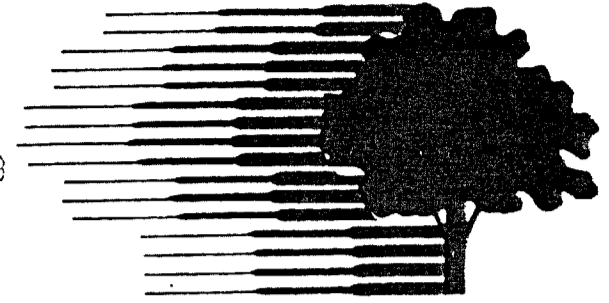
HIGHWAY DEPARTMENT
3145 Union Road
Cheektowaga, N. Y. 14227-1083
(716) 686-3450
Mobile: 863-5867

RECEIVED

1989 DEC 15 PM 2:19

CHEEKTOWAGA
TOWN CLERK

Growing In A New Direction



TOWN OF CHEEKTOWAGA

Erle County, New York

December 15, 1989

Honorable Supervisor Frank E. Swiatek
Honorable Town Board
Town of Cheektowaga, NY 14227

Honorable Councillors:

RE: APPROVAL OF PLANS-MAPLEGROVE ESTATES SUBDIVISION-12 LOTS

Mr. Bill Pugh, Assistant Town Engineer, Mr. T. Skowron, Highway Engineer, Mr. Martin, Building Inspector and I have reviewed the plans for the Maplegrove Estates Subdivision and find that they do conform to the specifications of the Town of Cheektowaga, including:

- 1). A proper storm drain system with required pipe and sizes therefor, as well as, proper appurtenances, as specified in details. Design is proper.
- 2). No new road construction is required as these lots front on existing town roads (Girard Ave. and Kennedy Ave.). The developer is required, however, to re-surface the streets to acceptable standards of ride-ability, due to cuts for utilities (sanitary sewer and water).
- 3). Tree planting is required by the Town of Cheektowaga.
- 4). Public improvement permit is required.
- 5). Lot grading and lot balancing must be acceptable to the Town Engineer and Building Inspector as condition of approval of these plans.
- 6). The lots in this subdivision will front on:
Kennedy Ave.-S.L. 1-6, incl.
Girard Ave. -S.L. 7-12, incl.
- 7). Building permits will specify tree planting.

cont.....

Residence: 61 St. Felix Avenue • Cheektowaga, N.Y. 14227 • (716) 895-8184
Promoting Pride - Progress - Professionalism!

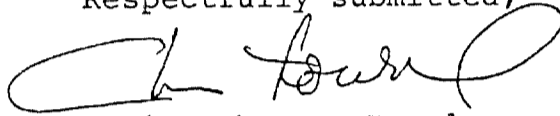
12/15/89

p. 2

APPROVAL, PLANS-MAPLEGROVE ESTATES SUB.

The plans as currently submitted to the Town are acceptable and meet criteria for approval. I, therefore, recommend such approval.

Respectfully submitted,



Christopher J. Kowal
Superintendent of Highways

ji

cc: Town Attorney
Town Engineer
Town Clerk
Building Inspector

Item No. 12a Motion by Supervisor Swiatek, Seconded by Councilman Solecki

WHEREAS, the Town has been awarded a \$60,000 grant from the New York State Energy Office to implement energy conservation measures at three town buildings, and

WHEREAS, the total cost of the energy conservation projects is estimated to be approximately \$150,000.00, and will include the following:

the installation of high efficiency motors on refrigeration equipment serving the Recreation Center Ice Rink

the installation of an energy monitoring and control system to serve the Town Hall, Police and Court building, and the Recreation Center; which computerized control system will both save significant energy costs and provide continuous monitoring of heating and cooling systems for maintenance and efficiency purposes, and

WHEREAS, the consulting engineering firm of Babinsky-Klein Engineering, P.C. estimate that approximately \$30,000 a year in energy savings will be realized by the Town based on current utility costs, resulting in a three year payback on the Town's financial share of the project, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby accepts the aforesaid \$60,000 grant awarded by the New York State Energy Office, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute appropriate grant documents, and BE IT FURTHER

RESOLVED that the Town's share of the aforementioned energy conservation project be paid from Account #05-1625-8912-1100.

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 Solecki

WHEREAS, the New York State Office for the Aging was formed to insure the fullest cooperation between public and private agencies in helping plan for, provide services to and utilize the resources of older citizens, and

WHEREAS, the Office for the Aging has received State funds to carry out such objective, and

WHEREAS, the Town Senior Services Department is eligible to receive \$10,000 in State funding if new or expanded senior citizens services are provided, and

WHEREAS, the Town Senior Services Department has agreed to provide expanded senior citizens services, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the filing of an application for \$10,000 in funding with the State Office for the Aging, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute a grant agreement, State aid voucher and any other documents necessary to receive such State funding.

Upon Roll Call....

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

Item No. 13a Motion by Councilman Johnson, Seconded by Councilman Solecki
Councilman Jaworowicz

WHEREAS, this Town Board is concerned about potential flood impacts in the southeast sector of the Town of Cheektowaga unless a storm water management plan is developed and implemented to cope with increasing development in the Towns of Lancaster and Elma, and

WHEREAS, a Slate Bottom Creek Drainage Basin Stormwater Management Study was authorized and which study, by the consulting engineering firm of Nussbaumer & Clarke, Inc., indicates that sixty (60%) percent of the watershed lies to the east of our Town with flows from the upstream area having already increased some ten (10%) percent since the 1983 Flood Insurance Study, and

WHEREAS, said engineering study recommends the revision of the Town official drainage maps that were developed on data gathered approximately fourteen (14) years ago to provide for the redistribution of storm water flows along Transit Road and to incorporate changes in drainage patterns, and

WHEREAS, it is the intent of the Town to have the New York State Department of Transportation incorporate such Transit Road drainage system design as part of any future Transit Road improvements by the State, and

WHEREAS, there is a demonstrated need to designate implement improvements to the Madeira detention basin to protect against flooding of homes from higher intensity storms, and

WHEREAS, plans for private development along the west side of Transit Road are presently being reviewed and additional development is expected, utilizing vacant lands along Transit Road which developments may require improvements to existing drainage systems and the provisions of storm water detention basins, and

WHEREAS, this Town Board recognizes the need for revision of its official southeast area drainage maps so as to provide for coping with increasing flows from areas east of Transit Road and to develop a drainage plan for private development in order to protect downstream properties, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is to submit to this Town Board an engineering proposal for the revision of the southeast section official Town Drainage Maps incorporating the above noted improvements for approval by this Town Board as soon as possible.

Upon Roll Call....

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

Item No. 13b Motion by Councilman Johnson, Seconded by Councilman Jaworowicz
Councilman Solecki

WHEREAS, the Town of Lancaster has been experiencing increasing development which developments change the character of storm water runoff so as to increase flow rates through the Town of Cheektowaga, and

WHEREAS, this Town Board is concerned about potential localized flooding due to the inability of Town drainage systems to handle increasing storm water flows from the development upstream area, and

WHEREAS, this Town Board authorized a Slate Bottom Creek Study to develop a Storm Water Management Plan to protect Town properties during storm water events, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineering is authorized and directed to forward a copy of the Nussbaumer & Clarke, Inc., Slate Bottom Creek Drainage Basin Stormwater Management Study to Supervisor Stanley Keysa of the Town of Lancaster with a request that authorization be granted for stormwater management discussions with the Town of Lancaster engineers so as to implement a policy for the protection of properties in the Town of Lancaster and Cheektowaga during storm water events.

Item No. 13b cont'd

Upon Roll Call....

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

Item No. 14 Motion by Councilman Johnson, Seconded by Supervisor Swiatek
Councilman Gabryszak

WHEREAS, this Town Board, by resolution dated August 1, 1988, commissioned the firm of Camp Dresser & McKee, Consulting Engineers, to perform an engineering analysis of Scajaquada Creek eastward from Union Road, for the purpose of providing stream improvement alternatives and stormwater management alternatives, which would mitigate the effects of upstream development, and

WHEREAS, a significant portion of the Scajaquada Creek drainage basin is located within the Village of Depew and the Town of Lancaster, being upstream communities whose stormwater management practices directly affect the hydrologic characteristics of Scajaquada Creek as it flows through the Town of Cheektowaga, and

WHEREAS, the Consulting engineering firm of Camp Dresser & McKee, in its "Report on Stormwater Management Alternatives" for Scajaquada Creek dated March 1989 cites that increased urbanization of the upper reaches of Scajaquada Creek has resulted in increased stormwater flows into the Town of Cheektowaga, concluding that upstream development as projected, without proper stormwater management practices would quickly overwhelm any localized channel capacity improvement undertaken by the Town of Cheektowaga, and

WHEREAS, the aforesaid Stormwater Management Report recommends the implementation of a watershed-wide stormwater management plan for all municipalities within the Scajaquada Creek watershed, which would include the Village of Depew and the Town of Lancaster, and

WHEREAS, this Town Board is in agreement with the fundamental principal set forth in the subject report, which places the responsibility for a sound stormwater management policy with all municipalities within the watershed, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests that the neighboring communities of the Village of Depew and the Town of Lancaster undertake a review of existing stormwater management practices to enable formulation of a sound watershed-wide management program, and BE IT FURTHER

RESOLVED that certified copies of this resolution be furnished to Village of Depew Mayor, Arthur J. Domino and to Town of Lancaster Supervisor Stanley Keysa, together with a copy of the Camp Dresser & McKee Report for Scajaquada Creek Stormwater Management Alternatives, and BE IT FURTHER

RESOLVED that this Town Board hereby directs the Town Engineer to meet with engineering representatives of our neighboring communities to formulate and implement a sound and equitable stormwater management program for Scajaquada Creek.

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 Solecki

WHEREAS, there presently exist several storm sewer districts in the Town of Cheektowaga, and

Item No. 15 cont'd

WHEREAS, to better coordinate flood management programs and ensure a consistent annual maintenance program throughout the Town, it has been proposed that a Town-wide storm sewer/drainage maintenance district be created, and

WHEREAS, in order to form such a Town-wide or consolidated drainage district, State law requires that certain feasibility or cost analysis studies be performed, NOW, THEREFORE, BE IT

RESOLVED that Deloitte & Touche, the Town's outside accountants, be and hereby are directed to survey the Town's 1990 budget appropriations for the potential consolidation of drainage maintenance line items into a consolidated operating budget and to report back to this Town Board, and BE IT FURTHER

RESOLVED that such survey shall be performed within the Scope of the existing resolution which retain Deloitte & Touche at no additional cost to the Town.

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 Kulyk

WHEREAS, the State Department of Transportation (State DOT) has informed the Town that it has received approval to design the reconstruction of Harlem Road northward from McNaughton Avenue to a point just north of Genesee Street, and

WHEREAS, the aforesaid project includes the design of a new storm drain, extended to pick-up the existing drainage that now flows under Harlem Road and outlets into a ditch across the property of the Mount Calvary Group of Cemeteries, and

WHEREAS, the State has further informed the Town that a deeper and larger storm drainage could be constructed for future drainage needs of the Town, provided the Town elects to pay "the betterment cost", even through there is no present plan or proposal to extend the said sewer to Cleveland Drive, and

WHEREAS, the participation by the Town in the aforesaid project and speculative future project would require, among other things, a source of funding and/or formation of a drainage benefit district with foreknowledge of the financial impact on benefitted properties, NOW, THEREFORE, BE IT

RESOLVED that this Town Board requests that the State DOT begin the Harlem Road reconstruction project by utilizing funds from the Rebuild New York 1988 Transportation Bond Act, and BE IT FURTHER

RESOLVED that in accordance with generally accepted practices and procedures, the storm sewer portion of the said project should be designed and constructed to a depth to handle gravity flow southward from Cleveland Drive from a possible future project, and BE IT FURTHER

RESOLVED that according to State DOT road improvement design criteria for urban highways, the said storm sewers be designed and constructed for a minimum 10 year storm frequency, and BE IT FURTHER

RESOLVED that at the present time the Town is not in a legal or financial position to participate in the aforesaid state project.

Upon Roll Call....

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

Item No. 17 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz
Councilman Solecki

WHEREAS, Roberts-Shackleton Architects, on behalf of Peter J. Schmitt Company/Hampton Inn, has applied to the Town of Cheektowaga for an environmental review of its proposal to construct a 5-story, 152-room hotel on land located on Buell Avenue, pursuant to the State Environmental Quality Review Act, and

WHEREAS, the appropriate governmental agencies (State, County and Town) have been solicited for lead agency status and their comments, and

WHEREAS, there has been agreement by such agencies that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning this hotel entertainment complex, and

WHEREAS, this Town Board, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, feels that the following significant environmental effects relating to this project are present and should be addressed by the applicant in greater detail:

1. storm water drainage and detention
2. adequacy of water lines for sprinkler system and fire fighting purposes
3. adequacy of sanitary sewer lines
4. impact of traffic from the project on the existing road network, especially on West Sobieski Avenue and Buell Avenue
5. relocation of Peter J. Schmitt driveway on Buell Avenue and its effect on residents and traffic
6. impact of height of building on airline safety and compliance with F.A.A. requirements.

NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby determines that a Draft Environmental Impact Statement must be prepared and submitted to the Town, based on this Town Board's determination that such hotel project could have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED that Roberts-Shackleton Architects be directed to submit a Draft Environmental Impact Statement to the Town Environmental Advisory Committee and this Town Board for review, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, prepare, file and publish a positive declaration for this project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.10(b) of the SEQR regulations, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, notify Roberts-Shackleton Architects and other interested and involved agencies of this requirement.

Upon Roll Call....

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

Item No. 18 Motion by Councilman Kulyk, Seconded by Councilman Solecki

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

Item No. 18 cont'd

WHEREAS, 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 12, 1989, rendered the determinations shown on the attached memo dated December 14, 1989, 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 December 14, 1989 memo attached hereto:

Item I Gary Pools (Gardenville Industrial Park)
Item II United Educational Services (Gardenville Industrial Park)

* See next two (2) pages for memo

Upon Roll Call....

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

**OFFICE OF
BUILDING & PLUMBING INSPECTIONS**

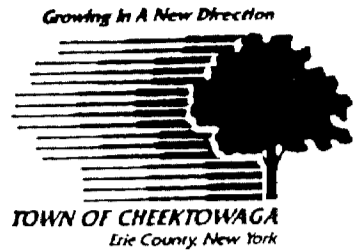
RONALD MARTEN

Supervising Bldg. and Plbg. Inspector

Town Hall, Broadway and Union Road

Cheektowaga, New York 14227

686-3470



M E M O

TO: Supervisor Frank Swiatek
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

RECEIVED

DEC 15 1989

FROM: Thomas Adamczak
Building Inspector

DATE: December 14, 1989

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 12, 1989, in the Town Hall Council Chambers.

ITEM I Gardenville Industrial Park - Proposed Gary Pools
Office/Showroom

Applicant: Telfair Construction Corporation

Determination: Non-Significant With Conditions.
This item had been before the committee previously and additional information had been requested of the developer. A new site plan was submitted which shows one driveway, 40 foot wide, connected to Innsbruck. The site will not have direct access to Union Road or to the private driveway located to the East. This new driveway arrangement satisfies the concerns of the committee as far as traffic safety and proximity to the private drive.

The Planning Board will review the landscaping at their December 14, 1989 meeting.

The preliminary drainage plan is acceptable to the Town Engineer and the developer will provide detail drawings for construction. The Engineering Department is also requesting a easement along Union Road for drainage purposes. This easement must be documented and filed prior to occupancy of the building.

The determination of non-significance for this project will include the future extention of the bulding to the East.

Item No. 19 Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, by resolution dated March 17, 1986, the Town of Cheektowaga adopted Local Law No. 1 of the Year 1986 entitled "Defense and Indemnification of Town Officers and Employees" to cover Town officers and employees from liability for actions taken within the scope of their employment with the Town, and

WHEREAS, the Cheektowaga Economic Development Corporation ("C.E.D.C.") is a not-for-profit corporation formed by action of the Cheektowaga Town Board and whose members are appointed by this Town Board, and

WHEREAS, the C.E.D.C performs many Town-related functions and specifically was authorized by this Town Board to develop a 55-acre tract of land on the southwest corner of Harlem Road and Walden Avenue as a commercial park, and

WHEREAS, the Town's Insurance Consultant has recommended that C.E.D.C. members be covered by the Town for liability, and

WHEREAS, this Board desires to ensure that members of the C.E.D.C. are covered under the Town's Defense and Indemnification Local Law, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby states that members of the C.E.D.C. be and hereby are considered officers and/or employees of the Town of Cheektowaga under Local Law No. 1 of the Year 1986 entitled "Defense and Indemnification of Town Officers" and the Town shall defend, indemnify and save harmless C.E.D.C. members under such local law, except the duty to indemnify and save harmless under such local law shall not arise where the injury or damage resulted from intentional wrongdoing or recklessness on the part of the C.E.D.C members.

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 Gabryszak

WHEREAS, the location of a Bells Superstore on Dick Road in the Town of Cheektowaga, adjacent to the Dick/Urban Plaza, generated traffic safety concerns, and

WHEREAS, Peter J. Schmitt Company, Inc., the developer, gave assurances to the Town that a traffic study would be undertaken to identify improvements that would better coordinate traffic flows with the Dick/Urban Plaza, increase the safety of turning movements on Dick Road for parking lot egress and ingress, and consider the interaction with opposing parking lots and Barnabas Drive on the east side of Dick Road, as well as the nearby Town traffic signal at Dick Road and George Urban Boulevard, and

WHEREAS, Peter J. Schmitt Company, Inc. also agreed to finance any traffic safety improvements or devices that the study would recommend as a result of the addition of the Superstore to this heavily trafficked area, and

WHEREAS, the management of Bells Superstore subsequently submitted a petition containing the names of customers and requesting additional safety improvements and/or a signal at the entrance of the Superstore on Dick Road, and

WHEREAS, no traffic study has yet been submitted by Peter J. Schmitt Company, Inc., to the Town or its Traffic Safety Commission, and

WHEREAS, numerous discussions and meetings have occurred between the Town officials, representatives of the Peter J. Schmitt Company, Inc., Traffic Safety Commission members and Consultants, regarding the need for such study, NOW, THEREFORE, BE IT

Item No. 20 cont'd

RESOLVED that Peter J. Schmitt Company, Inc. is hereby requested to insure the completion of the necessary traffic study and submit this report to the Town at the earliest opportunity and to continue its commitment to make any necessary safety improvements along Dick Road in an effort to address the increased traffic flow and turning movements necessitated by the addition of bells Superstore, its parking lot and entrance way to the existing commercial activity and driveway access points running south from the intersection of Dick Road and George Urban Boulevard.

Upon Roll Call....

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

Item No. 21 Motion by Councilman Solecki, Seconded by Unanimous

WHEREAS, Belmont Shelter Corporation ("Belmont") has proposed to convert the former Immaculate Heart of Mary Orphanage into low-income elderly housing, and

WHEREAS, in order to assist it with such endeavor, Belmont has applied to the New York State Division of Housing and Community Renewal for Turnkey/Enhanced Trust Fund Program moneys, and

WHEREAS, Belmont applied for both first and second round Turnkey funds, has local community support for same, and was still denied funding from the State, and

WHEREAS, Erie County as a whole was excluded from any State funding for both the first and second round Turnkey awards and yet New York City and Albany areas received a combined total of \$31 million, and

WHEREAS, Belmont intends to apply for third round Turnkey funds for its project, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby expresses its support for Belmont's project and its application for Turnkey/Enhanced Trust Program funding, and BE IT FURTHER

RESOLVED that this Town Board hereby memorializes the New York State Division of Housing and Community Renewal to approve Belmont's third round application for Turnkey/Enhanced Trust Program funding, and BE IT FURTHER

RESOLVED that this Town Board hereby memorializes Assemblyman Paul A. Tokasz and Senator Dale M. Volker to take whatever steps necessary to have Belmont's application approved, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the New York State Division of Housing and Community Renewal, Assemblyman Tokasz and Senator Volker.

Upon Roll Call....

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

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

WHEREAS, in order to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities within the Town of Cheektowaga, this Town Board wishes to create an industrial development agency, and

Item No. 22 cont'd

WHEREAS, the Cheektowaga Economic Development Corporation has recommended that the Town of Cheektowaga create an industrial development agency, and

WHEREAS, a special act of the State Legislature is required before this Town Board can create an industrial development agency, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally requests Assemblyman Paul A. Tokasz and/or Senator Dale M. Volker to draft and file a bill in the State Legislature to authorize the creation of a Town of Cheektowaga Industrial Development Agency, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Assemblyman Tokasz and Senator Volker.

Upon Roll Call....

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

Item No. 23 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, Adelphia Cable Communications is the sole cable television franchisee serving the Town of Cheektowaga, and

WHEREAS, pursuant to the Federal Cable Communications Act of 1984, cable franchises have the sole power to set prices for cable services, without seeking approval from local municipalities, and

WHEREAS, on November 1, 1989, Adelphia Cable imposed a large increase in its monthly basic cable rate by combining its basic service with a premium channel package, and

WHEREAS, Adelphia Cable has also established a substantial fee for any cable customers who wish to retain only the basic service, and

WHEREAS, this price structure forces cable customers to subscribe to channels that they may not need or wish to pay for, and is especially discriminatory toward senior citizens and others who are on fixed incomes and cannot afford these sorts of costs, and

WHEREAS, FCC regulations being implemented on January 1, 1990 will require Adelphia Cable to block out certain syndicated programs on its superstations, thereby eroding the quality of its service, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board petitions Adelphia Cable Communications to establish a 90-day period wherein any cable television customer can request to retain the lower cost basic service with no installation charge, and BE IT FURTHER

RESOLVED that certified copies of this resolution be sent to Tom Haywood, General Manager-Operations, Adelphia Cable; Gus Palmisano, General Manager-Administration, Adelphia Cable; and the New York State Commission on Cable Television.

Upon Roll Call....

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

Item No. 24 Authorize Robert Miller & Associates to prepare applications for funding from N.Y.S. Energy Office
This item was withdrawn.

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

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

WHEREAS, by resolution dated November 18, 1985, this Town Board authorized the Town to act as lead agency for all activities involved in preparation of engineering work, and

WHEREAS, the Northeast Board, including the Town of Cheektowaga have appropriated sufficient funds for the preparation of such engineering work, including a \$200,000 grant in contract with the Northeast Board and N.Y.S.D.E.C., and

WHEREAS, the firm of Barton and Loguidice, P.E., consulting engineers were retained to do the necessary study within budgeted funding, 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 for the Northeast 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 \$15,869.00 for services for the period 6/4/89 through 9/23/89, from the Northeast Board's account and to pay said sums to Barton and Loguidice, P.E., for services rendered to date per agreement dated June 4, 1986 and Amendment No. 5.

Upon Roll Call....

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

Item No. 26 Motion by Councilman Kulyk, Seconded by Councilman Solecki

BE IT RESOLVED that all seasonal and/or part-time laborers (non-clerical) in the following departments are hereby terminated effective December 31, 1989:

Parks Division

John Kochel	James Demler
Stanley Siejak	Ronald Sobocinski
Robert Trzaska	John Rogowski
Mark Jakubik	Randy Palmisano
Robert Lee	Gordon Hagmier
Frank Lasota	Felix Lampke
Harry Rogalski	Eric Ozolins
Cam Viverto	Christopher Golas
Joseph Dolecki	James Rogowski
Andrew Sciandra	Mark Meszkotowicz
Jeffrey Koscielny	Scott Pfeiffer
John Bratek	Paul Shaffer
Edward Stangret	

Building Maintenance Division

Joseph Coffta	Francis Strong
Steven Dunkowski	

Sanitation Department

Daniel Bienko	Scott Stevenson
Michael Bratek	Paul Strzelczyk
Richard Cycon	Tony Terranova, Jr.
Cherie Cyrankowski	John Tourjie
Mark Cywinski	John Wieberg

Item No. 26 cont'd

Gerry Daminski	Matthew Wisniewski
John DeStefano	Jean Cadwallader
Dave Gallmeyer	Chris Elminowski
Bill Galuzka, Jr.	Jim Kwiatkowski
Leonard Jasinski	Christian Ozolins
Ray Jochum	Scott Pyc
Bryan Kazmierczak	David Rusinski
Joe Krzeminski	John Russ
Stan Krywowieza	Dale Ruthenberg
Peter Myhalenko	Tony Wdowik
Dave Orlikowski	Lawrence Zielinski
Ted Parisien	Terry Caggiano
Lisa Pietrowski	Jim Mazurek
Rick Roll	Bill Yetman
Ray Sliwinski	Marc Stolinski
Donald Sobocinski	

Sewer Department

Leo Dominczak	Dean Sarago
Bill Chruscicki	Rich Latshaw

Main Pump Station

John Johnson	Leroy Linkner
Chester Kensy	Conrad Scharmach

Upon Roll Call....

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

Item No. 27 Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk

BE IT RESOLVED that the following individuals be and hereby are hired as seasonal and/or part-time clerical employees in the various Departments and at the rates listed. If hired as a seasonal employee, the employment shall be for a period not to exceed 24 consecutive weeks in a calendar year:

EFFECTIVE

POLICE DEPARTMENT - \$4.35 per hour

Tracy A. Gielinski 12/19/89

TAX OFFICE - \$4.75 per hour

Suzanne T. O'Neill Immediately

Upon Roll Call....

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

Item No. 28 Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, there is a vacancy in the position of Working Foreman (Working Crew Chief) in the Sanitation Department, and

WHEREAS, the Town has decided to restructure the supervisory authority of both the Sanitation and Recycling Departments in order to provide better management and supervisory controls in the Departments in the best interests of the Town, and

Item No. 28 cont'd

WHEREAS, pursuant to the terms of the Town's agreement with the Town of Cheektowaga Supervisory Unit, it has met and negotiated the basic salary for the new position of Assistant Working Crew Chief, NOW, THEREFORE, BE IT

RESOLVED that the positions of Assistant Working Crew Chief (2) be established in accordance with the terms and conditions of the Town of Cheektowaga Supervisory Unit Agreement, and BE IT FURTHER

RESOLVED that the vacant position of Working Foreman (Working Crew Chief) be abolished.

Upon Roll Call....

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

Item No. 29 Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Employees Association contains provisions for the Town Board to, in its discretion, grant a leave of absence for reasonable purpose, and

WHEREAS, Raymond D. Bobeck, a Town employee in the Highway Department, has requested such an unpaid leave of absence, effective November 13, 1989 for a period of time not to exceed one (1) year, for the purpose of his attending Active Duty Training (ADT) with the United States Army; a copy of his military orders has been supplied, NOW, THEREFORE, BE IT

RESOLVED that Raymond D. Bobeck is hereby granted an unpaid leave of absence from his position with the Town, pursuant to Article 9 of the Town of Cheektowaga Employees Association contract, for a period of time not to exceed one (1) year, effective November 13, 1989.

Upon Roll Call....

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

Item No. 30 Motion by Supervisor Swiatek, Seconded by Councilman Solecki

WHEREAS, by resolution dated September 5, 1989, Robert E. Kaczmarek was hired as Junior Accountant on a temporary, provisional basis, and

WHEREAS, the vacancy in the position of Junior Accountant has now become a permanent vacancy, and

WHEREAS, the Town has been advised by the Erie County Department of Personnel that there currently exists no valid examination list for said job title, and

WHEREAS, Robert E. Kaczmarek meets the minimum qualifications therefore, NOW, THEREFORE, BE IT

RESOLVED that the status of Robert E. Kaczmarek, Cheektowaga, as Junior Accountant, be that of provisional, pending the establishment of a valid Civil Service examination list for such position.

Upon Roll Call....

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

Item No. 31 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the terms of five members of the Cheektowaga Traffic Safety Commission expire on December 31, 1989, and

WHEREAS, this Board wishes to reappoint such members to another three year term, NOW, THEREFORE, BE IT

RESOLVED that the following members of the Cheektowaga Traffic Safety Commission be and hereby are reappointed to another three year term, beginning December 31, 1989 and expiring December 31, 1992:

- Patrick Costrine
- Charles Getz
- Ted Kurk
- Mary Lou Penkalski
- John Sandilands

* * * * *

Motion by Supervisor Swiatek, Seconded by Councilman Kulyk to table the above item until the first meeting in January.

* * * * *

Item No. 32a Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, this Town Board awarded the contract for Sanitary Sewer District No. 3 Sewer System Rehabilitation, Contract No. 1 (C-36-1290-02) to Firstrhyme Construction Corporation, Inc. for the bid price of \$1,053,958.00, and

WHEREAS, there is a need to approve Change Order No. 3 for the Sanitary Sewer District No. 3, Sewer System Rehabilitation Project, as recommended by the Town Engineer in his letter dated December 8, 1989 attached hereto and considered a part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 3 for the Sanitary Sewer District No.3 Sewer System Rehabilitation Project, Contract No. 1 in the amount of \$87,070.69 as a deduction to the contract of Firstrhyme Construction Corporation, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor on behalf of this Town Board, be authorized and directed to sign said Change Order No. 3

* See next page for letter

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

December 8, 1989

Supervisor Frank E. Swiatek and
Honorable Town Board Members
Town of Cheektowaga

RE: Sanitary Sewer District No. 3
Sanitary Sewer Rehabilitation
Contract No. 1, C-36-1290-02
Change Order No. 3

Gentlemen:

We are submitting for Town Board approval, Change Order No. 3 for the subject Sewer District Rehabilitation contract held by Firsthyme Construction Corporation, Inc. Change Order No. 3 provides for final contract quantity adjustments for the numerous bid items, additional contract claims and amounts to a deduction of \$87,070.69. This contract, as you will recall, is being funded in part through the Grants Program, under the Clean Water Act, administered by the New York State Department of Environmental Conservation. The final contract dollar totals are outlined below:

	"Eligible"	"Ineligible"	Total
Original Contract	\$814,098.00	\$239,860.00	\$1,053,958.00
Previous Change Order Nos. 1 & 2	83,829.00	0	83,829.00
Change Order No. 3	<u>-29,171.16</u>	<u>-57,899.53</u>	<u>-87,070.69</u>
Final Contract Total	\$868,755.84	\$181,960.47	\$1,050,716.31

Upon Town Board approval, Change Order No. 3 documentation will be submitted to the New York State Department of Environmental Conservation and Step 3 Closeout will be initiated.

Very truly yours,

TOWN OF CHEEKTOWAGA

William R. Pugh, P.E.
Assistant Town Engineer

WRP:dms

CC: C. Bryan

Item No. 32b Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, this Town Board, by resolution dated April 17, 1989, awarded a contract for the Police Dispatch Remodeling to Miller Enterprises for General Construction Work, and

WHEREAS, at the request of the Police Department it was necessary to add a cabinet to mount five (5) printers, as identified in Change Order No. C-4, at a total additional cost of \$862.00, which change was recommended and approved by Trautman Associates, Consulting Engineers, and the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. C-4 as an addition of \$862.00 to the contract of Miller Enterprises be approved, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be authorized and directed to sign said Change Order No. C-4, Account #05-3120-8802-0220.

Upon Roll Call....

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

Item No. 33 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

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

GENERAL FUND

FROM: 1010-04-4001	(Office Supplies-Council)	\$ 500.00
1010-04-4100	(Copier-Maintenance-Council)	1,864.00
1110-01-1374	(Clerk-Typist-Justice)	750.00
1330-04-4431	(Equip. Repair-Tax Office)	1,700.00
1420-04-4501	(Contracted Legal-Law Dept.)	200.00
1420-04-4001	(Office Supplies-Law Dept.)	700.00
1430-04-4502	(Personnel-Legal)	200.00
1440-01-1361	(Clerk Steno-Engineering)	3,500.00
1440-01-1404	(Sr. Engineering Asst.)	2,000.00
1440-04-4191	(Miscellaneous-Engineering)	8.50
1440-04-4191	(Miscellaneous-Engineering)	1,170.00
3120-01-1112	(Police Chief)	4,000.00
3120-01-1112	(Police Chief)	7,050.00
3120-01-1541	(Patrolmen)	44,300.00
3120-01-1541	(Patrolmen)	20,000.00
3120-01-1591	(Crossing Guards)	8,000.00
3120-04-4092	(Asset Forfeiture Expense)	1,144.00
3120-04-4085	(Local Education Expense-Police)	6.81
3510-01-1491	(Part time Laborer-Police)	1,600.00
3310-04-4478	(Control Signal Upgrade)	11,000.00
3510-01-1491	(PartTime laborer)	4,000.00
7180-04-4191	(Miscellaneous-Recreation)	400.00
7180-04-4612	(Transportation-Swim Meets)	566.00
7180-01-1903	(Lifeguards)	100.00
7140-04-4601	(Aid to Youth Programs)	3,300.00
7310-01-1811	(YCC Supervisors-Youth Bureau)	655.00
7310-01-1811	(YCC Supervisors-Youth Bureau)	600.82
7310-04-4261	(Postage-Youth Bureau)	200.00
7310-04-4431	(Equipment Repair-Youth Bureau)	200.00
7310-04-4677	(Catholic Charities)	3,521.30
7410-04-4451	(Bulding & Grounds - Library)	2,000.00
9950-8729-0000	(Transfer to Capital Fund)	5,000.00
1220-02-4008	(Disaster Coordinator-Equip.)	1,200.00
1220-02-4008	(Disaster Coordinator-Equip.)	7,706.00
1220-04-4011	(Printed Forms-Accounting)	2,660.00
1640-04-4443	(Equip. Repair-Sanitation)	70,000.00

Item No. 33 cont'd

	1220-04-4001 (Supervisor-Office Supplies)	7,500.00
	1220-01-1341 (Junior Accountant)	1,000.00
	1220-01-1374 (Clerk-Typist)	50.00
	1220-02-4008 (Disaster Coordinator-Equip.)	1,000.00
	1220-02-4008 (Disaster Coordinator-Equip.)	1,280.00
	1910-04-4711 (Contingency)	12,000.00
	1640-01-1412 (Central Garage-Laborer)	6,000.00
	1640-01-1442 (Central Garage-Auto Mechanic)	3,700.00
	1640-02-1492 (Central Garage-Seasonal Laborer)	3,500.00
	5132-04-4221 (Highway-Gas)	700.00
	6410-04-4191 (Publicity-Miscellaneous)	\$ 305.00
	1910-04-4711 (Contingency)	600.00
TO:	1010-02-2201 (Office Equip.-Council)	\$ 500.00
	1010-02-2201 (Office Equip.-Council)	1,864.00
	1110-01-1351 (Senior Clerk-Justice)	750.00
	1330-04-4001 (Office Supplies-Tax Dept.)	1,700.00
	1420-04-4012 (Printing of Briefs)	200.00
	1420-04-4012 (Printing of Briefs)	700.00
	1430-04-4001 (Personnel-Office Equip.)	200.00
	1440-01-1402 (Principal-Engineering)	3,500.00
	1440-01-1105 (Town Engineer)	2,000.00
	1440-04-4087 (Conferences-Seminars)	8.50
	1440-04-4042 (Maps-Engineers)	1,170.00
	3120-01-1551 (Sergeants)	4,000.00
	3120-01-1351 (Senior Clerk)	950.00
	3120-01-1376 (Senior Clerk Typist)	100.00
	3120-01-1391 (Part Time Clerks)	6,000.00
	3120-01-1501 (Captains)	24,800.00
	3120-01-1511 (Lieutenants)	5,000.00
	3120-01-1531 (Detectives)	9,000.00
	3120-01-1561 (Dispatchers)	5,500.00
	3510-01-1413 (Animal Control Officer)	3,000.00
	3120-01-1391 (Part Time Clerks)	13,000.00
	3120-01-1605 (Graphic Artist-Police)	3,400.00
	3120-01-1374 (Clerk-Typists)	600.00
	3120-01-1561 (Dispatchers)	8,000.00
	3120-02-2500 (Fax Machine-Crime Forfeiture)	1,144.00
	3120-02-2205 (Copier, Crime Forfeiture)	6.81
	3120-04-4431 (Equip. & Maintenance-Police)	1,600.00
	3310-04-4476 (Signal Repairs)	1,000.00
	3120-04-4001 (Office Supplies-Police)	8,000.00
	3120-04-4073 (Clothing Allowance)	500.00
	3020-04-4022 (Maintenance Contracts)	1,500.00
	3020-04-4022 (Maintenance contracts)	4,000.00
	7140-01-1615 (Recreation-Aid to Youth)	400.00
	7140-01-1615 (Recreation-Aid to Youth)	566.00
	7140-01-1615 (Recreation-Aid to Youth)	100.00
	7140-01-1611 (Rink Personnel)	3,300.00
	7410-04-4191 (Misc. Expenses-Library)	2,000.00
	7310-04-4693 (Dev. Disabled-Adapted Rec.-Youth)	655.00
	7310-01-1804 (Admin. Intern)	545.00
	7310-08-9002 (NYSCC - FICA)	19.91
	7310-08-9005 (NYSCC - FRINGE)	35.91
	7310-04-4201 (Telephone)	200.00
	7310-04-4201 (Telephone)	200.00
	7310-04-4693 (Dev. Disabled-Adapted Rec.-Youth)	1,500.00
	7310-04-4683 (Publications Printing)	1,000.00
	7310-04-4001 (Office Supplies)	1,000.00
	7310-04-4691 (Dev. Disabled-Day Camp)	21.30
	1910-04-4711 (Contingency)	5,000.00
	1910-04-4081 (Dues)	1,200.00
	1220-01-1306 (Director of Admin. & Finance)	7,706.00
	1220-01-1308 (Chief Accountant)	2,660.00
	1640-04-4982 (Equip. Repair-Allocation)	70,000.00
	1220-02-2201 (Supervisor-Office Equip.)	7,500.00
	1220-01-1308 (Chief Accountant)	1,000.00

Item No. 33 cont'd

1220-01-1351	(Senior Clerk)	50.00
1910-04-4083	(Private Vehicle Reimbursement)	1,000.00
1355-01-1101	(Town Assessor)	1,280.00
1410-01-1391	(Town Clerk-Part time Clerical)	12,000.00
1640-01-1201	(Central Garage-Gen. Crew Chief)	6,000.00
1640-01-1202	(Central Garage-Auto Crew Chief)	3,700.00
1640-01-1391	(Central Garage-Part Time Clerical)	3,500.00
5132-04-4231	(Highway-Water)	700.00
6410-04-4194	(Publicity-Media)	305.00
7620-01-1121	(Senior Citizen-Director)	600.00

RISK RETENTION FUND

FROM:	10-1710-04-4528	(Loss Control/Workmen's Comp)	\$ 3,000.00
	10-1710-04-4529	(Loss Control/Liability)	3,000.00
	10-2798-0000	(Appropriated Reserves)	1,600.00
	10-2798-0000	(Appropriated Reserves)	6,000.00
	10-2798-0000	(Appropriated Reserves)	9,000.00
	10-2798-0000	(Appropriated Reserves)	5,470.00
TO:	10-1710-04-4523	(Claims Admin.-Workmen's Comp.)	3,000.00
	10-1710-04-4527	(Claims Admin.-Liability)	3,000.00
	10-1710-04-4521	(Insurance Consultant)	1,600.00
	10-1710-04-4527	(Claims Admin.-Liability)	6,000.00
	10-1710-04-4521	(Insurance Consultant)	1,600.00
	10-1710-04-4525	(Claims Admin.-Workmen's Comp. Assess.)	3,870.00
	10-1710-04-4527	(Claims Admin.-Liability)	9,000.00

SPECIAL DISTRICT FUND

FROM	25-8135-04-4022	(Janitorial Supplies-Main Pump Sta.)	\$ 100.00
	15-8160-04-4465	(Equip. Repair-Sanitation)	70,000.00
	15-8160-04-4001	(Office Supplies-Sanitation)	2,000.00
	15-8160-04-4186	(Tolls-Sanitation)	1,600.00
	15-8160-02-2111	(Pick-up Truck-Sanitation)	14,700.00
	15-8160-02-2501	(Misc. Equip.-Sanitation)	1,290.00
	15-8160-02-2112	(Computer-Sanitation)	1,350.00
	15-8160-01-1376	(Sr. Clerk Typist-Sanitation)	1,440.00
	15-8160-01-1391	(Part Time Clerical-Sanitation)	3,500.00
	15-8160-08-8101	(Employee Retirement-Sanitation)	45,000.00
	15-8160-04-4089	(Recycling Costs-Sanitation)	30,000.00
	15-8160-01-1203	(Working Foreman-Sanitation)	17,130.00
	15-8160-01-1411	(Laborer-Sanitation)	12,000.00
	15-8160-01-1414	(MEO B Operator-Sanitation)	11,000.00
	15-8160-04-4221	(Gas-Sanitation)	7,400.00
	15-8160-04-4071	(Uniform Replacement-Sanitation)	2,500.00
	15-8160-01-1414	(MEO B Operator-Sanitation)	53,000.00
	15-8160-01-1411	(Laborer-Sanitation)	24,000.00
	15-8160-01-1203	(Working Foreman-Sanitation)	12,570.00
	15-8160-04-4021	(Maintenance Supplies-Sanitation)	1,500.00
	15-8160-04-4088	(Travel and Conferences-Sanitation)	700.00
	15-8160-04-4211	(Electric-Sanitation)	500.00
	15-8160-01-2209	(Office Equip.-Sanitation)	7,500.00
	15-8160-04-4021	(Maintenance Supplies-Sanitation)	1,500.00
TO:	25-8135-04-4071	(Clothing Replacement-Main Pump Sta.)	100.00
	15-8160-01-1492	(Seasonal Laborer-Sanitation)	70,000.00
	15-8160-04-4469	(Land Fill-Sanitation)	25,880.00
	15-8160-01-1492	(Seasonal Laborer-Sanitation)	125,030.00
	15-8173-01-0202	(Recycling Drivers-Sanitation)	53,000.00
	15-8173-01-0201	(Recycling Coordinator-Sanitation)	24,000.00
	15-8160-01-1411	(Cleaner-Sanitation)	12,570.00
	15-8160-01-1124	(Gen. Foreman-Sanitation)	2,200.00
	15-8160-04-4161	(Gasoline-Sanitation)	8,000.00
	15-8160-04-4453	(Building Repair-Sanitation)	1,500.00

Item No. 33 cont'd

CAPITAL FUND

FROM:	05-5031-8912-0000	(Interfund transfer-in)	\$ 90,000.00
	05-3089-8912-0000	(State Grant-Energy)	60,000.00
	05-8540-8821-1103	(U-Crest Ditch)	5,000.00
TO:	05-1625-8912-1100	(Energy Saving Improvements-Building)	150,000.00
	05-5031-8821-0000	(Interfund Transfer-In)	5,000.00

PART TOWN FUND

FROM	08-3620-04-4321	(Computer Expense-Build. & Plumbing)	\$ 350.00
	08-3620-01-1402	(Assist. Bldg. Inspector)	1,500.00
	08-4010-04-4028	(Board of Health-Supplies)	802.00
TO:	08-3620-04-1165	(Fire Inspector)	350.00
	08-3620-01-1376	(Sr. Clerk Typist)	700.00
	08-3620-04-4191	(Miscellaneous-Bldg. & Plmg.)	1,500.00
	08-8020-01-1394	(Planning-Secretary)	200.00
	08-3620-01-1100	(Super. Bldg. Inspector)	400.00
	08-8010-01-1052	(Zoning Board)	1.00
	08-8020-01-1051	(Planning Board)	1.00
	08-8020-01-1394	(Part Time Secretary)	200.00

HIGHWAY FUND

FROM:	03-9010-08-8101	(Employee Retirement-Highway)	80,000.00
	03-5141-01-1935	(Less Labor Snow)	50,000.00
	03-5142-02-1701	(Snow Removal)	7,000.00
	03-5110-04-4171	(Road-Oil)	1,200.00
	03-5110-04-4173	(Stone-General)	7,000.00
	03-5110-04-4186	(Topsoil)	1,300.00
	03-5140-04-4001	(Office Supplies-Highway)	1,400.00
	03-5140-04-4071	(Uniforms-Highway)	1,500.00
	03-5150-04-4162	(Gas, Oil, etc.-Special Improvements)	6,000.00
	03-5150-04-4173	(Stone-Spec. Improvements)	4,000.00
	03-5150-04-4178	(Blacktop-Spec. Improvements)	500.00
	03-8210-04-4568	(Storm Sewer Cleaning)	9,000.00
	03-5141-01-1931	(Less: Labor Allocation)	31,900.00
	03-5141-01-1412	(Labor-Highway)	16,000.00
	03-5141-01-1444	(MEO "A")	13,000.00
	03-5141-01-1414	(MEO "B")	17,000.00
TO:	03-5142-01-1701	(Labor-Snow)	50,000.00
	03-5142-04-4029	(Salt)	30,000.00
	03-5141-01-1201	(General Crew Chief)	2,000.00
	03-5141-01-1202	(Auto Mech. Crew Chief)	500.00
	03-5141-01-1412	(Laborers)	2,100.00
	03-5141-01-1414	(MEO "B")	2,000.00
	03-5141-01-1416	(Tree Trimmer)	1,000.00
	03-5141-01-1421	(Mechanics Helper)	2,000.00
	03-5141-01-1422	(General Mechanic)	2,000.00
	03-5141-01-1442	(Auto Mechanic)	5,500.00
	03-5141-01-1444	(MEO "A")	6,500.00
	03-5141-01-1445	(Welder)	1,500.00
	03-5141-01-1203	(Working Foreman)	6,000.00
	03-5140-01-1379	(Clerical Labor)	7,000.00
	03-5141-01-1421	(Auto Mechanic Helper)	31,900.00
	03-5110-01-1701	(General Labor)	31,900.00
	03-5141-01-1203	(Working Crew Chief)	16,000.00
	03-5141-01-1422	(General Mechanic)	6,100.00
	03-5141-01-1442	(Auto Mechanic)	6,900.00
	03-5141-01-1416	(Tree Trimmer)	15,000.00
	03-5141-01-1201	(General Crew Chief)	2,000.00

Item No. 33 cont'd

FROM:	1410-04-4001 (Office Supplies-Town Clerk)	1,300.00
	6510-04-4301 (Room Rental)	300.00
	1910-04-4711 (Contingency)	4,922.75
	6510-04-4301 (Room Rental)	500.00
	9010-08-8111 (Police Retirement)	1,250.00
	7110-01-1491 (Parks-Part Town Seasonal)	6,900.00
	7110-01-1203 (Parks-Working Crew Chief)	17,100.00
	7110-01-1391 (Parks-Part Time Clerical)	4,550.00
	1625-01-1203 (Bldg. Maint.-Foreman)	15,750.00
	9010-08-8101 (Retirement-Accounting)	65,000.00
	9010-08-8141 (Medical Insurance)	25,000.00
TO:	1410-01-2201 (Office Equip.-Town Clerk)	\$ 1,300.00
	7550-04-4371 (Patriotic Observance)	200.00
	7550-04-4372 (July 4th)	100.00
	7550-04-4392 (Sesquicentennial Ball)	4,922.75
	7550-04-4392 (Sesquicentennial Ball)	200.00
	7310-01-1114 (Executive Director-Youth)	1,250.00
	7550-04-4373 (Flag Day)	300.00
	7110-01-1201 (Parks-General Crew Chief)	6,900.00
	1625-01-1425 (Bldg. Maint.-Plumber)	17,100.00
	1625-01-1425 (Bldg. Maint.-Plumber)	4,550.00
	1625-0101427 (Bldg. Maint.-Electrician)	15,750.00
	9950-08-1989 (Transfer to Capital)	65,000.00
	9950-08-1989 (Transfer to Capital)	25,000.00

SPECIAL DISTRICT FUND

FROM:	23-8123-09-9582 (Debt Reserve Alloc.)	\$ 31,800.00
	25-8125-09-9582 (Debt Reserve Alloc.)	23,880.00
TO:	23-8123-09-9201 (Bond Int. - S.D. #3)	\$ 31,800.00
	25-8125-09-9201 (Bond Int. - S.D. #5)	23,880.00

Upon Roll Call....

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

Item No. 34 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 December 18, 1989 are hereby approved and made a part hereof:

FUND	AMOUNT
GENERAL FUND	\$ 83,263.85
HIGHWAY FUND	32,877.91
CAPITAL FUND	196,381.09
TRUST & AGENCY FUND	6,167.10
PART TOWN FUND	839.45
HUD RENTAL REHAB. FUND	1,420.00
RISK RETENTION FUND	33,965.59
STATE AHC HOME IMPROVEMENT FUND	2,628.40
HUD REHAB FUND	4,635.10
SPECIAL DISTRICT FUND	119,383.40
HUD CDBG FUND	265,752.13
	<u>\$747,314.02</u>

Item No. 33 cont'd

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN KULYK
TO AMEND THE ABOVE RESOLUTION AND THE VOTING IS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
and Solecki
NAYES: Councilman Kazukiewicz voted NAYE on the GENERAL FUND
ABSENT: 0

and the amended resolution is as follows:

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 December 18, 1989 are hereby approved and made a
part hereof:

FUND	AMOUNT
GENERAL FUND	\$ 85,053.85
HIGHWAY FUND	32,877.91
CAPITAL FUND	196,381.09
TRUST & AGENCY FUND	6,167.10
PART TOWN FUND	839.45
HUD RENTAL REHAB. FUND	1,420.00
RISK RETENTION FUND	33,965.59
STATE AHC HOME IMPROVEMENT FUND	2,628.40
HUD REHAB FUND	4,635.10
SPECIAL DISTRICT FUND	119,383.40
HUD CDBG FUND	265,752.13
	<u>\$749,104.02</u>

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Johnson, Jaworowicz, Gabryszak, Kulyk
and Solecki
NAYES: Councilman Kazukiewicz voted NAYE on the GENERAL FUND
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 35 Planning Board - minutes of November meeting
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 36 Notice of Claim - Kathleen Kuwik 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; S.I.S. -
Insurance Carrier.
Received and Filed.

Item No. 37 Petition regarding Development of Losson/Transit area
Copies were sent to: Frank Swiatek, Supervisor; Town Board Members;
Chester Bryan, Town Engineer; Cheektowaga Traffic Safety Commission;
Sal LaGreca, Planning Board Chairman.
Received and Filed.

Item No. 38 Letter/Petition regarding Sewer Drainage problems on Madeira/Dubonnet/Benz/Losson Road
Copies were sent to: Frank Swiatek, Supervisor; Town Board Members; Chester Bryan, Town Engineer; Cheektowaga Traffic Safety Commission; Sal LaGreca, Planning Board Chairman.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Supervisor Swiatek, Seconded by Councilman Johnson 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. 39 Motion by Supervisor Swiatek, Seconded by Councilman Johnson

WHEREAS, pursuant to Article XXI of the Private Housing Finance Law, the New York State Housing Finance Agency ("H.F.A") is authorized to enter into contracts to provide infrastructure development grants in conjunction with the construction of affordable housing projects, and

WHEREAS, an applicant was submitted to the H.F.A. for an affordable housing project known as Maryvale Elderly Housing Phase II, and

WHEREAS, the H.F.A. has approved a grant in the amount of \$423,500 for the Maryvale Elderly Housing Phase II project, and

WHEREAS, pursuant to the grant agreement, the Town of Cheektowaga is designated as the grantee, and

WHEREAS, by letter dated December 11, 1989, the H.F.A. stated that it and Chase Lincoln Bank would assume the obligations of the Town for the administration, disbursement and oversight of the project, and

WHEREAS, this arrangement and the terms of the Grant Agreement are acceptable to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the Grant Agreement (IDDP No. 77-A038-0) between the H.F.A. and the Town and authorizes and directs the Supervisor to execute such agreement, and BE IT FURTHER

RESOLVED that this Town Board hereby approves the terms of the December 11, 1989, letter from the H.F.A. and authorizes and directs the Supervisor to execute such letter of agreement.

Upon Roll Call....

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

Item No. 40 Motion by Councilman Solecki, Seconded by Councilman Johnson

WHEREAS, by Town Board resolution dated February 4, 1985, a Special Permit for an automotive wrecking and storage operation on property located at 2977 Broadway was granted to Lawrence LaPaglia, Sr. for that portion of 2977 Broadway enclosed by an eight foot stockade fence subject to the following conditions:

Item No. 40 cont'd

1. Applicant use only the fenced-in area for storage of his automobiles.
2. Only customer parking be allowed on the Broadway frontage of the parcel.
3. Applicant supply a ten foot green landscaped area along the entire Broadway frontage to Ludwig Avenue.
4. Applicant rid the lot of junk cars, salvage and wreckage within 2 years.

and

WHEREAS, the Town Supervising Building and Plumbing Inspector notified this Town Board that Mr. LaPaglia did not comply with the February 4, 1985, Special Permit conditions and recommended that such Special Permit be rescinded, and

WHEREAS, after due notice, this Town Board held a hearing on December 18, 1989, in the Town Hall Council Chambers and gave Mr. LaPaglia and other interested parties the opportunity to comment on this matter, and

WHEREAS, after due deliberation and investigation, this Town Board has determined that Mr. LaPaglia has not complied with the following conditions from the February 4, 1985, resolution approving the Special Permit for an automotive wrecking and storage operation at 2977 Broadway:

1. Condition No. 1 stated above
2. Condition No. 3 stated above
3. Condition No. 4 stated above
4. Condition that the operation be limited to only that area enclosed by an eight foot stockade fence.

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby finds that Lawrence LaPaglia, Sr. has not complied with the conditions mentioned above and thus rescinds the Special Permit granted him on February 4, 1985, for 2977 Broadway, and BE IT FURTHER

RESOLVED that Lawrence LaPaglia be and hereby is directed to cease using 2977 Broadway for an automotive wrecking and storage operation immediatley, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Lawrence LaPaglia, Sr.,
, Williamsville, New York 14221 and the New York State Thruway Authority.

Upon Roll Call....

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

Item No. 41 Motion by Supervisor Swiatek, Seconded by Councilman Kulyk to adjourn this meeting to Friday, December 29, 1989 at 5:30 P.M.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At an adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 29th day of December, 1989 at 5:30 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; Chester Bryan, Town Engineer; Terry Rusin, Director of Administration & Finance (Provisional).

I. FROM THE TABLE

Item No. 2 Motion by Councilman Johnson, Seconded by Councilman Solecki

RESOLVED that a resolution adopted on December 18, 1989 regarding designating Buell Avenue as a dead-end street be amended to include:

"Road be closed and gates installed not later than January 15, 1990 and funds be appropriated by January 1, 1990.

Upon Roll Call....

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

II. RESOLUTIONS

Item No. 3 Motion by Councilman Johnson, Seconded by Councilman Kulyk

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 15, 1990 at 7:30 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 January 1990, 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 January 15, 1990 at 7:30 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:

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

Scott Benson
....., 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 04 1990 ;
last publication..... JAN 04 1990 ;
and that no more than six days intervened be-
tween publications.

Scott Benson
.....

JAN 04 1990

Sworn to before me this

day of, 19.....

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, 1991

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 15, 1990 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street—Ellen Drive

Direction—East-west

Entrance Street—Virginia Road

Traffic Stops—Northbound

Sign Location—S. E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following

B. No parking anytime

PEACHTREE ROAD

North side

from the west curbline of Pendennis

Place westerly 40 feet to a point

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

PEACHTREE ROAD

North side

from the west curbline of Pendennis

Place westerly 25 feet to a point

D. No standing here to corner

PINE RIDGE TERRACE

East side

from the north edge of the driveway

at number 7 Pine Ridge Terrace north-

erly to the south curbline of Genesee

Street

BY ORDER OF THE TOWN

BOARD OF THE TOWN OF

CHEEKTOWAGA, ERIE COUNTY,

NEW YORK

Dated: December 29, 1989

RICHARD M. MOLESKI

Town Clerk

PUBLISH: January 4, 1990

Item No. 4 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of furniture and equipment for the Town Hall Council Chambers, which bids were duly received and opened at a public bid opening called for that purpose, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of furniture and equipment for the Town Hall Council Chambers be awarded to:

JLN Business Interiors
200 Oak Street
Buffalo, New York 14203

for their bid in the amount of \$53,499.00, said bid being the lowest bid meeting the requirements of the specifications, said amount being charged to account Nos. 05-1625-8811-1106 and 05-1910-8908-1204.

Upon Roll Call....

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

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

WHEREAS, Erie County has the second greatest number of fixed site chemical facilities of any county in New York State as identified in the Superfund amendments reauthorization Act of 1986, and

WHEREAS, there is a tremendous amount of chemical being transported through Erie County, particularly by rail and truck to and from these facilities, and

WHEREAS, due to the United States/Canadian Free Trade Agreement and the ever increasing use of chemicals in our society, the volume of chemical being transported through Erie County will continue to grow, and

WHEREAS, accidents involving hazardous materials are much more likely to occur in transportation than at fixed site locations; and

WHEREAS, there are few if any regulations, that prohibit the common transportation of chemicals which, if fixed together, are volatile, flammable, explosive and highly dangerous, and

WHEREAS, residents of Erie County may be at risk due to the common transportation of incompatible chemicals, NOW, THEREFORE, BE IT

RESOLVED that this Town Board requests the New York State Legislature to enact legislation that would prohibit the common transportation of incompatible chemicals which may pose a great threat to public health and safety when they are mixed together during a transportation accident, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be sent to Assemblyman Paul Tokasz and Senator Dale M. Volker.

Upon Roll Call....

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

Item No. 6 Motion by Councilman Johnson, Seconded by Councilman Solecki
Councilman Jaworowicz

WHEREAS, this Town Board, in its concern for potential flood impacts in the southeast section of the Town of Cheektowaga, had directed the Town Engineer

Item No. 6 cont'd

to submit an engineering proposal for the revision of the southeast section Official Drainage Maps so as to address itself to changed conditions since the original mapping and to provide guidance for ongoing and future development, and

WHEREAS, the Town Engineer has submitted an engineering proposal which proposal addresses itself to the concerns of this Town Board in providing for development in accordance with the storm water management plan, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc. as submitted to the Town Engineer and dated December 27, 1989, and as recommended by the Town Engineer be and hereby is approved and accepted, and BE IT FURTHER

RESOLVED that the cost of said official map revision including surveying and preliminary designs of drainage systems in the amount of \$39,700.00 is to be charged to revenues produced from a previously approved 1989 Bond resolution, Project 8905, for \$351,500.00 total authority subject to final review by the Accounting and Legal Departments, as well as Bond Counsel for the Town, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be authorized and directed to sign said agreement with Nussbaumer & Clarke, Inc. for such professional services.

Upon Roll Call....

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

Item No. 7 Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, by resolution dated December 18, 1989, this Town Board directed the Town Superintendent of Highways to properly post and maintain Buell Avenue as a dead-end highway at the northerly property line of 123 Buell Avenue and to establish a gate at such location, and

WHEREAS, it is necessary to appropriate moneys for the purchase and installation of a gate at the dead-end location, and

WHEREAS, informal estimates indicate that a sliding/locking gate at such location would cost approximately \$3,140.00, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the expenditures of up to \$4,000.00 for the purchase and installation of a sliding/locking gate at the aforementioned dead-end of Buell Avenue, and BE IT FURTHER

RESOLVED that funds for such fence and installation shall be appropriated from the Highway Fund, line item 03.5110.4185.

Upon Roll Call....

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

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

WHEREAS, by resolution adopted on December 18, 1989, this Town Board determined that public health, safety and welfare necessitated the dead-ending of Buell Avenue at the northerly property line of premises known as 123 Buell Avenue, Cheektowaga, New York, NOW, THEREFORE, BE IT

Item No. 8 cont'd

RESOLVED that the Town Engineer and Town Superintendent of Highways submit a report to this Board covering the acquisition of land necessary for a turn-around at the dead-end of Buell Avenue, along with its design, construction and all costs and expenses associated with same.

* * * * *

MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN SOLECKI TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

and the amended resolution is as follows:

* * * * *

Motion by Councilman Johnson, seconded by Councilman Solecki

WHEREAS, by resolution adopted on December 18, 1989, this Town Board determined that public health, safety and welfare necessitated the dead-ending of Buell Avenue at the northerly property line of premises known as 123 Buell Avenue, Cheektowaga, New York, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer and Town Superintendent of Highways submit a report to this Board covering the acquisition of land necessary for a turn-around at the dead-end of Buell Avenue, along with its design, construction and all costs and expenses associated with same, and BE IT FURTHER

RESOLVED that Assemblyman Paul Tokasz and Senator Dale Volker be and hereby are notified that the Town is interested in acquiring a portion of State owned property to the west of the location of the dead-end for Buell Avenue, opposite #123 Buell and are requesting to intercede on behalf of the Town to effectuate the Town acquisition of a portion of the state property adjacent to Buell Avenue.

Upon Roll Call....

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

Item No. 9 Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

WHEREAS, the town has received and evaluated numerous proposals for renewal of its Group Life Insurance Program, and

WHEREAS, it has been recommended that the Town contract for its Group Life Insurance with Security Mutual Life Insurance Company of New York through the Ben Hoey Agency, and

WHEREAS, by contracting for Group Life Insurance with Security Mutual Life Insurance Company of New York, the Town will realize a savings of 29+%, NOW, THEREFORE, BE IT

RESOLVED that the Group Life Insurance Program for members of the bargaining units represented by the Town of Cheektowaga Employees Association, Town of Cheektowaga Supervisory Unit, and the Town of Cheektowaga Public Safety Dispatchers Association, by contract, and also provided to certain non-bargaining unit employees of the Town, by policy, be and hereby is awarded to Security Mutual Life Insurance Company of New York (Ben Hoey Agency, agent), effective January 3, 1990, at a total estimated monthly premium of \$3,480.75, and BE IT FURTHER

Item No. 9 cont'd

RESOLVED that moneys for such Group Life Insurance Program shall be appropriated from budget line item 01 9010 000 88151.

Upon Roll Call....

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

Item No. 10 Motion by Councilman Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, there is a need in the Youth Bureau for the full-time position of Account Clerk-Typist, and

WHEREAS, the creation of said position is pending approval of the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED that the position of Account Clerk-Typist be and hereby is created, and BE IT FURTHER

RESOLVED that such position be posted for a period of ten (10) work days, in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Upon Roll Call....

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

Item No. 11 Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, James Miranda has used all his accumulated time as of December 14, 1989, and

WHEREAS, he is currently under doctor's care and unable to return to work, and

WHEREAS, he has requested extended sick leave, pursuant to the provisions of the Town's agreement with the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED that James Miranda is hereby granted extended sick leave of ten (10) days, pursuant to §8.02(e) of the Town of Cheektowaga Employees Association Agreement, which days are to be repaid to the Town upon his return to work; said extension to be retroactive to December 15, 1989.

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

ADJOURNED MEETING NO. 30
December 29, 1989

Item No. 12 cont'd

GENERAL FUND

FROM:	9010-08-8111	(Police Retirement)	\$ 44.35
	9010-08-8111	(Police Retirement)	1,000.00
	3020-02-2515	(Police-Asset Forfeiture)	5.00
	3120-02-2211	(Police-Asset Forfeiture)	421.00
	3120-04-4092	(Police-Asset Forfeiture)	469.90
	3020-01-2516	(Police-Asset Forfeiture)	3.00
	2625-0000	(Forfeiture Revenues)	90.00
	9010-08-8121	(Social Security)	20,000.00
	9010-08-8141	(Medical Insurance)	15,000.00
	7310-04-4683	(Publications-Printing-Youth)	1,000.00
	7310-04-4431	(Equip. Repair)	300.00
	7310-04-4001	(Office Supplies-Youth)	100.00
	7310-04-4685	(Y.E.S. Program)	800.00
	7310-04-4689	(Y.C.C. Program)	45.00
TO:	2625.0000	(Police Forfeiture Revenue)	\$ 44.35
	6410-04-4194	(Publicity-Media)	1,000.00
	3020-02-2514	(Police-Asset Forfeiture)	114.40
	3020-02-2517	(Police-Asset Forfeiture)	8.65
	3120-02-2205	(Police-Asset Forfeiture)	6.81
	3120-02-2500	(Police-Asset Forfeiture)	10.00
	2625-0000	(Forfeiture Revenues)	759.04
	9950-08-1989	(Transfer to Capital)	20,000.00
	9950-08-1989	(Transfer to Capital)	15,000.00
	7310-02-2501	(Other Equipment-Youth)	2,200.00
	7310-04-4201	(Telephone-Youth)	45.00

SPECIAL DISTRICT FUND

FROM:	8125-04-4958	(Delevan Pump Sta. Recon. & Capital)	\$50,000.00
	8135-04-4453	(Bldg. Repairs-Main Pump Sta.)	1,500.00
TO:	8125-09-9950	(Transfer to Capital)	\$50,000.00
	8135-04-4581	(Consulting Services)	1,500.00

HIGHWAY FUND

FROM:	9010-08-8131	(Employees Workers Comp. Highway)	\$ 4,000.00
TO:	5110-04-4185	(Barricades, blocks, Misc. Highway)	\$ 4,000.00

CAPITAL FUND

FROM	5031-8811-0000	(Interfund Transfer-In)	\$35,000.00
	5031-8823-0000	(Interfund Transfer-In)	50,000.00
TO:	1625-8811-0400	(Architect-Alexander St. School)	\$35,000.00
	8125-8823-1103	(T.V. Van)	50,000.00

PART TOWN FUND

FROM:	8020-01-1394	(Planning Secretary)	\$ 200.00
	4010-04-4028	(Board of Health)	50.00
TO:	8020-04-4192	(Other Exp. - Planning)	\$ 200.00
	8020-04-4192	(Other Exp. - Planning)	50.00

GENERAL FUND

FROM:	7620-04-4682	(Food Dis. Program-Senior Ser.)	\$ 3,089.00
	7620-04-4491	(Spec. Events-Senior Services)	911.00
TO	7310-02-2501	(Other Equip. Youth)	\$ 4,000.00

ADJOURNED MEETING NO. 30
December 29, 1989

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 Councilman Johnson, Seconded by Councilman Kazukiewicz
to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk