

MEETING NO. 21
October 1, 1990

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of October, 1990 at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Director II; also, Planning Board Chairman; Bruce Chamberlin, Chief of Police; Chester Bryan, Town Engineer; Gregory Joos, Coordinator of Employee Relations, Ronald Marten, Building and Plumbing Inspector; Thomas Kolbert, Town Justice; John Schaller, Assistant Chief of Police

I. RESOLUTIONS

Item No. 2 Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, this Town Board held a public hearing on September 17, 1990 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 X

Parking, Standing and Stopping

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

B. No parking anytime

BUELL AVENUE	East Side	from the north property line of No. 123 Buell Avenue to the south property line of No. 123 Buell Avenue
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Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a

Item No. 2 continued

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 the 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 Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK }
COUNTY OF ERIE }

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

1. Aregular..... 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
onOctober 1..... 19⁹⁰....., and minutes of said meeting have been
duly recorded in the Minute Book by me in accordance with law for the purpose of
recording the minutes of meetings of said Board, and such minutes appear at item
.....2....., inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed
the corporate seal of said Town, this.....1st..... day ofOctober.....,
19⁹⁰...

Richard M. Moleski

.....
Town Clerk

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

Melanie Wolf, 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 4, 1990;
last publication Oct 4, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
4th
Sworn to before me this
day of October, 19 90
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 1st day of October, 1990 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by: Councilman Rogowski
Seconded by Councilman Blachowski

WHEREAS, this Town Board held a public hearing on September 17, 1990 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 X

Parking, Standing and Stopping

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

B. No parking anytime

BUELL AVENUE, East side, from the north property line of No. 123 Buell Avenue to the south property line of No. 123 Buell Avenue

Section 2. Time to take effect.

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

(b) Any part or parts of these amendments which are subject to approval

under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

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

Section 4. Publication.

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

Upon roll call...

Supervisor Swiatek Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE
Councilman Blachowski 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 October 1, 1990, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 2, inclusive, of said book.

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

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

LEGAL NOTICES

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of October, 1990.

RICHARD M. MOLESKI

TOWN CLERK

PUBLISH: October 4, 1990

MEETING NO. 21
October 1, 1990

Item No. 3a Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, the Town is in the process of selling \$3,260,500 Various Purposes Serial Bonds, and

WHEREAS, the Town is in need of a financial institution to serve as registrar and paying agent for the issuance of such serial bonds, and

WHEREAS, Citibank, N.A. has offered to provide such services to the Town pursuant to the attached agreement, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Registrar, Paying Agent and Transfer Agent Agreement with Citibank, N.A.

*SEE NEXT PAGES FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0
ABSTAINED: Councilman Gabryszak

RECEIVED

OCT 17 1990

FRANK E. SWIATEK
SUPERVISOR

REGISTRAR, PAYING AGENT AND TRANSFER AGENT AGREEMENT ("Agreement") dated as of October 1, 1990 between Town of Cheektowaga, New York ("Town of Cheektowaga, New York") and Citibank, N.A., (the "Bank") a national banking association incorporated and existing under the laws of the United States of America as Registrar, Paying Agent and Transfer Agent (the "Agent").

For and in consideration of the mutual promises, covenants, conditions and agreements hereinafter set forth, the parties do agree as follows:

1. Bonds Issuable. Town of Cheektowaga, New York may issue its anticipated \$3,260,500 Town of Cheektowaga, New York Various Purposes Serial Bonds - 1990 Issue which is to have the benefit of this Agreement.

2. The Agent. Town of Cheektowaga, New York hereby appoints the Bank registered as Transfer Agent with the Securities and Exchange Commission, as the Agent of the Town for the Bonds, upon the terms and subject to the conditions herein set forth and in the Bank's Proposal attached hereto as Exhibit A and by reference fully incorporated herein. The Bank, and its successors as such agent are hereinafter called the Agent. In all matters relating to this Agreement and the Bonds, the Town shall be represented by Town of Cheektowaga, New York acting within Town of Cheektowaga, New York's powers and responsibilities; the Agent may also consult with Town of Cheektowaga, New York's financial advisor and bond counsel.

3. Authentication. The Agent shall, upon delivery to it by Town of Cheektowaga, New York of the Bonds, duly signed on behalf of Town of Cheektowaga, New York as provided therein, and upon receipt of evidence reasonably satisfactory to it of the due authorization by Town of Cheektowaga, New York of the terms and the form of the Bonds, (i) authenticate and, as required by the text of the Bonds, register such bonds in an aggregate principal amount specified in the text of the Bonds and deliver them to or on the written order of Town of Cheektowaga, New York and (ii) thereafter authenticate and, as required by the text of the Bonds, register Bonds and deliver them in accordance with the provisions therein or herein set forth.

4. Form. (a) The text of the Bonds delivered to the Agent for authentication on original issuance pursuant to Section 3 of this Agreement shall establish (i) the designation of the Bonds, (ii) any limit upon the aggregate principal amount of the Bonds which may be authenticated and delivered under this agreement (except for Bonds authenticated and delivered upon registration of transfer of, or in exchange for Bonds), (iii) the date or dates on which the principal of and premium, if any, on the Bonds is payable (iv) the rate or rates, if any, at which the

Bonds shall bear interest, the date or dates from which such interest shall accrue, the dates on which such interest shall be payable and the record dates for the determination of holders of the Bonds to whom interest is payable, (v) the place or places where the principal of and premium, if any, and interest, if any, on the Bonds is payable, (vi) the price or prices at which, the period or periods within which and the terms and conditions upon which Bonds may be redeemed, in whole or in part, at the option of Town of Cheektowaga, New York or otherwise, (vii) the obligation, if any, of Town of Cheektowaga, New York to redeem, purchase or prepay Bonds pursuant to any sinking fund or analogous provisions and the price or prices at which and the period and periods within which and the terms and conditions upon which Bonds shall be redeemed, purchased or prepaid, in whole or in part, pursuant to such obligation, (viii) the denominations in which Bonds shall be issuable, (ix) any covenants or agreements of Town of Cheektowaga, New York and events which would give rise to the right of holders of the Bonds to accelerate the maturity of such Bonds, (x) the percentage of their principal amount at which the Bonds shall be issued (in case of deep discount of zero interest Bonds) and (xi) all other terms of the Bonds (which terms shall not be inconsistent with the provisions of this agreement). The terms and the form of the Bonds shall be established by such procedures of Town of Cheektowaga, New York as may be required to authorize such Bonds.

(b) Bonds to be issued in registered form will be issuable in the denominations specified in the text of the Bonds. The Bonds may also have such additional provisions, omissions, variations as are not inconsistent with the provisions of this Agreement and may have such letters, numbers or other marks of identification and such legends or endorsements placed thereon as may be required to comply with any law or with any rules made pursuant thereto or with the rules of any bonds exchange, tax authority, or governmental agency or as may, consistently herewith, be determined by the officers executing such Bonds. All Bonds of a particular series shall be substantially identical except as to denomination, maturity and interest rate and as otherwise provided herein.

5. Register. (a) The Agent will keep at the Municipal Registrar and Paying Agency office of the Agent, in the Borough of Manhattan, in the City of New York, State of New York, a register for each series of Bonds for the registration, transfer and exchange of Bonds which shall be open, during normal business hours. Upon surrender at such office for transfer of any registered Bond, the Agent shall authenticate and deliver, within three days, in the name of the transferee or transferees a new registered Bond or Bonds for a like aggregate principal amount. Upon surrender of any Bond at such office for exchange, the Agent shall authenticate and deliver (or reissue pursuant to the provisions of Paragraph 12 of this Agreement) in exchange for such Bond, a Bond or Bonds of the appropriate form or denominations and for a like aggregate principal amount. Such

transfers and exchanges shall be subject to such restrictions as shall be set forth in the provisions of the Bonds. All new Bonds authenticated and delivered by the Agent upon transfer or in exchange for Bonds or other forms or denominations shall be so dated, that neither gain nor loss of interest shall result from such transfer or exchange. All registered Bonds presented or surrendered for transfer, redemption and prepayment, exchange or payment shall (if so required by Town of Cheektowaga, New York or the Agent) be duly endorsed in form satisfactory to Town of Cheektowaga, New York or the Agent, duly executed by, the registered holder and his attorney duly authorized in writing.

(b) Service Charges. No service charge shall be made against the holder for any such transfer or exchange of Bonds unless otherwise provided by the provisions of the Bonds. A nominal service charge shall be made against the holder for reimbursement of expenses for handling inquiries or investigations relating to interest claim verifications. The holder will be notified of such charge at the time of making inquiry or requesting an investigation.

6. Mutilated or Lost Bonds. In case any Bond shall be mutilated, destroyed, stolen or lost, upon receipt and cancellation by the Agent or the mutilated Bond or receipt of proof, satisfactory to both Town of Cheektowaga, New York and the Agent in their discretion, of the destruction, theft or loss of the Bond, and upon receipt by them of indemnity satisfactory to both of them in their discretion, Town of Cheektowaga, New York shall sign a new Bond of like tenor as such Bond (pursuant to the provisions of Paragraph 12 of this Agreement) in exchange for the mutilated bond or in substitution for the destroyed, stolen or lost Bond; provided, however, that such authentication and delivery shall be subject to such restrictions as shall be so dated, that neither gain nor loss in interest shall result from such exchange or substitution. All expenses associated with procuring such indemnity shall be borne by the owner of the Bond mutilated, destroyed, stolen or lost.

7. Payment. (a) Town of Cheektowaga, New York shall deposit in immediately available funds to the Agent, one day advanced funds prior to principal and interest payment dates, all amounts becoming payable on the Bonds for interest, if any, principal and premium, if any, including any amounts for redemption and prepayment of the Bonds as provided therein, and Town of Cheektowaga, New York hereby authorizes and directs the Agent, from the funds so paid to it, to make or cause to be made payment of interest, if any, principal and premium, if any, on the Bonds, as set forth therein. Any funds so paid to the Agent shall be held by it in trust fully collateralized for a reasonable period. All funds remaining unclaimed for a period of two years from the respective due date shall be returned upon request to State of New York and upon such payment, the aforesaid trust with respect to such funds shall terminate and all liability of the Agent with respect thereto shall cease.

However, a bondholder claim incurred for interest or principal associated with such funds shall be promptly honored upon presentation by the bondholder. Town of Cheektowaga, New York shall reimburse the Agent immediately upon invoice.

8. Mandatory and Optional Redemption. (a). In case of Bonds which provide for early redemption, the provisions set forth in the Bonds shall apply. The Agent agrees to perform the duties assigned to it in the Bonds with respect thereto and, on behalf of Town of Cheektowaga, New York, to give notice with respect thereto set forth in the Bonds.

(b) At least 60 days prior to each date fixed for the redemption and prepayment of the Bonds, Town of Cheektowaga, New York shall notify the Agent in writing as to the principal amount of the Bonds to be redeemed and prepaid on such date.

9. Jurisdiction of Court. The jurisdiction of the State of New York shall extend to any dispute between a holder of a Bond and Town of Cheektowaga, New York.

10. Successor Agent. (a) Town of Cheektowaga, New York agrees, for the benefit of the holders from time to time of the Bonds, that there shall at all times be an Agent hereunder until all the Bonds are no longer outstanding and that the Agent shall be a bank or trust company organized and doing business under the laws of the United States of America or one of the states thereof and authorized under such laws to exercise trust powers; provided, however, Town of Cheektowaga, New York reserves the right to act as its own registrar, paying agent or transfer agent and need not comply with the requirements of this paragraph.

(b) Resignation. The Agent may, after mutual written agreement with Town of Cheektowaga, New York, resign as such agent. Its resignation shall not become effective less than sixty (60) days after such mutual agreement is reached unless Town of Cheektowaga, New York shall agree to a shorter period. Town of Cheektowaga, New York may terminate the agent at any time by giving written notice to the Agent specifying the date on which such removal shall become effective.

(c) Appointment of Successor. Prior to the effective date of any such resignation or removal of the Agent, or if the Agent shall become unable to act as such or shall cease to be qualified as aforesaid, Town of Cheektowaga, New York shall appoint a successor Agent, qualified as aforesaid. Upon the appointment of a successor Agent and its acceptance of such appointment, the retiring Agent, shall at the direction of Town of Cheektowaga, New York and upon payment of its compensation and expenses then unpaid, deliver and pay over to its successor any and all bonds, money and any other properties then in its possession as Agent and shall thereupon cease to act hereunder.

11. Limit on Liability. (a) The Agent shall not be responsible or accountable to anyone, either by reason of its authentication of any Bond or for any other reason whatsoever, with respect to the validity of this Agreement or of the Bonds, or for any act done or omitted by it in good faith, or for anything whatever in connection with this Agreement, except for its own misconduct or failure to exercise reasonable care in the performance of any duty to be performed by the Agent hereunder.

(b) Conflict of Interest. The Agent may become a creditor directly or indirectly, of Town of Cheektowaga, New York, New York or any of its institutions or agencies, make any loan or loans thereto, hold any form of indebtedness thereof (including the Bonds), own, accept or negotiate any drafts, bills of exchange, acceptances or obligations thereof, make disbursements therewith without limitation, all without any liability for any real or apparent conflict of interest by reason of any such dealing.

(c) Signatures. Unless herein otherwise specifically provided, any order, notice, request or other instrument of Town of Cheektowaga, New York, New York made or given by it under any provision of this Agreement shall be sufficient if signed in accordance with any list of authorized signatures of Town of Cheektowaga, New York, New York which shall be furnished by it to the Agent and as to which the Agent shall not have received written notice of the rescission thereof, or by any other member or official of the Town who shall have been designated in writing in accordance with such list. The Agent shall be fully justified and protected in relying and acting upon any such instructions received by it and signed in the manner provided in the preceding sentence, or upon the advice of counsel, who may be counsel for Town of Cheektowaga, New York, New York and shall be satisfactory to the Agent, and shall be fully justified and protected and relying and acting upon and dealing with any Bond, assignment, power of attorney, certificate, order, instruction, notice or other instrument or paper reasonably believed by the Agent to be genuine and duly authorized and properly executed.

(d) Indemnification. Town of Cheektowaga, New York, New York shall indemnify the Agent against any loss or liability and pay or reimburse the Agent for any reasonable expenses (including counsel fees) which may be incurred by the Agent by reason of, or in connection with, the Agent's appointment and duties as Agent, except such as shall result from the Agent's own negligence or misconduct.

(e) Reimbursement and Compensation. Town of Cheektowaga, New York, New York shall pay or reimburse the agent for any reasonable out-of-pocket expenses (including counsel fees) which may be incurred by the Agent by reason of, or in connection with, the Agent's appointment and duties as Agent, except such shall result from the Agent's own negligence or misconduct. As compensation for the Agent's appointments and duties as Agent

aforesaid, Town of Cheektowaga, New York, New York will pay the Agent in accordance with Citibank's Official Proposal Form. Attached hereto is Exhibit A which provides for an Acceptance and Original Issuance Fee of \$300.00 and an Annual Fixed Fee of \$300.00.

12. Destruction or Reissuance. All Bonds paid, redeemed, prepaid or otherwise retired, all mutilated Bonds surrendered in exchange for other Bonds, all Bonds in exchange for other Bonds pursuant to any of the provisions of this Agreement, shall be cancelled, microfilmed and destroyed by the Agent (in the presence of a representative of Town of Cheektowaga, New York, if Town of Cheektowaga, New York shall so require). The Agent shall deliver a certificate of any such destruction pursuant to this Paragraph 12 to Town of Cheektowaga, New York; or, in lieu of destroying such cancelled Bonds, the Agent upon written request by Town of Cheektowaga, New York, shall deliver the cancelled Bonds to or upon order of Town of Cheektowaga, New York,

13. Forwarding of Notices. If the Agent shall receive any notice or demand addressed to Town of Cheektowaga, New York by the holder of a Bond pursuant to the provisions of the Bonds, the Agent shall promptly forward such notice or demand to Town of Cheektowaga, New York.

14. Amendments. This Agreement may be amended by the parties hereto, without the consent of the holder of any Bond, for the purpose defective provision contained herein, or of adding additional Bonds which may be issued and sold in accordance with the terms hereof, or in regard to the matters or questions arising under this Agreement as the Town may deem necessary or desirable and which shall not adversely affect the interest of the holders of the Bonds.

15. Addresses. Any communications from Town of Cheektowaga, New York to the Agent with respect to this Agreement shall be addressed to Citibank, N.A., Municipal Trust and Agency Services, P.O. Box 1154, 20 Exchange Place, 16th Floor, Wall Street Station, New York, N.Y. 10268, and any communications from the Agent to Town of Cheektowaga, New York with respect to this Agreement shall be addressed to Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

16. Governing Law and Counterparts. This Agreement shall be governed by, and interpreted in accordance with, the laws of the State of New York. This Agreement may be executed in two counterparts and shall become effective when each of the parties hereto has signed one of such counterparts.

17. Confidentiality. The Agent shall keep bond registration records confidential and shall not open them to public inspection. Access to records shall be available to Town of Cheektowaga, New York as requested in writing by Town of Cheektowaga, New York.

18. Affirmative Action. The Agent, in performing under this Agreement, shall not discriminate against any worker, employee or applicant, or any member of the public, because of race, creed, color, religion, sex or national origin, nor otherwise commit an unfair employment practice. The Agent shall take affirmative action to ensure that applicants are employed, and that employees are dealt with during employment without regard to their race, creed, color, religion, sex or national origin. Such action shall include, but not limit to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; compensation; and selection for training, including apprenticeship. The Agent further agrees that this clause will be incorporated in all subcontracts entered in connection with this Agreement.

The Agent accepts its obligations herein set forth, upon the terms and conditions hereof, to all of which Town of Cheektowaga, New York agrees and to all of which the rights hereunder of the holders from time to time of the Bonds shall be subject.

IN WITNESS WHEREOF, the parties hereto have executed this Agency Agreement as of the date for above written.

Attest:

by: Kevin D. Schenk

Attest:

by: Alice H. Shaw
ALICE H. SHAW
Manager.

Town of Cheektowaga,
New York

by: Frank E. Smith

Citibank, N.A., Agent

by: Joseph A. Mosca
JOSEPH A. MOSCA
Vice President

MEETING NO. 21
October 1, 1990

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

BE IT RESOLVED, that the Supervisor be and hereby is authorized to sign the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

*SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

In an adjustment of wage schedules to reflect the duties and skills in driving and operating motor equipment, Appendices "B" and "C" are amended as per the following:

APPENDIX "B" 1990

	<u>START</u>	<u>12 MO.</u>	<u>18 MO.</u>	<u>2 YRS.</u>
Equipment Maintenance Man (Welder)	11.735	12.172	12.609	13.195
Auto Body Repair	11.735	12.172	12.609	13.195

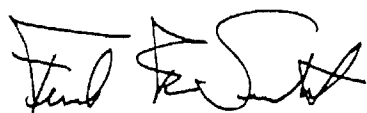
This change is a \$0.20 an hour increase in the second year amount only, and makes these two positions on par with the Auto Mechanic classification. The amendment in Appendix "C" will reflect an \$0.216 an hour increase in the top wage only.

APPENDIX "C" 1991

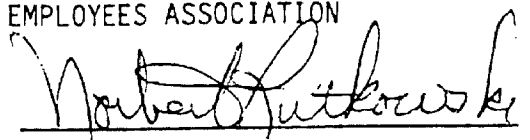
	<u>START</u>	<u>12 MO.</u>	<u>18 MO.</u>	<u>2 YRS.</u>
Equipment Maintenance Man (Welder)	12.321	12.780	13.239	13.860
Auto Body Repair	12.321	12.780	13.239	13.860

Such amended schedules shall be effective as of October 1, 1990. This change will have a "roll-up" effect from the five (5%) percent general increase previously agreed upon in the contract extension through the year 1992.

TOWN OF CHEEKTOWAGA



TOWN OF CHEEKTOWAGA
EMPLOYEES ASSOCIATION



Dated: OCT 2 '90

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

WHEREAS, there is presently no permanent library in the south end of the Town of Cheektowaga, and

WHEREAS, in 1984, a store front library was opened in the French Road/Kelly Drive area of Town, and

WHEREAS, such store front library has proven to be an outstanding success, as is shown by the large circulation rate at such library, and

WHEREAS, in 1988, a feasibility study prepared on behalf of the Town determined that there was a need for a permanent library in the south end of the Town, and

WHEREAS, the County of Erie, through tax foreclosure, became the owner of property located at 830 Borden Road (former Tree Pickle Works Plant), and

WHEREAS, the building and property at 830 Borden Road have been in a state of disrepair and have become an eyesore and public safety hazard for the community, and

WHEREAS, this Town Board and the Board of Trustees of the Cheektowaga Public Library feel that 830 Borden Road would be an ideal location for a permanent library since this property is surrounded by residential development and would attract a large number of Town residents, and

WHEREAS, by utilizing this property for a public library, an eyesore and safety hazard would be removed, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the Erie County Legislature to transfer 830 Borden Road to the Town of Cheektowaga for a nominal consideration for the use of such property as a location for a permanent library, and BE IT FURTHER

RESOLVED, that the Town Clerk be directed to forward copies of this resolution to County Legislator Raymond Dusza, County Executive Dennis T. Gorski and to the Clerk of the County Legislature.

* * * * *

MOTION BY COUNCILMAN ROGOWSKI, SECONDED BY COUNCILMAN JAWOROWICZ
TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

Motion by Councilman Jaworowicz, Seconded by Supervisor Swiatek
Councilman Gabryszak

WHEREAS, there is presently no permanent library in the south end of the Town of Cheektowaga, and

WHEREAS, in 1984, a store front library was opened in the French Road/Kelly Drive area of Town, and

WHEREAS, such store front library has proven to be an outstanding success, as is shown by the large circulation rate at such library, and

WHEREAS, in 1988, a feasibility study prepared on behalf of the Town determined that there was a need for a permanent library in the south end of the Town, and

Page: 2

property and will be also considering the moving of the building forward to accomodate the fifty foot top of bank setback for the Town Engineer. The movement of the building will necessitate a variance from the Zoning Board of Appeals for front yard setback.

The Planning Board Chairman indicated that should the site plan change especially with the acquisition of additional property a re-submittal must be made to the Planning Board for their landscaping approval.

ITEM III 999 Rein Road

- Proposed Rezoning for
Outside Storage

Applicant: Erie Painting and Maintenance, Inc.

Determination: Tabled.

New plans were submitted to the committee and although they met with general approval, the applicant was informed to make changes to them.

Changes must include a better drainage information as well as pipe sizes, topographical elevations, and which areas will be paved.

The driveway widths must also be better defined and it was suggested that the two large driveways one on Pfohl and one on Rein be reduced in size to approximately twenty five to thirty foot in width. In conjunction with the driveway narrowing and location of parking spaces, the applicant was informed that additional landscaping must be included in the redesign.

ITEM IV Innsbruck

- Proposed 45,000 Sq. Ft. Warehouse Manufacturing Facility

Applicant: Perfect Fit Glove Company

Determination: Non-significant with conditions.

The proposed use of the site is consistent with development of the industrial park. All manufacturing and storage will be inside the building and the applicant has indicated the willingness to provide a pleasant looking building. The developer of the industrial park has agreed to extend the length of Innsbruck Drive which will allow the cul-de-sac to be located closer to the proposed building. This will reduce the length of the driveway and provide better access for all the parcels fronting the cul-de-sac.

47 • ON • INC.

The conditions are as follows:

- ° The Planning Board must approve landscaping.
- ° Drainage must be finalized with the Town Engineer, and easement granted to the Town, should this be necessary, to the specifications of the Town Engineer.

ITEM V 3412 Broadway - Proposed Rezoning for
Construction/Storage Yard

Applicant: W. Nunz/ Lake Steel

Determination: Non-significant.

The applicant has submitted a new plan and drainage for the site has been approved by the Town Engineer. Additional landscaping has been placed in front of the existing facility as well as the new expansion storage area. The Planning Board will be reviewing the plan at their meeting of September 13, 1990, at which time additional trees or shrubs may be requested.

The proposal will require the review by the Zoning Board of Appeals for Variances on fencing height and non-impervious surface for the storage area.

ITEM VI 760 Dick Road - Proposed Rezoning for a
32,000 Sq. Ft.
Distribution Center

Applicant: Bob Alonzo

Determination: Tabled.

The applicant is proposing to rezone approximately three acres of property along Dick Road to construct a 32,000 square foot Distribution Center for approximately six different tenants. The site includes bermed, landscaping areas with trees along the perimeter of the property, drainage which will be to a detention basin located at the rear. This drainage system is still under design and will be submitted to the Town Engineer soon as it is ready.

The applicant is also in the process of having the traffic study updated for this particular area of Dick Road. It will be referred to the Traffic Safety Commission for their comments.

The item will remain tabled for public comment and for review of the traffic by the Traffic Safety Commission.

Item No. 4 continued

WHEREAS, the County of Erie, through tax foreclosure, became the owner of property located at 830 Borden Road (former Tree Pickle Works Plant), and

WHEREAS, the building and property at 830 Borden Road have been in a state of disrepair and have become an eyesore and public safety hazard for the community and

WHEREAS, this Town Board and the Board of Trustees of the Cheektowaga Public Library feel that 830 Borden Road would be an ideal location for a permanent library since this property is surrounded by residential development and would attract a large number of Town residents, and

WHEREAS, by utilizing this property for a public library, an eyesore and safety hazard would be removed, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the Erie County Legislature to transfer 830 Borden Road to the Town of Cheektowaga for a nominal consideration for the use of such property as a possible location for a library, or cultural, recreational or residential development and BE IT FURTHER

RESOLVED, that the Town Clerk be directed to forward copies of this resolution to County Legislator Raymond Dusza, County Executive Dennis T. Gorski and to the County Legislature.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

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

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 13, 1990, rendered the determinations shown on the attached memo dated September 14, 1990, 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 14, 1990 memo attached hereto:

Item IV Innsbruck Dr./Perfect Fit Glove Co.

*SEE NEXT PAGES FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 6 Motion by Councilman Blachowski, Seconded by Councilman Rogowski

WHEREAS, October 7-13, 1990 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 7-13, 1990 be and hereby is proclaimed as Fire Prevention Week in the Town of Cheektowaga.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7 Motion by Councilman Rogowski, Seconded by Councilman Solecki

WHEREAS, the State of New York tractor contract has been awarded to Ford New Holland Inc., Ford Tractor Operation Contract P38058, AND

WHEREAS, the Cheektowaga Sewer Maintenance Department requires one (1) Tractor Loader Backhoe, Model 555C, as specified in Item 10 with Option B, for a total cost of \$29,030.00, AND

WHEREAS, funds for said purchase are available from Account #2500-8125-2505, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Sewer Maintenance Department to purchase one (1) Ford New Holland Tractor, Model 555C with Option B at a cost of \$29,030.00 from Ford New Holland Inc., Sales Branch 10, 500 Diller Avenue, New Holland, PA 17557-0903.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the developer of the Edgeport Subdivision has completed the installation of fencing along the east property line of said subdivision and also has completed the installation of a street lighting system on Bert Road consisting of five (5) 5200 lumen high pressure sodium luminaires and related equipment required by the Town of Cheektowaga as part of the subdivision improvements, AND

WHEREAS, the street lighting system has been energized by the Niagara Mohawk Power Corporation and is functioning properly, NOW, THEREFORE, BE IT

RESOLVED, that escrow funds in the amount of \$4500 deposited with the Town to guarantee street lighting installation and escrow funds in the amount of \$5000 deposited with the Town to guarantee fence installation by Castine, Kidawski, Leising & Sharp, Inc. shall be released to the person or persons depositing same from Account #0600-0830, AND, BE IT FURTHER

Item No. 8a continued

RESOLVED, that the lighting system in its entirety shall be owned and maintained by the Town with the Niagara Mohawk Power Corporation furnishing energy only, AND, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga shall not assume any responsibility for the maintenance of the fence which has been installed on private property along the east property line of said subdivision.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

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

WHEREAS, the developer of the Losson Meadows Subdivision, Phase II, has completed the installation of the street lighting system on Baywood Drive, consisting of eight (8) 5200 lumen high pressure sodium luminaires and related equipment, AND

WHEREAS, said street lighting system has been energized by the New York State Electric & Gas Corporation and is functioning properly, NOW, THEREFORE, BE IT

RESOLVED, that escrow funds in the amount of \$6400 deposited by Mr. Leo Piotrowski, Piotrowski Builders, Inc., being held by the Town to guarantee the installation of the subject lighting system, be released to the person depositing same from Account #0600-0830, AND, BE IT FURTHER

RESOLVED, that the lighting system consisting of luminaires, standards and conductors, furnished and installed by the developer, is 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.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 9 Motion by Councilman Rogowski, Seconded by Councilman Blachowski

BE IT RESOLVED that New York State Electric and Gas Corporation be and hereby is authorized to install 2 - 5200 lumen High Pressure Sodium lamps on Poles #30 and #32, Line 457, on Stradtman Road in the Town of Cheektowaga, at an annual increase in the General Lighting District of \$186.66, in accordance with the attached proposal, which is hereby made a part of this resolution.

*SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0



September 20, 1990

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

STRADTMAN ROAD

Install 2 - 5200 lumen HPS lamps @ \$93.33 ea. = \$186.66
Poles 30 & 32 Line 457

ANNUAL INCREASE \$186.66

(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. 21
October 1, 1990

Item No. 10 Motion by Councilman Solecki, Seconded by Supervisor Swiatek

WHEREAS, Chapter 13 of the Code of the Town of Cheektowaga requires that a tree planting fee of \$150.00 be charged to all building permit applicants for residential structures, AND

WHEREAS, Zbigniew Bielinski has made application for a building permit for a two family residence on property located at 688 Cayuga Creek Road which already has an acceptable tree on the premises, NOW, THEREFORE, BE IT

RESOLVED, that the tree planting fee of \$150.00 for the above-captioned building permit is hereby waived.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, a Bond closing for various purposes Serial Bonds will take place in New York City on Monday, October 22, 1990, and

WHEREAS, it is necessary that the Town Clerk, Richard M. Moleski, and the Town Supervisor, Frank E. Swiatek, attend such closing and deliver the Serial Bonds to New York City, NOW, THEREFORE, BE IT

RESOLVED, that Richard M. Moleski and Frank E. Swiatek be and hereby are authorized and directed to attend such bond closing, and BE IT FURTHER

RESOLVED, that their necessary and reasonable expenses be reimbursed by the Town in an amount not to exceed \$600.00 per person, said expenses to be charged to Account No. 01-1910-0004-4082.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 12a Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

BE IT RESOLVED that the below listed individual be terminated from the Adapted Recreation Program (01-7310-0001-1803), effective immediately:

Beth Wood

Cheektowaga, New York 14225

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 12b Motion by Councilman Kulyk, Seconded by Councilman Rogowski

BE IT RESOLVED, that the following Seasonal Employees be and hereby are terminated as listed:

FACILITIES DEPARTMENT

Walter Gardon
Thomas Dukowski
Douglas Daniszewski

EFFECTIVE

Immediately
"
"

Item 12b continued

FACILITIES DEPARTMENT CON'T.

EFFECTIVE

James Dick
David Kosmider
Ronald Sobocinski
William Yetman
Scott Pfeiffer

Immediately
"
"
"
"

COUNCIL OFFICE

Deborah Schugardt

Immediately

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the New York State Office of Fire Prevention and Control will be conducting a "Fire Marshals and Inspectors Seminar" in Montour Falls, New York, on October 16-18, 1990, AND

WHEREAS, Matthew D. Kawczynski and Edward J. Saternus, Fire Inspectors for the Town of Cheektowaga, have requested permission to attend such seminar, AND

WHEREAS, such seminar will provide the Town's Fire Inspectors with up-to-date information and legislation on fire prevention and control and satisfies a State of New York requirement for "in-service" training, NOW, THEREFORE, BE IT

RESOLVED, that Matthew D. Kawczynski and Edward J. Saternus be and hereby are authorized to attend the "Fire Marshals and Inspectors Seminar" on October 16-18, 1990 and BE IT FURTHER

RESOLVED, that the Town pay Mr. Kawczynski's and Mr. Saternus's registration fee of \$20.00 each; lodging costs of \$75.00 each and travel costs not to exceed \$90.00 for both in attending such seminar, and such expenses be charged to account number 08-3620-0004-4088.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Councilman Solecki, Seconded by Councilman Rogowski
Chairman of Sanitation Committee

WHEREAS, the Solid Waste Management Act of 1988 mandates that municipalities enact laws providing for recycling by September 1, 1992, AND

WHEREAS, the Waste Cycle 1990 is holding a conference on October 3 & 4th, 1990, in New York City, New York AND

WHEREAS, it would be beneficial for certain members of the Town Sanitation Department/Recycling Division to attend said conference prior to New York State mandating the adoption of recycling programs in all municipalities, NOW, THEREFORE, BE IT

RESOLVED, that Ronald Zoeller, Sanitation Department General Foreman, be and hereby authorized to attend the Waste Cycle 1990 conference on October 3 and 4th, 1990 in New York City, and BE IT FURTHER

Item No. 13b continued

RESOLVED, that the above-named individual be reimbursed for all necessary and reasonable expenses associated with the conference not to exceed \$750.00 (Account No. 15-8160-0004-4088).

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13c Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has scheduled a one day wrap-up meeting of New York State Conservation Corps programs, BE IT

RESOLVED, that Ellen Fischer, Program Coordinator be authorized to attend said meeting Wednesday, October 17, 1990 and BE IT FURTHER

RESOLVED, that all necessary travel expenses be reimbursed, not to exceed \$250.00 (Account No. 01-1910-0004-4082).

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13d Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, classes with respect to an Employee Assistance Program - Design, Administration and Evaluation for the 1990's will be held every Wednesday, 6-9 P.M., at Canisius College, AND

WHEREAS, topics of said classes will include patterns of alcohol and other drug abuse problems specific to age and job differences, effect on job performance, program design for the 1990's, intervention techniques, evaluating program effectiveness and program expansion considerations, AND

WHEREAS, Gregory Joos, Coordinator of Employee Relations, and Lawrence Kowal, Chief Steward for the Town of Cheektowaga Employees Association, are interested in and have requested to attend said classes, NOW, THEREFORE, BE IT

RESOLVED, that Gregory Joos and Lawrence Kowal be and hereby are authorized to attend said classes and that the tuition of \$225.00 per person be charged to Acct. #0100-1910-4085.

* * * * *

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY COUNCILMAN JAWOROWICZ
TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, classes with respect to an Employee Assistance Program - Design, Administration and Evaluation for the 1990's will be held every Wednesday, 6-9 P.M., at Canisius College, AND

Item No. 13d continued

WHEREAS, topics of said classes will include patterns of alcohol and other drug abuse problems specific to age and job differences, effect on job performance, program design for the 1990's, intervention techniques, evaluating program effectiveness and program expansion considerations, AND

WHEREAS, Gregory Joos, Coordinator of Employee Relations, and Lawrence Kowal, Chief Steward for the Town of Cheektowaga Employees Association, are interested in and have requested to attend said classes, NOW, THEREFORE, BE IT

RESOLVED, that Gregory Joos and Lawrence Kowal, and to include a representative of each of the other four (4) Town unions be and hereby are authorized to attend said classes and that the tuition of \$225.00 per person be charged to Acct. #0100-1910-4085. Fee not to include payment of overtime.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 14a Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk

WHEREAS, there currently exists a vacancy in the position of Public Safety Dispatcher, AND

WHEREAS, there is no current valid Civil Service eligible list for said position, AND

WHEREAS, Robert J. Laskowski meets the minimum qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Laskowski, Cheektowaga, New York, be and hereby is appointed provisionally to the vacant position of Public Safety Dispatcher, effective immediately, pending the results of a competitive Civil Service exam to be held for the position, AND, BE IT FURTHER

RESOLVED, that said provisional appointment is made in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 14b Appointment of Motor Equipment Operator in Sanitation Department (Promotional)
This item has been withdrawn.

Item No. 15a Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals are hired as part-time employees, not to exceed 19 hours on an annual basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

EFFECTIVE

POLICE DEPARTMENT - \$5.00 per hour

Leslie Jacobs

10/2/90

AND, BE IT FURTHER

Item No. 15a continued

RESOLVED, that Susan Rathwell of _____, be and hereby is hired as an Administrative Assistant in the Council Office, at \$5.25 per hour, effective immediately, said salary to be charged to Account No. 0100-1010-1351

AND, BE IT FURTHER

RESOLVED, that Beth Ann Kuerzdoerfer, _____, be and hereby is hired as an Administrative Assistant in the Council Office, at \$5.25 per hour, effective immediately, said salary to be charged to Account No. 0100-1010-1355.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY COUNCILMAN KULYK
TO DISPENSE WITH THE READING OF NAMES IN ITEM NO. 15B

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15b Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1990-91 winter programs.

HOCKEY PROGRAM COORDINATOR - \$6.00 per hour - A7140.1611

Michael Bogdan

HOCKEY PROGRAM SUPERVISORS - \$5.50 per hour - A7140.1611

Matthew Bean
Norbert Rzeski

RINK GUARD SUPERVISORS - \$5.50 per hour - A7140.1611

Paul Dennis
Robert Kowalewski

FIGURE SKATING INSTRUCTOR - \$65.00 per week - A7140.1611

Mary Sue Lesniak

RINK GUARD ATTENDANTS - \$3.75 per hour - A7140.1611

James Dick
Joseph Gajewski
Steven Golovin
Jackie Kowal
Robert A. Kowalewski
Daryl Krakowiak
Eugene Whitehead

Item No. 15b continued

COMMUNITY CENTER SUPERVISORS - \$5.50 per hour - A7140.1612

Mary Lou Czajka
Thomas Kazmierczak III
Joanne Miranda
Bernard Ruda
Jill Sam

COMMUNITY CENTER RECREATION LEADERS - \$4.50 per hour - A7140.1612

Julie Kaczorowski
Sue Ring
Jeffrey Schneider
Jennifer Tonsoline

RECREATION ATTENDANTS - \$4.00 per hour - A7140.1612

Donna Bartochowski
Joanne Haas
Adam Sterlace

PRE-K INSTRUCTORS - \$5.50 per hour - A7140.1612

Michell Kunkel
Mary Beth Seivert

AEROBIC INSTRUCTORS - \$5.50 per hour - A7140.1612

Laila Desjardins
Beverly Nowicki

SOCCER INSTRUCTORS - \$4.50 per hour - A7140.1615

Ben Dennis
Paul Lutz
Roy Schneiderman

VOLLEYBALL INSTRUCTORS - \$4.50 per hour - A7140.1615

Faye Hertel
Amy Skretny

LIFEGUARDS - SCHOOL SWIM PROGRAM - \$4.50 per hour - A7140.1615

Douglas Kenjockety
Nadine Verga

ATTENDANT - SCHOOL SWIM PROGRAM - \$4.00 per hour - A1740.1615

Keith Bova

BASKETBALL SUPERVISOR - CLEVELAND HILL H.S. - \$5.00 per hour - A1740.1615

Horace Graham

FURTHER, BE IT RESOLVED that the above be terminated effective June 3, 1991.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEETING NO. 21
October 1, 1990

Item No. 16 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, three vacancies of Recycling Laborer and three vacancies of Recycling Driver exist in the Sanitation/Recycling, AND

WHEREAS, notice of such vacancies have been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED, that William Lawicki, ; Gerald Daminski,
and Michael Full, , be and hereby are appointed
to the position of Recycling Driver, effective immediately, in accordance with the
collective bargaining agreement between the Town and the Town of Cheektowaga
Employees Association, AND, BE IT FURTHER

RESOLVED, that Dean Szymkowiak, David Gallmeyer,
and Mark Cywinski, be and hereby are appointed to the
position of Recycling Laborer, effective immediately, also in accordance with the
terms of the aforementioned collective bargaining agreement.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED, that the rate of pay be adjusted to \$5.00 per hour
for the following part-time employees in the Police Department, effective
immediately:

Lynda Twardowski
Traci Howlett
Sherry Beback
Jacqueline Radwanski
Lisa Racki
Deborah Cyrankowski
Cheryl Twardowski
Susan Cieszak
Tracy Gielinski
Paul Folsom
Kristen Kolbert
Gabrielle Coyne

AND, BE IT FURTHER

RESOLVED, that the salary of Nadine Bucolo, a seasonal employee in
the Police Department, also be adjusted to \$5.00 per hour, effective immediately.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

MOTION BY COUNCILMAN KULYK, SECONDED BY COUNCILMAN GABRYSZAK
TO DISPENSE WITH THE READING OF THE FIGURES IN ITEM NO. 18

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEETING NO. 21
October 1, 1990

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:	0100-1430-1125 (Coordinator of Employees Relations)	\$ 1,500.00
	0100-3120-2303 (Police Vehicles)	600.00
	0100-1780-1903 (Pools, Lifeguard-Recreation)	4,000.00
	0100-7180-4612 (Swim Transportation-Recreation)	426.15
	0100-7310-1811 (Supervision-Youth Bureau)	\$ 552.37
	0100-7310-1811 (Supervision-Youth Bureau)	1,000.00
	0100-7310-1812 (Participants-Youth Bureau)	3,000.00
	0100-7310-4689 (Supplies-Youth Bureau)	553.60
TO:	0100-1430-1301 (Secretary to Employee Relations)	1,500.00
	0100-3120-4073 (Clothing Allowance-Police Dept.)	600.00
	0100-7140-4491 (Special Events-Recreation)	4,000.00
	0100-7140-4611 (Recreation Transportation)	426.15
	0100-7310-4201 (Telephone-Youth Bureau)	552.37
	0100-7310-2501 (Equipment-Youth Bureau)	1,000.00
	0100-7310-2501 (Equipment-Youth Bureau)	3,000.00
	0100-7310-4671 (Youth Service)	553.60

SPECIAL DISTRICT FUND

FROM:	2800-2799 (Appropriated Fund Balance)	540.00
	2300-2799 (Appropriated Fund Balance)	35,276.18
	2300-8123-4821 (Sewer Repairs)	3,432.07
	2300-8123-4821 (Sewer Repairs)	316.22
	2300-8123-4821 (Sewer Repairs)	1,320.00
	2500-8135-4431 (Equipment Repair-Plant #5)	3,200.00
TO:	2800-8130-9113 (SD#8-Interest on Bonds)	540.00
	2300-8123-4353 (SD#3-Rent to Sewer Dis. #4)	35,276.18
	2300-8123-4706 (SD#3-Real Property Taxes)	3,432.07
	2300-8123-4706 (SD#3-Real Property Taxes)	316.22
	2300-8123-9201 (SD#3-Interest-Bond)	1,320.00
	2500-8135-4164 (Gas, Oil & Grease)	3,200.00

HIGHWAY FUND

FROM:	0300-1910-8101 (Retirement-Highway)	25,964.00
TO:	0300-5130-2401 (Vacuum Leaf Loaders)	25,964.00

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

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

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to October 1, 1990 are hereby approved and made a part hereof:

GENERAL FUND	\$172,231.93
HIGHWAY FUND	15,196.01
CAPITAL FUND	150,274.22
TRUST & AGENCY FUND	1,682.40
HUD-CDBG FUND	1,343.75
PART TOWN FUND	1,125.61

MEETING NO. 21
October 1, 1990

Item No. 19 continued

HUD FUND	\$ 325.00
SPECIAL DISTRICT FUND	358,843.18
RISK RETENTION FUND	<u>63,780.10</u>
	\$764,802.20
	=====

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Building Permits.
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 21a Resolution Regarding Light Rail Transit Extension From the Town
of Boston

Item No. 21b Resolution Regarding Light Rail Rapid Transit Extension From the Town
of Concord

Item No. 22 Notice of Interagency Meeting for the Kiantone Pipeline Project

Item No. 23a Notice of Claim: Richard Caster an infant by his mother and natural
guardian, JoAnne H. Caster, and JoAnne Caster individually vs Town of
Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Highway
Department; Engineering Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 23b Notice of Claim: Nationwide Mutual Ins. Co./David Draper vs Town of
Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Police
Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 23c Notice of Claim: John E. Wieberg vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Sanitation
Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 23d Notice of Claim: David M. Lamprecht vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Sanitation
Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 24 Notice of Petition: Thomas C. Aquilino, doing business as Suburban Trading Co. vs Zoning Board of Appeals and Building Inspector of the Town of Cheektowaga
Received and Filed.

* * * * *

MOTION BY COUNCILMAN KULYK SECONDED BY SUPERVISOR SWIATEK
TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTIONS
AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

IV. SUSPENSION OF RULES

Item No. 25 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, on October 14-17, 1990, the Office of Court Administration will be conducting a seminar for Town and Village Court Clerks and a continuing Judicial Education program at the Fallsview Hotel in Ellenville, New York, and

WHEREAS, basic and advanced judicial certification courses will be held and court staff will be informed concerning forms used in Town Justice Courts, criminal disposition reporting, new legislation, vehicle and traffic matters, etc., and

WHEREAS, the Town Justices have requested permission for one judge and three court clerks to attend these seminars, and

WHEREAS, the continuing training of the Cheektowaga Court staff on these matters is necessary to maintain an efficient court system and to comply with the ongoing and changing court rules, NOW, THEREFORE, BE IT

RESOLVED, that Town Justice Thomas S. Kolbert and the following court clerks be and hereby are authorized to attend the aforementioned seminars:

Maureen Corkins
Judith Faulkner
Susan Schottman

and, BE IT FURTHER

RESOLVED, that the Town shall reimburse the following individuals no more than the following respective amounts for their reasonable and necessary expenses associated with attending the aforementioned seminars out of budget line number 01-1910-0004-4082:

Justice Kolbert	\$ 500.00
Court Clerks	1,455.00 (combined)

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEETING NO. 21
October 1, 1990

Item No. 26 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, John J. Garrow has made application and requested the rezoning of property located at 2404 Union Road from RC-Restricted Business and RA-Apartment District to C-Retail Business District, with the permission of the owner of the property, Lorraine and John McAuley, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on October 15, 1990 at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf, 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 October 4, 1990;
last publication Oct. 4, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
4th
Sworn to before me this
day of October, 1990
Margaret J. Bourdette

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/01

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, corner of Broadway and Union Road on the 15th day of OCTOBER, 1990 at 7:00 o'clock, P.M., Eastern DAYLIGHT SAVINGS Time of said day for the purpose of considering the application of JOHN J. GARROW to Rezone from RC & RA RESTRICTED BUSINESS & APARTMENT District to C-RETAIL BUSINESS District on property located at 2404 UNION 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.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 61, Township 10, Range 7 of the

Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the center line of Union Road (66 feet wide) 160 feet northerly from its intersection with the south line of Lot No. 61; thence north 83 degrees west (N 83 degrees 00' W) 450 feet to the waters edge of Cayuga Creek; thence northerly along the waters edge of Cayuga Creek to its intersection with a line drawn parallel with the first described course herein and 294.20 feet northerly therefrom as measured along the westerly line of Union Road; thence easterly along said last described parallel line 430.40 feet to the center line of Union Road; and thence southerly along the center line of Union Road; and thence southerly along the center line of Union Road 294.20 feet to the point of beginning.

EXCEPTING AND RESERVING therefrom that portion thereof lying within the bounds of Union Road (66 feet wide).

BY ORDER OF THE TOWN BOARD

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blanchowski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: October 4, 1990

Item No. 27 Motion by Councilman Kulyk, Seconded by Councilman Rogowski

BE IT RESOLVED, that the following individuals are hired as seasonal employees in the listed departments, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, for a period not to exceed twenty-four (24) weeks in a calendar year:

SANITATION DEPARTMENT - \$5.00 per hour

EFFECTIVE

Kevin Knaus	Immediately
Joseph Saskowski	"
Stanley Kozlowski	"
James Hilburger	"
Alan Brzoskowski	"
Paul Czelusta	"

SEWER DEPARTMENT - \$4.65 per hour

David Kosmider	Immediately
----------------	-------------

AND, BE IT FURTHER

RESOLVED, that James McCloskey, a seasonal employee, be and hereby is transferred from the Facilities Department to the Sewer Department, at the rate of \$4.65 per hour, effective immediately.

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

Item No. 28 Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the New York State Chapter of the American Public Works Association is holding a Leadership Training Seminar in Binghamton, New York on October 30 and 31, 1990, AND

WHEREAS, the Town Engineer, serving as a member of the Board of Directors of the Western New York Branch, feels the attendance at said seminar would be of benefit in Town related matters, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer is authorized to attend said Leadership Training Seminar at Binghamton, New York, AND, BE IT FURTHER

RESOLVED, that all necessary expenses of said seminar, not to exceed \$190, be charged to Account No. 25-8125-4087.

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

Item No. 29 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, Church World Service (CWS) and Cheektowaga Clergy Association (CCA) desire to sponsor a fund-raiser and consciousness-raising event in the Town of Cheektowaga in celebration of World Food Day and to help hungry people nationally and internationally through emergency food assistance and development projects, AND

WHEREAS, Robert C. Hutchinson, Pastor, Cleveland Hill Evangelical Lutheran Church has requested permission from this Town Board to plan and supervise a ten kilometer "CROP Walk" on Sunday, October 14, 1990 beginning at 1:30 P.M. in the Town, AND

Item No. 29 continued

WHEREAS, such CROP Walk is planned to begin at the Stiglmeier Park Community Center and will proceed down Losson Road to Union Road to Bennett Road to Como Park Boulevard to Borden Road to Losson Road and will conclude at the Stiglmeier Park Community Center, AND

WHEREAS, CWS AND CCA have insurance coverage to protect even participants against accidental injury or death, AND

WHEREAS, up to 25% of the funds raised by CWS and CCA may be returned to local agencies for programs such as the Meals on Wheels and other programs involved with feeding hungry people, AND

WHEREAS, Cheektowaga's CROP Walk held on October 15, 1989 raised \$5,582.14 to help hungry people around the world and approximately \$697.00 was returned to the Town for the Town's Meals on Wheels and other local programs, AND

WHEREAS, this Town Board feels that monies raised through CROP Walks make significant contributions to the alleviation of hunger throughout the world and that a CROP Walk is an endeavor worthy of the Town Board's attention and approval, NOW, THEREFORE, BE IT

RESOLVED, that CWS and CCA be and hereby are given permission to hold its October 14, 1990 ten kilometer walk along Losson Road, Union Road, Bennett Road, Como Park Boulevard and Borden Road in the Town, AND BE IT FURTHER

RESOLVED, that the Chief of Police insure compliance with Section 1660(a)(6) of the Vehicle and Traffic Law of the State of New York; and he is authorized and directed to make arrangements for any and all traffic safety and escort services for such CROP Walk, AND, BE IT FURTHER

RESOLVED, that the Town Board hereby formally requests that CWS and CCA return 25% of the funds collected through the aforementioned CROP Walk to the Town of Cheektowaga and/or County of Erie to be used for the Town of Cheektowaga Meals on Wheels Program and other local programs involved with feeding the hungry people, AND BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Robert C. Hutchinson, Pastor, Cleveland Hill Evangelical Lutheran Church, 261 Cleveland Drive, Cheektowaga, New York 14215.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Kulyk, Seconded by Supervisor Swiatek

BE IT RESOLVED, that the Supervisor be and hereby is authorized to sign the attached agreement, on behalf of the Town of Cheektowaga, with the Sisters of Charity Hospital.

*SEE NEXT PAGES FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

CORPORATE HEALTH SERVICES

PROPOSAL

SUBMITTED TO

Town of Cheektowaga

Sisters of Charity Hospital is pleased to present the Town of Cheektowaga this proposal to provide selected health care services. The scope of this proposal is limited to the services requested by the Town of Cheektowaga. However, Sisters Hospital offers a full spectrum of Occupational Health evaluation, intervention and educational services to meet employee health and employer productivity and cost-containment needs. These services are available individually and can be provided as the Town of Cheektowaga would indicate its interest. Sisters Hospital staff are available to conduct a full needs assessment and offer a comprehensive program of services.

This presentation is divided into two parts: Part one provides a comprehensive overview of Sisters Hospital and its Corporate Health Services. Part two describes the specific services requested by the Town of Cheektowaga to be provided by Sisters Hospital Corporate Health Services.

The services presented in this proposal include the following:

- . Stress Management Seminars

SISTERS OF CHARITY HOSPITAL

Sisters of Charity Hospital is Buffalo's first hospital, having been founded by the Daughters of Charity in 1848. The hospital is licensed to operate 516 beds and a comprehensive spectrum of health services. Sisters has over 400 affiliated physicians and some 2,000 employees. Sisters is a full service medical teaching hospital providing a wide range of health care services at the most competitive costs in New York State.

Medical education provides the stimulus for our employees and medical staff to keep abreast of the latest advances in medicine. At Sisters Hospital, fresh ideas in medicine and health care marketing are nothing new. Some of these programs, many of which were the first of their kind in Western New York, are listed below:

EXPRESS CARE: A special section of our Emergency Department dedicated to the prompt treatment of minor injuries and illness.

SUBSTANCE TREATMENT AND RECOVERY (S.T.A.R.): Comprehensive Outpatient Chemical Dependency Treatment Services for employees and families with alcohol and substance abuse problems.

HEALTH SEARCH: A referral service providing the community referrals on physicians and community health services.

BREAST CARE CENTER: A comprehensive center dedicated to the diagnosis and treatment of breast disease. Care is provided by a multidisciplinary team. Services include screening, physical exam, instruction in Breast Self Examination (BSE), mammography, diagnosis, treatment and follow-up care.

EXPRESSLY FOR WOMEN: Women's services division. Provides educational sessions on such topics as stress management, weight control, breast health, medical consumerism. Operates a medical resource and referral center.

CORPORATE HEALTH SERVICES

REQUESTED

BY

Town of Cheektowaga

Sisters Hospital will provide the following services to the Town of Cheektowaga:

. Stress Management Seminars

STRESS MANAGEMENT SEMINARS

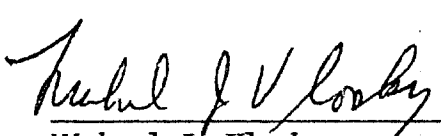
Corporate Health Services will provide Stress Management seminars in collaboration with Independent Health to the Town of Cheektowaga employees in the following manner:

- . Stress Management seminars will be given to employees at a site designated by the Town Project Coordinator.
- . The seminars will be given by Sally Piscotty, Director, Expressly for Women, Sisters Hospital.
- . The seminars will consist of three (3) one (1) hour sessions and will include material as continued in Appendix 1.
- . All stress programs will be given in collaboration with Independent Health and in keeping with the project goals.
- . The number of participants in each program will be limited to a maximum of 20. *(as many as possible)*

ACCEPTED BY:


Town of Cheektowaga Representative

10/12/90
Date


Michael J. Vlosky
Vice President, Clinical Services

September 14, 1990
Date

FEE SCHEDULE
Appendix 1

SERVICE

FEE

Stress Management Program

(3) One Hour Sessions	\$ 250.00
TOTAL OF 18 PROGRAMS	\$ 4,500.00
Less: Donation by Corporate Health Services	<u>\$ 50.00</u>
New Balance	\$ 4,450.00

Payments will be made as follows:

Prior to the First Program	\$ 2,225.00
Upon Completion of the Programs	\$ 2,225.00

MEETING NO. 21
October 1, 1990

Item No. 31 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

BE IT RESOLVED, that the Supervisor be and hereby is authorized to sign the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

*SEE NEXT PAGES FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

WHEREAS, the parties hereto are also parties to a collective bargaining agreement covering the period January 1, 1989 through December 31, 1992, AND

WHEREAS, the parties are desirous of making a temporary change in the work schedule of certain employees of the Facilities Department, AND

WHEREAS, the parties have met and negotiated the change in said work schedule,

IT IS HEREBY AGREED AS FOLLOWS:

Notwithstanding any of the provisions of the Agreement, employees of the Facilities Department working at the Town Ice Rink shall work the following schedule on Saturdays and Sundays only:

Weekends, Day Shift.....6:00 A.M. to 3:00 P.M.
Weekends, Night Shift.....3:00 P.M. to 11:00 P.M.

The weekend first shift includes one (1) hour of overtime per day for each of two unit employees. Any others shall work a normal eight (8) hour shift.

Any employee working at the Ice Rink shall be compensated for all hours actually worked, at his applicable hourly rate of pay, with pay at the applicable overtime rate for hours worked in excess of eight (8) hours per day.

All employees currently in the Facilities Department and assigned to what is known as the "Parks Division" (to include both Town Park and Losson), shall be afforded the opportunity, once, to bid on the aforementioned weekend first shift. Assignments to said shift shall be made on the basis of seniority

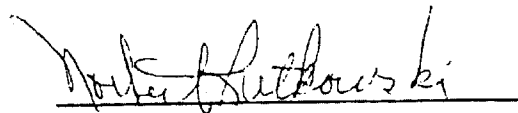
Assignment to the aforementioned weekend day shift shall be rotated, insofar as practical and possible, among the remaining "Parks Division" employees, the purpose of which shall be to attempt to equalize overtime hours amongst such employees.

The foregoing provisions shall remain in effect for the period of time the Ice Rink remains open during the 1990-1991 winter season.

TOWN OF CHEEKTOWAGA

A handwritten signature in dark ink, appearing to be "John E. Smith", written over a horizontal line.

TOWN OF CHEEKTOWAGA
EMPLOYEES ASSOCIATION

A handwritten signature in dark ink, appearing to be "Robert L. Sutowski", written over a horizontal line.

DATED: Oct 1, 1990

MEETING NO. 21
October 1, 1990

Item No. 32

Motion by Supervisor Swiatek, Seconded by Councilman Kulyk to adjourn meeting in memory of former Councilman Raymond J. Wasielewski.

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 15th day of October, 1990 at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; Sal LaGreca, Employment and Training Director II; also, Planning Board Chairman; Christopher Kowal, Highway Superintendent; Bruce Chamberlin, Chief of Police; Chester Bryan, Town Engineer; Ronald Marten, Supervising Bldg. and Plumbing Inspector; Terry Rusin, Chief Accountant; Gregory Joos, Coordinator of Employee Relations; Donald Wegner, Chairman, Zoning Board of Appeals; Ray Pugh, Cheektowaga Planning Board; Leonard Szymanski, Facilities Foreman

I. RESOLUTIONS

Item No. 2a Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, Carmina Silvestri Architects, agents for 3325 Genesee, Inc. have petitioned for the rezoning from CM-General Commercial District and R-Residential District to C-Retail Business District of property owned by 3325 Genesee, Inc., and located at 3325 Genesee Street, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 1st day of October, 1990 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. drainage approval from the Town Engineer
2. any future additions/changes to the development plan shall be resubmitted to the Town Board pursuant to Section 82-71 of the Town Zoning Ordinance

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 recommended that this Town Board render a conditional negative declaration for this rezoning, with the following conditions:

1. The Planning Board review and approve landscaping with a sufficient landscaping buffer and screening along the perimeter.

Item No. 2a continued

2. The applicant install all recommended or suggested improvements as indicated by the New York State Department of Transportation.
3. The applicant install the additional east driveway (one-way exit only) as recommended by the Town Traffic Safety Commission.
4. Drainage be finalized and approved by the Town Engineer.

and

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

NOW, THEREFORE, BE IT RESOLVED, that the application of Carmina Silvestri Architects for the rezoning from CM-General Commercial District and R-Residential District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby granted subject to the following:

1. conditions recommended by the Cheektowaga Planning Board
2. conditions recommended by the Town Environmental Advisory Committee
3. applicant shall erect a gate across the east exit driveway
4. applicant shall install a right turn lane eastbound on Genesee Street from the intersection of Genesee Street and Beach Road westerly 100 feet, 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: Councilmen Jaworowicz, Kulyk, Rogowski and Blachowski
NAYES: Supervisor Swiatek, Councilmen Gabryszak and Solecki
ABSENT: 0

* SEE NEXT PAGES FOR LEGAL DESCRIPTION

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf 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. 18, 1990 ;
last publication Oct. 18, 1990 ;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
18th
Sworn to before me this
day of October, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 15th

Legal Notice

day of October, 1990 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by Councilman Kulyk and Seconded by Councilman Blachowski

WHEREAS, Carmina Silvestri Architects, agents for 3325 Genesee, Inc. have petitioned for the rezoning from CM-General Commercial District and R-Residential District to C-Retail Business District of property owned by 3325 Genesee, Inc. and located at 3325 Genesee Street, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 1st day of October, 1990 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. drainage approval from the Town Engineer

2. any future additions/changes to the development plan shall be resubmitted to the Town Board pursuant to Section 82-71 of the Town Zoning Ordinance

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 recommended that this Town Board render a conditional negative declaration for this rezoning, with the following conditions:

1. The Planning Board review and approve landscaping with a sufficient landscaping buffer and screening along the perimeter.

2. The applicant install all recommended or suggested improvements as indicated by the New York State Department of Transportation.

partment of Transportation.

3. The applicant install the additional east driveway (one-way exit only) as recommended by the Town Traffic Safety Commission.

4. Drainage be finalized and approved by the Town Engineer.

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 Carmina Silvestri Architects for the rezoning from CM-General Commercial District and R-Residential District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby granted subject to the following:

1. conditions recommended by the Cheektowaga Planning Board

2. conditions recommended by the Town Environmental Advisory Committee

3. applicant shall erect a gate across the east exit driveway

4. applicant shall install a right turn lane eastbound on Genesee Street from the intersection of Genesee Street and Beach Road westerly 100 feet, and BE IT FURTHER

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

BEGINNING at an iron pipe in the south bounds of Genesee Street, distant 178.12 feet westerly from the west line of Meadow Place, which point is also the west line of lands of the Chapel Park Subdivision, filed in the Erie County Clerk's Office under Cover N degrees 963: thence southerly along the west line of lands of said Map Cover N degrees 963 (which line is also parallel to the east line of lands formerly owned by James Winspear) a distance of 614.40 feet to an iron pipe at the southwest corner of said Map Cover N degrees 963 (which is also the north line of lands of the Sailer Estate Subdivision, Map Cover N degrees 962): thence westerly along the north line of lands of said Sailer Subdivision Cover N degrees 962 to the northwest corner thereof and continuing westerly in the same line along the north line of the Clover Place Extension Subdivision, Map Cover N degrees 1849, a total distance of 786.93 feet to an iron pipe at the east line of lands of the Rupp Subdivision Map Cover N degrees 1068: thence northerly along the east line of lands of said Rupp Subdivision Map Cover N degrees 1068 (which is also the east line of lands formerly owned by James Winspear) a distance of 414.32 feet to an iron pipe at the south line of lands acquired by The People of the State of New York for construction of the Ontario Thruway and identified as

Legal Notice

Map N degrees 224, Parcel N degrees 224, as recorded in the Erie County Clerk's Office in liber 4614 of Deeds page 41: thence easterly along the south line of lands shown on Map N degrees 224, Parcel N degrees 224, a distance of 359.7 feet to a point: thence northeasterly and continuing along the southeast line of Map N degrees 224, Parcel N degrees 224, a distance of 152.4 feet to an iron pipe at the intersection of the eastern end of Map N degrees 224, Parcel N degrees 224 and the south bounds of Genesee Street: thence easterly along the south bounds of Genesee Street a distance of 302.81 feet to the point or place of beginning, containing 9.259 acres, more or less.

Upon roll call.....

Supervisor Swiatek Voting NAYE
Councilman Blachowski Voting

AYE

Councilman Jaworowicz Voting

AYE

Councilman Gabryszak Voting

NAYE

Councilman Kulyk Voting AYE
Councilman Rogowski Voting

AYE

Councilman Solecki Voting NAYE

AYES: 4

NAYES: 3

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 October 15, 1990, and minutes of said meetings 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. 2a, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 15th day of October, 1990.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: October 18, 1990

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

WHEREAS, William R. Nunz has petitioned for the rezoning from CM-General Commercial District to M2-General Manufacturing District of property owned by him and located at 3412 Broadway, 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 1st day of October, 1990 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the application of William R. Nunz for the rezoning from CM-General Commercial District to M2-General Manufacturing District of the property specified in the attached legal description be and the same is hereby granted subject to approval of variances required under the Town Zoning Ordinance, 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, Solecki
 Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE LEGAL DESCRIPTION NEXT PAGE

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf, 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 Oct. 18, 1990;
last publication Oct. 18, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
18th

Sworn to before me this

day of October, 19 90

Margaret J. Sawdette

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

**LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA TOWN
BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 15th day of October, 1990 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

October 18, 1990 CI

Legal Notice

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by Councilman Kulyk and Seconded by Councilman Gabryszak WHEREAS, William R. Nunz has petitioned for the rezoning from CM-General Commercial District to M2-General Manufacturing District of property owned by him and located at 3412 Broadway, 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 1st day of October, 1990 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law, and all interested parties were given an opportunity to be heard at such hearing, and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the application of William R. Nunz for the rezoning from CM-General Commercial District to M2-General Manufacturing District of the property specified in the attached legal description be and the same is hereby granted subject to approval of variances required under the Town Zoning Ordinance, and

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

THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at the northeast corner of James Warner's home lot now

owned by the Church Home of the Evangelical Churches of Buffalo and its vicinity lying on the Ellicott or Batavia Road: thence easterly along said Batavia Road one hundred forty-two (142) feet: thence southerly two hundred seven and seventy-three hundredths (207.73) feet to the north line of the Buffalo & Lancaster Road now called Broadway at a point one hundred sixty-two (162) feet east of said Church Home lands: thence westerly along the north line of said Broadway one hundred sixty-two (162) feet to the easterly line of said Church Home lands: thence northerly along said easterly line of the Church Home lands one hundred eighty-six and fifty-seven hundredths (186.57) feet more or less to the place of beginning.

Upon roll call.....

Supervisor Swiatek Voting AYE

Councilman Blachowski Voting

AYE

Councilman Jaworowicz Voting

AYE

Councilman Gabryszak Voting

AYE

Councilman Kulyk Voting AYE

Councilman Rogowski 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 October 15, 1990, and minutes of said meetings 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. 2h, 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 15th day of October, 1990.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: October 18, 1990

CHEEKTOWAGA TIMES 17

Item No. 2c Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, Daniel R. Smolarek has petitioned for the rezoning from RA-Apartment District to RC-Restricted Business District of property owned by him and located at 2504 and 2510 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 1st day of October, 1990 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the application of Daniel R. Smolarek for the rezoning from RA-Apartment District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby approved, 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, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

* SEE NEXT PAGES FOR LEGAL DESCRIPTION

AFFIDAVIT - NEXT PAGE

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

Melanie Way, 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 Oct. 18, 1990;
last publication Oct. 18, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Way
Sworn to before me this 18th
day of October, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/01

LEGAL NOTICE EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 15th day of October, 1990 at 7:30 o'clock p.m., Eastern Daylight Savings Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by Councilman Kulyk and Seconded by Councilman Rogowski

WHEREAS, Daniel R. Smolarek has petitioned for the rezoning from RA-Apartment District to RC-Restricted Business District of property owned by him and located at 2504 and 2510 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 1st day of October, 1990 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the application of Daniel R. Smolarek for the rezoning from RA-Apartment District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

Legal Notice

ALL THAT TRACT OR PARCEL OF LAND, being in the town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 62, Township Ten (10), Range seven (7) of the Buffalo Creek Reservation described as follows:

COMMENCING at a point in the center line of Union Road at a distance of four hundred twenty-three and twenty-nine hundredths (423.29) feet north of the point of intersection of the north line of Lot No. 61, and the center line of Union Road; thence northerly along the center line of Union Road, seventy and twenty-one hundredths (70.21) feet to the north line of lands conveyed to George Groell and Christina Groell, his wife, by deed dated August 24, 1920, which deed was recorded in the Erie County Clerk's Office in Liber 1525 of Deeds at page 497 on the 26th day of August, 1920; thence westerly along said north line of land so conveyed, two hundred fifty (250) feet; thence southeasterly parallel to the center line of Union Road, one hundred thirteen and nineteen hundredths (113.19) feet; thence northeasterly two hundred forty-six and twenty-eight hundredths (246.28) feet to the place of beginning. Excepting therefrom those premises acquired by the State of New York in Liber 7180 of Deeds page 441 as recorded in the Erie County Clerk's Office.

SCHEDULE A
2510 UNION ROAD
DESCRIPTION OF PREMISES
ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 62, Township 10, Range 7 of the Buffalo Creek Reservation bounded and described as follows:

BEGINNING at the intersection of the west line of Union Road (as widened to a width of 100 feet as per Notice of Appropriation by the State of New York recorded in the Erie County Clerk's Office in Liber 7130 of Deeds at page 430) with the south line of lands deeded to Michael J. Malone and Anna M. Malone, his wife, by deed recorded in said Clerk's Office in Liber 3156 of Deeds at page 169; running thence northerly along said westerly line of Union Road (North 8 degrees 52' 54" West) 116.50 feet more or less to an angle point therein; thence continuing northerly along the said west line of Union Road (North 15 degrees 13' 19" West) 37.60 feet more or less to the south line of lands deeded to New York State Electric and Gas Corp. by deed recorded in said Clerk's Office in Liber 7307 of Deeds at page 261; thence westerly along the south line of lands so deeded to New York State Electric and Gas Corp. 180 feet; thence southerly in a straight line 147.91 feet to a point in the south line of lands deeded to Michael J. Malone and Anna M., his wife, by deed aforesaid, at a point 200 feet westerly from the point of beginning as measured along said south line; thence easterly along said south line 200 feet to the point of beginning.

SUBJECT to rights of way and easements of record.

Upon roll call.....
Supervisor Swiatek Voting AYE
Councilman Blachowski Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Rogowski 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 October 15, 1990, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 2c, 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 15th day of October, 1990.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: October 18, 1990

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 the Fiscal Year beginning on the 1st day of January, 1991, 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 18, 1990, AND, BE IT FURTHER

RESOLVED that this Town Board shall meet at 7:00 o'clock P.M., Eastern Standard Time on the 30th day of October, 1990, for the purpose of holding a Public Hearing upon such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District budgets, AND, BE IT FURTHER

RESOLVED that the Town Clerk give Notice of such Public Hearing in the manner provided in Section 108 of the Town Law and that such Notice be published in the CHEEKTOWAGA TIMES, the official Town newspaper on October 18, 1990, and post same on the signboard maintained by the Town Clerk.

* * * * *

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, 1991, 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, effective October 18, 1990.

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 30th day of October, 1990, 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	\$54,473.00
TOWN CLERK	\$43,152.00
HIGHWAY SUPERINTENDENT	\$49,633.00
COUNCILMEN	\$17,674.00

Item No. 3a continued

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

RICHARD M. MOLESKI,
Town Clerk

DATED: October 15, 1990

PUBLISHED: October 18, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf, 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 October 18, 1990;
last publication October 18, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
18th
Sworn to before me this
day of October, 19 90
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**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, 1991, 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, effective October 18, 1990.

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 30th day of

= LEGAL NOTICES =

October, 1990, 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 \$54,473.00
TOWN CLERK \$43,152.00
HIGHWAY SUPERINTEN-
DENT \$49,633.00
COUNCILMEN \$17,674.00

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

RICHARD M. MOLESKI
Town Clerk

DATED: October 15, 1990
PUBLISH: October 18, 1990

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

WHEREAS, this Town Board has prepared detailed estimates of the anticipated 1991 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 lots or parcels of land against which the improvement was chargeable, AND

WHEREAS, this Town Board had 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 6:30 o'clock P.M., Eastern Standard Time on the 30th day of October, 1990 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 official Town newspaper on October 18, 1990

* * * * *

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 October 30, 1990 at 6:30 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

DATED: October 15, 1990

PUBLISHED: October 18, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf, 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 October 18, 1990
last publication October 18, 1990
and that no more than six days intervened be-
tween publications.

Melanie Wolf
18th
Sworn to before me this
day of October, 19 90
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

Legal Notice

**LEGAL NOTICE
PUBLIC NOTICE**

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 October 30, 1990 at 6:30 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

DATED: October 15, 1990
PUBLISH: October 18, 1990

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of One (1) 1991 New or Demonstrator Model w/less than 10,000 miles, 4 Wheel Drive, Five (5) Passenger, Light Duty Truck w/four (4) doors, for use by the Cheektowaga Highway Department.

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

RESOLVED, That the Town Clerk is hereby designated as the officer to open bids on the aforementioned item at 11:00 A.M. on November 2, 1990, in the Council Chambers of the Cheektowaga Town Hall.

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of ONE (1) NEW OR DEMONSTRATOR MODEL W/LESS THAN 10,000 miles FIVE (5) PASSENGER, 4 WHEEL DRIVE LIGHT DUTY TRUCK W/FOUR (4) DOORS, for use by the Cheektowaga Highway Department, at a public bid opening November 2, 1990 at 11:00 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways, at his office located at 3145 Union Road, Cheektowaga, N. Y. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE 1991 NEW OR DEMONSTRATOR MODEL W/LESS THAN 10,000 MILES, 4 WHEEL DRIVE, FIVE PASSENGER, LIGHT DUTY TRUCK W/FOUR DOORS.

Non-Collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI,
Town Clerk

DATED: October 15, 1990

PUBLISHED: October 18, 1990

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Woolf 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 Oct. 18, 1990 ;
last publication Oct. 18, 1990 ;
and that no more than six days intervened be-
tween publications.

Melanie Woolf
18th
Sworn to before me this
day of October, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA
HIGHWAY DEPARTMENT
LEGAL NOTICE
TO BIDDERS**

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal finance Law, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of ONE (1) NEW OR DEMONSTRATOR MODEL W/ LESS THAN 10,000 miles FIVE (5) PASSENGER, 4 WHEEL DRIVE LIGHT DUTY TRUCK W/FOUR (4) DOORS, for use by the Cheektowaga Highway Department, at a public bid opening November 2, 1990 at 11 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways, at his office located at 3145 Union Road, Cheektowaga, NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE 1991 NEW OR DEMONSTRATOR MODEL W/LESS THAN 10,000 MILES, 4 WHEEL DRIVE, FIVE PASSENGER, LIGHT DUTY TRUCK W/FOUR DOORS."

Non-Collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

**RICHARD MOLESKI
TOWN CLERK**

**DATED: October 15, 1990
PUBLISH: October 18, 1990**

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

WHEREAS, this Town Board desires to obtain property from the County of Erie for the construction of a library in the southeast sector of the Town, or to use the property for other municipal purposes, and which property is located along the west side of Borden Road, north of Castlewood Drive, AND

WHEREAS, said property has an obsolete structure which has been identified as the Tree Pickle Works and which structure must be demolished in order to use the property for municipal purposes, AND

WHEREAS, the Engineering Department has prepared specifications for obtaining bids for the demolition of said Tree Pickle Works building and requests Town Board approval for bidding said demolition, AND, BE IT FURTHER

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a NOTICE TO BIDDERS in connection with said demolition, said notice to be published in the CHEEKTOWAGA TIMES, AND and BE IT FURTHER

RESOLVED, that sealed bids will be received by the Town of Cheektowaga on November 5, 1990 at 11:00, 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 November 5, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the demolition of various structures at the Old Tree Pickle Works (Borden/Losson Corporation) on Borden Road in the Town of Cheektowaga, New York.

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

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

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

The successful bidder will be required to furnish a Performance Bond acceptable to the Owner in an amount equal to the contract award.

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

RICHARD M. MOLESKI,
Town Clerk

DATED: October 15, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Way 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 Oct. 18, 1990;
last publication Oct. 18, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Way
18th
Sworn to before me this
day of October, 1990
Margaret J. Bourdette

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDER**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on November 5, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the demolition of various structures at the Old Tree Pickle Works (Borden/Losson Corporation) on Borden Road in the Town of Cheektowaga, New York.

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

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

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

with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

The successful bidder will be required to furnish a Performance Bond acceptable to the Owner in an amount equal to the contract award.

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

RICHARD M. MOLESKI
Town Clerk

DATED: October 15, 1990

PUBLISH: October 18, 1990

Item No. 5a Motion by Councilman Rogowski Seconded by Supervisor Swiatek

WHEREAS, grant monies are available through the New York State Executive Department, Division of Veterans' Affairs to support activities associated with Veterans, and

WHEREAS, the Town desires financial assistance to defray the expenses associated with the construction of a monument and statuary in Cheektowaga Town Park, and

WHEREAS, the construction of this monument and statuary will facilitate an appreciation among Town residents for veterans of all wars and instill a deep sense of pride in U. S. veterans, their families and dependents; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to enable the Town to apply for a grant from this program in an amount not to exceed \$5,000, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of this grant.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5b Motion by Councilman Jaworowicz Seconded by Supervisor Swiatek

WHEREAS, grant monies are available through the New York State Division of Criminal Justice Services to support activities associated with municipal police departments, and

WHEREAS, the Town is in need of financial assistance to defray the expenses associated with supplying members of the Cheektowaga Police Department with protective head gear, body armor, and computer hardware and software; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants be authorized and directed to complete the necessary application, forms, etc. to enable the Town to apply for a grant from this program in an amount not to exceed \$30,000, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of this grant.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED, that the Supervisor be and hereby is authorized to sign the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Labor Units.

* SEE NEXT PAGES FOR AGREEMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA LABOR UNITS

Section 00.00 - Extended Military Leaves of Absence

In the event an employee who is presently covered by this agreement and who is now a member of the Reserve Forces of the United States, or the State of New York is ordered into active duty in the military service as a result Operation Desert Shield (present Mid-East crisis:

a.) The Town will continue to provide medical and dental coverage to the employee's dependents for the period of active military service, provided said period does not exceed six (6) consecutive months. This coverage shall take effect on the first day of the month which immediately follows the last day on which the employee was on the active payroll of the Town of Cheektowaga. All terms and conditions of medical and dental benefits provided in this section will remain as defined in the current bargaining agreement.

b.) The Town agrees to continue to provide life insurance benefits, as per the current agreement, for the period of time defined in Section 00.0(a).

c.) During the period of time the employee is on military leave without pay, for the purpose of this Memorandum of Agreement, the accrual of seniority, longevity, vacation, pension vestments and wage increases will continue. All other benefits, such as sick time, holidays, personal leave and any other special payments or allowances will be pro-rated as if the employee were on an unpaid leave of absence under the terms of the current bargaining agreement.

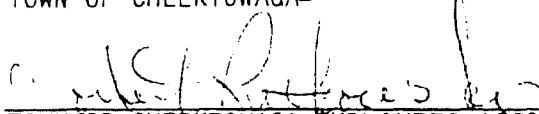
d.) Benefits for paid military service leave will continue to be guaranteed in full accordance with Section 242(5) of the Military Law of the State of New York. No additional paid military leave is granted by this agreement.

MEMORANDUM OF AGREEMENT
Page 2

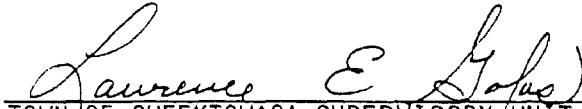
Unless extended by mutual agreement of the parties, this Memorandum of Agreement shall expire on the 31st of December, 1992.



TOWN OF CHEEKTOWAGA



TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION



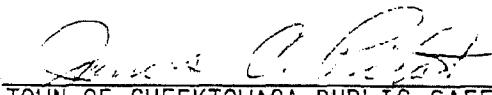
TOWN OF CHEEKTOWAGA SUPERVISORY UNIT



TOWN OF CHEEKTOWAGA POLICE CLUB, INC.



TOWN OF CHEEKTOWAGA CAPTAINS & LIEUTENANTS ASSOCIATION



TOWN OF CHEEKTOWAGA PUBLIC SAFETY DISPATCHERS ASSOCIATION

Dated: 11-17-90

Item No. 5d Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga, on May 20, 1987, gave Mr. & Mrs. Kenneth Kazmierczak a Housing Rehabilitation Community Development loan for property owned by them located at 225 Gates St., Sloan, NY 14212, and

WHEREAS, Mr. & Mrs. Kazmierczak are now applying for a separate mortgage loan through Embanque Capital Corp., and Embanque is requesting the Town to execute a Subordination Agreement relating to the Town's Community Development Loan, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Mr. & Mrs. Kazmierczak and the Town's Housing Rehabilitation Community Development loan for 225 Gates St., Sloan, NY and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5e Motion by Councilman Solecki Seconded by Councilman Rogowski

WHEREAS, the State of New York provides financial aid for resource recovery equipment, source separation equipment, or both, and for the implementation of small scale, low-technology approaches to resource recovery; and

WHEREAS, the Town of Cheektowaga (herein called the "Town"), has examined and duly considered the applicable laws of the State of New York and the Town deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK (herein called the "State") and the Town be executed for such State Aid:

NOW, THEREFORE, BE IT RESOLVED BY the Cheektowaga Town Board:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application, is hereby authorized.

2. That Frank E. Swiatek is directed and authorized as the official representative of the Town to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State.

3. That the Town agrees that it will fund its portion of the cost of said Solid Waste Management Project.

4. That the Town sets forth its responsibilities by attached joint resolution relative to a joint Solid Waste Recovery and Management Project, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward five (5) certified copies of this resolution to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALBANY, NEW YORK 12233-4015, together with a complete application, and BE IT FURTHER

RESOLVED, that this resolution shall take effect immediately.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6 Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, John Tewey has applied to the Town of Cheektowaga for a rezoning and for environmental review of his proposal to construct a parking lot for employees' cars and tow trucks on a vacant lot on Glidden Street (Assessor's S.B.L. No. 113.62-2-1.1), and

WHEREAS, the appropriate governmental agencies 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 project, and

WHEREAS, the Town Environmental Review Advisory Committee has reviewed this application and has recommended that the applicant prepare and submit a Draft Environmental Impact Statement to the Town, 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. proximity of such a business to residences and the detrimental effect such rezoning would have on such residences
2. compatibility of such proposed use on the area
3. effect of proposed use on real estate values of residences
4. fumes from automotive exhaust and effect on residents
5. noise caused by proposed use and effect on residents
6. environmental effects associated with waste oils and other automotive fluids leaking into ground
7. effect of lighting (for security purposes) and spill-over onto neighboring homes

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 project could have a significant effect on the environment, and BE IT FURTHER

RESOLVED, that John Tewey 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 John Tewey and other interested and involved agencies of this requirement.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

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

WHEREAS, this Town Board duly awarded the contract for the construction of storm sewers on Mafalda, Nina and Fontaine, Phase II, in the amount of \$199,710.35 to Firstrhyme Construction Corporation on August 7, 1989, AND

WHEREAS, Firstrhyme Construction Corporation has submitted Change Order No. 1 in the amount of \$2,171.63 for additional water pipe needed to divert the existing watermains around our new storm sewer construction, AND

Item No. 7 continued

WHEREAS, the Engineering Department and the consulting firm of Nussbaumer & Clarke, Inc. have reviewed and tabulated this Change Order No. 1 in the amount of \$2,171.63, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign said Change Order #1 in the amount of \$2,171.63 for Firsthyme Construction Corporation, 3517 Genesee Street, Buffalo, New York 14225, AND, BE IT FURTHER,

RESOLVED, that the cost for such Change Order #1 shall be charged to Account No. 05-8540-9919-1101.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 8 Motion by Councilman Kulyk Seconded by Councilman Blachowski

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 27, 1990, rendered the determinations shown on the attached memo dated September 28, 1990,, 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 September 28, 1990 memo attached hereto:

Item II

French Road - Arby's Restaurant

* SEE NEXT PAGES FOR MEMO

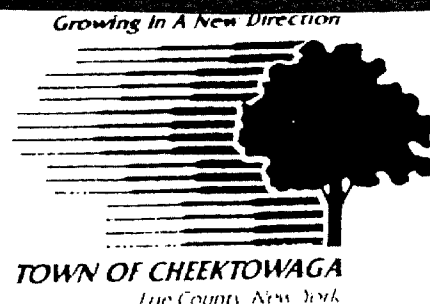
Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Office of Building & Plumbing Inspections
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14227
716/686-3470



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: September 28, 1990

RECEIVED
1990 OCT - 1
CHEEKTOWAGA
TOWN

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 27, 1990, in the Town Hall Council Chambers.

ITEM I 2404 Union Road - Rezoning For Barber Shop

Applicant: John Garrow

Determination: Non-Significant.
The applicant returned to the advisory committee meeting with a new site plan. This plan shows additional parking area and wider driveway. The Town Engineer had suggested the applicant slope the parking lot towards the center of his property.

No public comment was received on the item.

It is understood that the owner/applicant will discuss with the Town Engineering Department easements along the Slate Bottom and Cayuga Creeks and once an easement width is determined the owner will convey these easements to the Town.

ITEM II French Road - Proposed Arby's Restaurant

Applicant: DiDonato Associates

Determination: Non-Significant.
The applicant submitted a new site plan to the committee which showed a larger property to be developed. The end result of this site enlargement will be additional landscaping, better traffic flow and parking areas.

The design will require a front yard variance due to the fact that this is a prefabricated building and it must be set-back fifty (50) feet from the top of bank because of the drainage ordinance.

ITEM III Glidden Street - Rezoning

Applicant: John Tewey

Determination: Recommend Submittal of Draft
Environmental Impact Statement (DEIS).
The committee believes that the rezoning for the purpose of a parking lot for employees cars and tow trucks would not be compatible with the area which is essentially residential. There had been some public comment opposing

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

WHEREAS, Chapter 13 of the Code of Town of Cheektowaga requires that a tree planting fee of \$150.00 be charged to all building permit applicants for residential structures, AND,

WHEREAS, Robert Schiersing has made application for a building permit for a single family residence on property located at 82 Honorine Drive which already has an acceptable tree on the premises, NOW, THEREFORE, BE IT

RESOLVED, that the tree planting fee of \$150.00 for the above captioned building permit is hereby waived.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

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

WHEREAS, previously, this Town Board retained the law firm of Moot & Sprague to represent the Town with respect to the condemnation of land for the proposed Cheektowaga Golf Course, and

WHEREAS, attorneys William R. Brennan and Mark R. McNamara have been assigned to handle this case for the Town due to their expertise in this area of the law, and

WHEREAS, the Hon. Robert E. Whalen, Justice, State Supreme Court, rendered a decision determining that the Town had the right to ownership of such land, and

WHEREAS, the owners of said land have filed a Notice of Appeal with respect to this matter, and

WHEREAS, this Board desires to retain the same attorneys to handle the appeal on this matter, and

WHEREAS, it has become known that the law firm of Moot & Sprague will be disbanding in part and attorneys William R. Brennan and Mark R. McNamara will become associated with the law firm of Hiscock & Barclay, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to retain the services of Moot & Sprague so long as William R. Brennan and Mark R. McNamara are associated with such firm; thereafter, the Town agrees to retain the services of Hiscock & Barclay in connection with this condemnation and appeal, and BE IT FURTHER

RESOLVED, that moneys for such services shall be appropriated from budget line item number 05-7140-8817-1100.

Upon Roll Call....

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

NAYES: Councilman Rogowski

ABSENT: 0

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

WHEREAS, the Town's school crossing guards in the Tier 1 Retirement System have requested to be allowed to retire on the stipulations that they be afforded the option to immediately be rehired, AND

WHEREAS, under Section 212 of the New York State and Local Retirement System, this action is allowed, provided the rehired employee does not make over \$9,360 annually, NOW, THEREFORE, BE IT

Item No. 11 continued

RESOLVED, that the following crossing guards, currently enrolled in the Tier 1 Retirement Plan, be allowed to retire; the Town then agrees that after the aforementioned retirement, these employees would subsequently be rehired after no less than 15 calendar days, but no more than 20 days:

Margareta Beek
Joan Cyrankowski
Irene Fabozzi
Julia Grupp
Patricia Knox
Mary Jane Meyer
Alice Rydzynski

Margaret Blum
Florence Dryja
Jane Fenske
Elaine Juskiewicz
Alice Matuski
Mary Pardi
Eleanor Stachewicz

NOW, THEREFORE BE IT

RESOLVED, that those guards hired before October 5, 1981 be allowed to continue to participate in the Town's health insurance plan, at the Town's expense, after their retire/rehire, as long as they continue to work the equivalent of 90 days or 720 hours annually, NOW, THEREFORE, BE IT FURTHER

RESOLVED, that this action makes no changes in the present health benefit options available to these employees after their permanent separation from the Town.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the below listed individuals be terminated from the Adapted Recreation Program (01-7310-0001-1803), effective immediately:

COUNSELOR I - \$3.80 per hour:

Steve Brady
Cheektowaga, New York 14227

COUNSELOR II - \$3.95 per hour:

Tom Jakubowicz
Cheektowaga, New York 14227

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 12b Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

BE IT RESOLVED that the following individuals be and hereby are terminated in the departments listed:

POLICE DEPARTMENT

EFFECTIVE

Lisa Racki

10/20/90

SEWER DEPARTMENT

Steven Galovin

Immediately

Item No. 12b continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13a Motion by Councilman Solecki Seconded by Councilman Blachowski

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department, AND

WHEREAS, a notice of such vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, AND

WHEREAS, John M. Tourjie, currently employed as a Cleaner with the Town, bid on said position and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that John M. Tourjie, Cheektowaga, New York be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Supervisor Swiatek Seconded by Councilman Blachowski

WHEREAS, by resolution dated July 2, 1990, this Town Board enacted a Local Law to Create the Cheektowaga Conservation Advisory Council, and

WHEREAS, pursuant to such Local Law, the Cheektowaga Conservation Advisory Council is to consist of ten members appointed by this Town Board, seven of which shall be voting members and three of which shall be ex-officio members, and

WHEREAS, this Town Board desires to appoint members to serve on such Cheektowaga Conservation Advisory Council, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are appointed to serve as voting members of the Cheektowaga Conservation Advisory Council, effective immediately and for a term of two years:

1. Michael Papero,
2. Jeffrey Liddle,
3. Stephen P. Fitzmaurice,
4. David G. Unger,
5. Lawrence Watson,
6. Robert Reinstein
7. Daniel A. Stachelski,

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 14a Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

BE IT RESOLVED, that the following individuals are hired as part-time employees, not to exceed 19 hours on an annual basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT - \$5.00 per hour

EFFECTIVE

Donna Szalwinski
Maureen Malark
Lisa VanDusen

Immediately
Immediately
Immediately

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 14b Motion by Councilman Gabryszak Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals are hired as seasonal employees, not to exceed 24 weeks in a calendar year, in the various department listed, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

SEWER DEPARTMENT - \$4.65 per hour

EFFECTIVE

John Bobeck
Donald Nowakowski

Immediately
Immediately

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, Como Park Boulevard is a County highway maintained by the County of Erie, Department of Public Works, Division of Highways, and

WHEREAS, the County of Erie is presently contemplating widening Como Park Boulevard into a four-lane-highway from Autumn Lane in Cheektowaga easterly into the Town of Lancaster, and

WHEREAS, by widening Como Park Boulevard, numerous mature trees and vegetation in this area will have to be removed, and

WHEREAS, the widening of Como Park Boulevard will also threaten the quality of life and property values of the extensive residential development that borders Como Park Boulevard, and

WHEREAS, the widening of the aforementioned portion of Como Park Boulevard may lead to the widening of the remainder of Como Park Boulevard, from Autumn Lane west to Union Road, thereby affecting more Town residents and the Reinstein Woods Nature Preserve, and

WHEREAS, this Town Board feels that the County of Erie should conduct extensive environmental studies concerning this proposal and should keep Como Park Boulevard as a two-lane-highway, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the County of Erie to reconsider its proposal to widen Como Park Boulevard into a four-lane-highway from Autumn Lane easterly, and BE IT FURTHER

RESOLVED, that this Town Board hereby also memorializes the County of Erie to do a complete environmental study under the State Environmental Quality Review Act of the consequences of widening Como Park Boulevard, and BE IT FURTHER

Item No. 15 continued

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the County Executive, County Legislator Raymond Dusza, the Clerk of the County Legislature and the County of Erie, Department of Public Works, Division of Highways.

* * * * *

MOTION BY COUNCILMAN SOLECKI AND SECONDED BY COUNCILMAN GABRYSZAK TO AMEND THE ABOVE RESOLUTION AN THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, Como Park Boulevard is a County highway maintained by the County of Erie, Department of Public Works, Division of Highways, and

WHEREAS, the County of Erie is presently contemplating widening Como Park Boulevard into a four-lane-highway from Autumn Lane in Cheektowaga easterly into the Town of Lancaster, and

WHEREAS, by widening Como Park Boulevard, numerous mature trees and vegetation in this area will have to be removed, and

WHEREAS, the widening of Como Park Boulevard will also threaten the quality of life and property values of the extensive residential development that borders Como Park Boulevard, and

WHEREAS, the widening of the aforementioned portion of Como Park Boulevard may lead to the widening of the remainder of Como Park Boulevard, from Autumn Lane west to Union Road, thereby affecting more Town residents and the Reinstein Woods Nature Preserve, and

WHEREAS, this Town Board feels that the County of Erie should conduct extensive environmental studies concerning this proposal and should keep Como Park Boulevard as a two-lane-highway, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the County of Erie to reconsider its proposal to permanently prohibit widening Como Park Boulevard into a four-lane-highway from Autumn Lane easterly, and BE IT FURTHER

RESOLVED, that this Town Board hereby also memorializes the County of Erie to do a complete environmental study under the State Environmental Quality Review Act of the consequences of widening Como Park Boulevard, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the County Executive, County Legislator Raymond Dusza, the Clerk of the County Legislature and the County of Erie, Department of Public Works, Division of Highways.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEETING NO. 22
October 15, 1990

MOTION BY SUPERVISOR SWIATEK AND SECONDED BY COUNCILMAN GABRYSZAK TO DISPENSE WITH READING OF FIGURES IN ITEM NO. 16 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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

GENERAL FUND

FROM:	1010-4100 (Town Board-Copier Maint. Agreement)	\$ 500.00
	1110-4051 (Justice-Microfilming)	1,000.00
	9010-8101 (Employee's Retirement)	6,566.00
	1910-4711 (Contingency)	31,134.00
	1440-4191 (Engineer-Miscellaneous)	400.00
	1440-4325 (Engineer-Copy Machine)	853.35
	7180-1903 (Beach & Pool-Lifeguards)	600.00
	7310-4681 (Youth-In Service Training)	300.00
	7310-4683 (Youth-Publications & Printing)	200.00
	7310-9005 (Youth-NYSCC Fringes)	279.66
	9010-8101 (Employee's Retirement)	798.00
TO:	1010-2201 (Town Board-Office Equipment)	\$ 500.00
	1110-4001 (Justice-Office Supplies)	1,000.00
	1355-4561 (Assessor-Contracted Legal)	37,700.00
	1440-2501 (Engineering-Miscell Office Equip.)	1,253.35
	7140-4611 (Recreation-Transportation)	600.00
	7310-4001 (Youth-Office Supplies)	500.00
	7310-9002 (Youth-NYSCC FICA)	279.66
	6410-4194 (Publicity-Media Exp.)	798.00

SPECIAL DISTRICT FUND

FROM:	8125-4543 (SD #5 Remedial)	\$ 2,483.38
	8173-1205 (Recycling-Asst. Foreman)	32,000.00
	8173-4587 (Recycling-N.E. Board)	6,000.00
	4100-1910-2799 (Storm 1-Approp Fund Balance)	71,656.75
TO:	8125-4351 (Railroad Property Rentals)	\$ 435.38
	8125-2501 (SD #5-Miscell. Office Equipment)	2,045.00
	8160-4161 (Sanitation-Gasoline)	18,000.00
	8173-4194 (Recycling-Advertising)	1,000.00
	8173-4432 (Recycling-Remodeling)	13,000.00
	8173-4598 (Recycling-Video)	1,000.00
	8173-2501 (Recycling-Other Equipment)	5,000.00
	4100-9950-9000 (Storm 1-Trans. to Capital)	71,656.75

HIGHWAY FUND

FROM:	9010-8101 (Employees' Retirement)	\$15,000.00
	5141-1201 (General Foreman)	15,000.00
	5141-1374 (Clerk-Typist)	2,000.00
	5141-1414 (MEO B)	25,000.00
	8210-4568 (Storm Sewer Cleaning)	10,000.00

Item No. 16 continued

HIGHWAY FUND

TO:	8540-4572 (Piping Wheaton Drainage Ditch)	\$15,000.00
	5141-1202 (Working Foreman)	15,000.00
	5141-1491 (Part Time Clerk)	2,000.00
	5141-1491 (Seasonal)	25,000.00
	5130-2407 (Equipment)	10,000.00

CAPITAL FUND

FROM:	5911-1910-5031 (Interfund Transfer In)	\$71,656.75
TO:	5911-8141-0315 (Storm Sewer-Bame Burke)	\$71,656.75

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 17 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 15, 1990 are hereby approved and made a part hereof:

GENERAL FUND	\$1,641.993.91
HIGHWAY FUND	359,868.48
CAPITAL FUND	180,925.22
TRUST & AGENCY FUND	21,256.58
HUD - CDBG FUND	43,400.47
PART TOWN FUND	34,578.39
RISK RETENTION FUND	40,664.13
STATE AHC FUND	1,205.60
DEBT SERVICE FUND	30,250.00
HUD REHAB. FUND	30,121.20
SPECIAL DISTRICT FUND	1,102,477.03
	<u>\$3,486,741.01</u>
	=====

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 18 Minutes of Cheektowaga Planning Board/September, 1990
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 19a Summons and Complaint: Jeanette A. Kobus vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Highway
Department; Adjustco, Insurance Carrier.
Received and Filed.

- Item No. 19b Summons and Complaint: Elsie M. J. Smith vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Chief
Chamberlin, Police Department; Adjustco, Insurance Carrier.
Received and Filed.
- Item No. 20a Notice of Claim: Mrs. Theresa Koronowski vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Highway
Department; Adjustco, Insurance Carrier.
Received and Filed.
- Item No. 20b Notice of Claim: William J. & Sharon MacPeck vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Police
Department; Adjustco, Insurance Carrier.
Received and Filed.
- Item No. 20c Notice of Claim: Carmen Marinaccio, Luciann Marinaccio, individually
and as mother of Samantha Marinaccio, an infant vs Town of
Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Police
Department; Adjustco, Insurance Carrier.
Received and Filed.
- Item No. 21 Petition from residents regarding 3325 Genesee Street.
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Town Board Councilmen.
Received and Filed.

* * * * *

MOTION BY SUPERVISOR SWIATEK AND SECONDED BY COUNCILMAN KULYK TO SUSPEND THE RULES
TO INCLUDE THE FOLLOWING ITEM AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

IV. SUSPENSION OF RULES

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

WHEREAS, this Town Board has retained the services of R. P. Morrow
Associates, P.C. for the provision of professional services for the Installation of
Sports Lighting at John C. Stiglmeier Park, AND

WHEREAS, the Director of Facilities, James J. Matecki advises that
plans and specifications have been completed by R. P. Morrow Associates, P. C. for
the Installation of Sports Lighting at John C. Stiglmeier Park, NOW, THEREFORE, BE
IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a
Notice to Bidders for the Installation of Sports Lighting at John C. Stiglmeier
Park, said notice to be published in the Cheektowaga Times AND BE IT FURTHER

Item No. 22 continued

RESOLVED, that sealed bids will be received and opened on the 2nd day of November, 1990 at 11:00 A.M. local time at a public bid opening to be held in the Council Chambers of Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed bids for the Electric Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on November 2, 1990 at 11:00 AM in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the Installation of Sports Lighting at Stiglmeier Park, Losson Road, Cheektowaga, New York.

Specifications (Including Information for Bidders and Form of Bid) and Plans may be examined at the office of R. P. Morrow Associates, P. C., 225 Delaware Avenue, Buffalo, New York 14226 and a copy may be obtained upon payment of \$100.00 per set for each project as a deposit to guarantee the safe return thereof.

Any bidder for the project furnishing the required bid security, other than the successful bidder, who returns such copy in good condition within fifteen (15) days following the receipt of bids for the project for which such bidder shall have submitted bid or the rejection of the bid of such bidder, will be refunded the full amount of the deposit, including the successful bidder, and one half of the deposit will be reimbursed for the return of all other copies of the plans and specifications in good condition following the award of the contract or the rejection of the bids covered by such plans and specifications.

The Cheektowaga Town Board reserves the right to waive any informalities in or to reject any or all bids, as the same is permitted by law.

Each bidder must deposit with his bid, security in an amount not less than 10% of the Base Bid for each project bid in the form and subject to the conditions provided in the Information for Bidders.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under this contract.

Bids shall remain open for acceptance for 45 days subsequent to the opening thereof.

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD

RICHARD M. MOLESKI, TOWN CLERK

Dated: October 18, 1990

JOB NO. 918

B.R.1

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

#22

Melanie Woy, 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. 18, 1990 ;
last publication..... Oct 18, 1990 ;
and that no more than six days intervened be-
tween publications.

Melanie Woy
18th

Sworn to before me this

day of October, 1990

Margaret J. Bourdette

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS**

Scaled bids for the Electric Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on November 2, 1990 at 11:00 AM in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the Installation of Sports Lighting at Stiglmeier Park, Losson Road Cheektowaga, New York.

Specifications (Including Information for Bidders and Form of Bid) and Plans may be examined at the office of R.P. Morrow Associates, P.C., 225 Delaware Avenue, Buffalo, New York 14226 and a copy may be obtained upon payment of \$100.00 per set for each project as a deposit to guarantee the safe return thereof.

Any bidder for the project furnishing the required bid security, other than the successful bidder, who returns such copy in good condition within fifteen (15) days following the receipt of bids for the project for which such bidder shall have submitted bid or the rejection of the bid of such bidder, will be refunded the full amount of the deposit, including the successful bidder, and one half of the deposit will be reimbursed for the return of all other copies of the plans and specifications in good condition following the award of the contract or the rejection of the bids covered by such plans and specifications.

The Cheektowaga Town Board reserves the right to waive any formalities in or to reject any or all bids, as the same is permitted by law.

Each bidder must deposit with his bid, security in an amount not less than 10% of the Base Bid for each project bid in the form and subject to the conditions provided in the Information for Bidders.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under this contract.

Bids shall remain open for acceptance for 45 days subsequent to the opening thereof.

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD

**RICHARD M. MOLESKI
TOWN CLERK**

DATED: October 18, 1990

PUBLISH: OCTOBER 18, 1990

NO. 23

NO. 24

MEETING NO. 22
October 15, 1990

Item No. 23

Motion by Councilman Rogowski and Seconded by Councilman Jaworowicz
to adjourn the meeting.

RICHARD M. MOLESKI,
Town Clerk

No. 23

No. 24

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 19th day of October, 1990 at 5:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney;

I. RESOLUTIONS

Item No. 2 Motion by Unanimous Seconded by Unanimous

WHEREAS, this Town Board, on August 6, 1990, adopted the following titled bond resolution:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED AUGUST 15, 1988 AND AMENDED AUGUST 6, 1990, AUTHORIZING THE CONSTRUCTION OF A GOLF COURSE AT REHM PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,900,000., APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE APPROPRIATION OF \$195,000 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE OF \$3,705,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

and,

WHEREAS, such resolution was subject to a permissive referendum, and

WHEREAS, on September 5, 1990, petitions requesting a referendum on such resolution were submitted to the Town Clerk, and

WHEREAS, a legal challenge to the sufficiency of such petitions was brought, and

WHEREAS, the Appellate Division of the State Supreme Court rendered a decision on this matter and directed that a referendum be held in the Town on this matter, and

WHEREAS, due to the timing of the Appellate Division's decision on this matter, the Town is unable to comply with the Town Law requirement that this Town Board adopt a resolution at least 20 days prior to the date of the election establishing the date of the election and the wording of the proposition, and

WHEREAS, the Erie County Board of Elections has informed the Town that, if this matter is to be placed on the ballot for the November 6, 1990 General Election, it must be given the form of the proposition for the referendum and be formally requested by this Town Board to so place it on the ballot, NOW, THEREFORE, BE IT

Item No. 2 continued

RESOLVED, that this Town Board hereby directs that the following proposition be placed on the ballot for the Town of Cheektowaga for the General Election to be held as follows:

Date: November 6, 1990
Polls Open: 6:00 A. M.
Polls Close: 9:00 P. M.
Places of Holding Election: Same as for General Election

Proposition:

SHALL THE RESOLUTION of the Town of Cheektowaga, New York, adopted August 6, 1990, amending the Bond Resolution adopted August 15, 1988, by increasing the estimated maximum cost for the construction of a golf course at Rehm Park By \$1,900,000, appropriating said additional amount therefor, including the appropriation of \$95,000 current funds to finance a portion of said additional cost, and authorizing the issuance of \$1,805,000 serial bonds of said Town to finance the balance of said additional appropriation BE APPROVED?

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to notify the Erie County Board of Elections and the public via publication and posting of the attached Notice of Special Election in compliance with Section 82 of the Town Law of this action taken by this Town Board, and BE IT FURTHER

RESOLVED, that any costs associated with placing this proposition on the ballot for the November 6, 1990 General Election shall be appropriated from budget line item number 5817-7140-1100.

* SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Way....., 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. 25, 1990..... ;
last publication Oct. 25, 1990..... ;
and that no more than six days intervened be-
tween publications.

Melanie Way.....
Sworn to before me this 25th.....
day of October, 1990
Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE OF SPECIAL TOWN
ELECTION
TOWN OF CHEEKTOWAGA,
IN THE COUNTY OF ERIE,
NEW YORK**

NOVEMBER 6, 1990

NOTICE IS HEREBY GIVEN that pursuant to the resolution duly adopted by the Town Board of the Town of Cheektowaga, in the County of Erie, New York, on October 19, 1990, a Special Town Election of the qualified voters of said Town will be held within said Town, on Tuesday, November 6, 1990, the date of the General Election, at 6:00 A.M. (Prevailing Time) at the places for voting at said General Election within said Town, and the polls shall remain open until 9:00 P.M. (Prevailing Time) or as much longer as may be necessary to enable the voters then present to cast their votes, to vote upon the following Proposition:

PROPOSITION

SHALL THE RESOLUTION of the Town of Cheektowaga, New York, adopted August 6, 1990, amending the Bond Resolution adopted August 15, 1988, by increasing the estimated maximum cost for the construction of a golf course at Rehm Park by \$1,900,000, appropriating said additional amount therefor, including the appropriation of \$95,000 current funds to finance a portion of said additional cost, and authorizing the issuance of \$1,805,000 serial bonds of said Town to finance the balance of said additional appropriation **BE APPROVED?**

an abstract of said bond resolution adopted August 15, 1988 and amended August 6, 1990 concisely stating the purpose and effect thereof, is as follows:

FIRST: RECITING that the Town Board of the Town of Cheektowaga, in the County of Erie, New York, has heretofore duly authorized the construction of a golf course at Rehm Park, at the estimated minimum cost of \$2,000,000 which amount was appropriated therefor pursuant to the bond resolution adopted by said Town

October 25, 1990 CH

LEGAL NOTICES

Board on August 15, 1988, and hereinafter referred to, and it now has been determined that due to increased costs associated with the condemnation of land for such golf course and increased costs of labor and materials, the cost thereof is now estimated to be \$3,900,000 and it is necessary to increase the appropriation therefor by \$1,900,000 from \$2,000,000 to \$3,900,000.

SECOND: AUTHORIZING said Town to construct a golf course at Rehm Park, including buildings, appurtenant or incidental thereto, land or rights in land, original furnishings and equipment; and **STATING** the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,900,000; **APPROPRIATING** said amount therefor, including the appropriation of \$195,000 current funds to provide the down payment required by the Law, as hereinafter defined; **STATING** the plan of financing includes the expenditure of said current funds, the issuance of \$3,705,000 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon.

THIRD: AUTHORIZING the issuance of \$3,705,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said current funds;

FOURTH: DETERMINING and **STATING** the period of probable usefulness of the specific object or purpose for which said \$3,705,000 serial bonds are to be issued is twenty (20) years; however, the final maturity of said \$3,705,000 serial bonds shall not extend beyond October 26, 2008; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds have been or will be provided therefor in the aggregate amount of \$195,000 from the current budgets of the Town; and **DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$3,705,000 serial bonds will exceed five (5) years;

FIFTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

SIXTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SEVENTH: DETERMINING that the bond resolution, as amended, is subject to a permissive referendum.

BY ORDER OF THE TOWN BOARD

DATED: OCTOBER 19, 1990

RICHARD M. MOLESKI

TOWN CLERK

PUBLISH: October 25, 1990

41
10-20

MEETING NO. 23
October 19, 1990

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

WHEREAS, developers are required to install water mains within the public highway right-of-way of new commercial subdivisions, AND

WHEREAS, hydrants must be installed within Phase II of the Gardenville Industrial Park, prior to acceptance of the water main extension by the Erie County Water Authority as part of their water distribution system, NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the developer of the Gardenville Industrial Park, Phase II, to install two (2) hydrants on Innsbruck Drive at the locations approved by the Chief of Southline Fire District No. 10, Robert J. Wojcik, in his letter dated October 16, 1990, with said locations as shown on plans prepared by DiDonato Associates described as follows:

(1) Northwestern side of Innsbruck Drive at STA 10 + 80

(2) Southeasterly side of Innsbruck Drive at STA 15 + 82

AND, BE IT FURTHER

RESOLVED, that all costs associated with furnishing and installing the subject hydrants is to be borne by the developer, AND, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the subject hydrants, with said charges being recovered by Town billing to the respective fire company.

* SEE NEXT PAGE FOR LETTER

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 4 Motion by Councilman Kulyk and Seconded by Councilman Rogowski to adjourn the meeting.

Richard M. Moleski,
Town Clerk

MEETING NO. 24
October 30, 1990

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 30th day of October, 1990 at 6:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; Christopher Kowal, Highway Superintendent; Bruce Chamberlin, Chief of Police; John Schaller, Assistant Chief of Police; Terry Rusin, Chief Accountant; Kenneth Kopacz, Director of Youth Bureau; Pat Staniszak, Youth Bureau Coordinator; Richard Fitzgerald, Chamber of Commerce; John Malloy, Deloitte & Touche.

I. PUBLIC HEARINGS

Item No. 2 The Supervisor advised the Town Board that this was 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 1991 Preliminary Benefit Basis 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. 3 This being the time and place advertised for a Public Hearing on the estimates and revenues and expenditures for the year 1991 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 1991 for the General Fund, Consolidated Garbage District and General Lighting Districts.

* 1991 Ad Valorem 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

P U B L I C H E A R I N G S
(held prior to Town Board meetings)

NO.

ITEM

Meeting No. 26 November 19, 1990

- 1 Rezoning of property at 603 Borden Road from R-Residential District to RA-Apartment District
- 2 Amendment to Vehicle & Traffic Town Ordinance, ARTICLE IV, Traffic Control Signals- Pine Ridge Road at Parkview Terrace; ARTICLE VIII, "Stop & Yield Intersections- Towers Blvd., Whitney Pl., Pine Ridge Rd., LeHavre Dr., Butternut Rd., ARTICLE X, "Parking, Standing and Stopping" - Peachtree Rd., Towers Blvd., Whitney Pl., Parktrail Lane.

Meeting No. 27 December 3, 1990

- 1 Rezoning at 3700 Broadway from M2-General Manufacturing to C-Retail Business District

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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 5th day of November, 1990 at 6:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; Christopher Kowal, Highway Superintendent; Bruce Chamberlin, Chief of Police; John Schaller, Assistant Chief of Police; Terry Rusin, Chief Accountant; Kenneth Kopacz, Director of Youth Bureau; Salvatore LaGreca, Chairman of Planning Board; Chester L. Bryan, Town Engineer; Ronald Marten, Building & Plumbing Inspector and Dennis J. Ciotusznski, Town Justice.

I. RESOLUTIONS

Item No. 2a Adoption of Ad Valorem Budget
This item has been withdrawn.

Item No. 2b Adoption of Benefit Basis Budget
This item has been withdrawn.

Item No. 3 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, John J. Garrow has petitioned for the rezoning from RA-Apartment District to C-Retail Business District of property owned by John and Lorraine McAuley and located at 2404 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 15th day of October, 1990 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 subject to the following conditions:

1. Petitioner submit a landscape plan acceptable to the Planning Board, 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:

Item No. 3 continued

1. Easements acceptable to the Town Engineer along Slate Bottom and Cayuga Creek being conveyed to the Town, 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 John J. Garrow for the rezoning from RA-Apartment District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby approved subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and 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.

* SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Rogowski and Blachowski

ABSTAINED: Councilman Solecki

NAYES: 0

ABSENT: 0

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 61, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:
BEGINNING at a point in the center line of Union Road (66 feet wide) 160 feet northerly from its intersection, with the south line of Lot No. 61; thence north 83 degrees west (N 83° 00' W) 450 feet to the waters edge of Cayuga Creek; thence northerly along the waters edge of Cayuga Creek to its intersection with a line drawn parallel with the first described course herein and 294.20 feet northerly therefrom as measured along the westerly line of Union Road; thence easterly along said last described parallel line 430.40 feet to the center line of Union Road; and thence southerly along the center line of Union Road 294.20 feet to the point of beginning.
EXCEPTING AND RESERVING therefrom that portion thereof lying within the bounds of Union Road (66 feet wide).

STATE OF NEW YORK }
COUNTY OF ERIE }

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

1. Aregular..... 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
onNovember 5..... 19..90., 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 ofNovember.....
19..90...

Richard M. Moleski

.....
Town Clerk

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

Melanie Way, 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. 8, 1990 ;
last publication Nov. 8, 1990 ;
and that no more than six days intervened be-
tween publications.

Melanie Way
gth
Sworn to before me this
day of November, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

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 5th day of November, 1990 at 7:30 o'clock p.m. Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by: Councilman Kulyk
Seconded by Councilman Jaworowicz

WHEREAS, John J. Garrow has petitioned for the rezoning from RA-Apartment District to C-Retail Business District of property owned by John and Lorraine McAuley and located at 2404 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 15th day of October, 1990 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 subject to the following conditions:

1. Petitioner submit a landscape plan acceptable to the Planning Board, 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. Easements acceptable to the Town Engineer along Slate Bottom and Cayuga Creek being conveyed to the Town, 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 John J. Garrow for the rezoning from RA-Apartment District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby approved subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and 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...
Supervisor Swiatek Voting AYE
Councilman Jaworowicz Voting AYE

Councilman Gabryszak Voting AYE
Councilman Kulyk Voting ABSTAINED

Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE

Councilman Blachowski Voting AYE
AYES: 6
NAYES: 0
ABSENT: 0
ABSTAINED: 1

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 61, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the center line of Union Road (66 feet wide) 160 feet northerly from its intersection, with the south line of Lot No. 61; thence north 83 degrees west (N 83 degrees 00' W) 450 feet to the waters

= LEGAL NOTICES =

edge of Cayuga Creek; thence northerly along the waters edge of Cayuga Creek to its intersection with a line drawn parallel with the first described course herein and 294.20 feet northerly therefrom as measured along the westerly line of Union Road; thence easterly along said last described parallel line 430.40 feet to the center line of Union Road; thence easterly along said last described parallel line 430.40 feet to the center line of Union Road; and thence southerly along the center line of Union Road 294.20 feet to the point of beginning.

EXCEPTING AND RESERVING therefrom that portion thereof lying within the bounds of Union Road (66 feet wide).

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 November 5, 1990, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 5th day of November, 1990.

RICHARD M. MOLESKI
TOWN CLERK
PUBLISH: November 8, 1990

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

WHEREAS, Marie Koch has made application and requested the Rezoning from R-Residential District to RA-Apartment District for property located at 603 Borden Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on November 19, 1990 at 7:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFADIVIT - NEXT PAGE

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

Melanie Wolf, 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. 8, 1990;
last publication Nov. 8, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
8th
Sworn to before me this
day of November, 1990
Margaret J. Bourdette

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of November, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of MARIE KOCH-HANISZEWSKI to rezone from R-RESIDENTIAL District to RA-APARTMENT District on property located at 603 BORDEN 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 Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

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 forty-three (43), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and

=LEGAL NOTICES=

described as follows:

BEGINNING in the center line of Borden Road one hundred and eighty-one hundredths (100.81) feet southerly from the intersection of said center line of Borden Road with the northerly line of said Lot Number forty-three (43); thence easterly parallel with the northerly line of said Lot Number forty-three (43), two hundred five (205) feet; thence southerly parallel with the easterly line of Lot Number forty-three (43), one hundred and eighty-two hundredths (100.82) feet; thence westerly parallel with the northerly line of said Lot Number forty-three (43), two hundred five (205) feet to the center line of Borden Road; thence northerly along said easterly line of Borden Road one hundred and eighty-two hundredths (100.82) feet to the point or place of beginning.

PUBLISH: November 8, 1990

Item No. 4b Motion by Councilman Rogowski, Seconded by Councilman Blachowski

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 19, 1990 at 6:30 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 8th day of November, 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 November 19, 1990 at 6:30 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 IV

Traffic Control Signals

Section 76-40 A. Installation, maintenance and operation of traffic control signals shall be amended by deleting therefrom the following:

(28) Pine Ridge Road at Parkview Terrace.

- (a) Variable automatic: 1 section, 4 sides, 3 lights per side.
- (b) Sensor pads, push buttons.
- (c) Normal operation: flashing signal, yellow indications facing north and south on Pine Ridge Road and red indications facing east on Parkview Terrace and the west.
- (d) Sensor-pad, push-button activation displays steady green indications facing north and south on Pine Ridge Road and steady red indications facing east on Parkview Terrace and to the west, followed by steady red indications facing north and south on Pine Ridge Road and steady green indications facing east on Parkview Terrace and to the west. Short interval reverts to operation in Subsection A928(c).

ARTICLE VIII

Stop and Yield Intersections

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

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>
Towers Blvd.	North-south	Whitney Pl. (north leg)	Westbound	N.E. Corner
Towers Blvd.	North-south	Whitney Pl. (south leg)	Westbound	N.E. Corner
Whitney Pl. (north leg)	East-west	Parktrail Ln.	Northbound	S.E. Corner
Whitney Pl. (south leg)	East-west	Parktrail Ln.	Southbound	N.W. Corner

Item No. 4b continued

Pine Ridge Rd.	North-south	Parkview Terr.	Westbound	N.E. Corner
LeHarve Dr.	East-west	Towers Blvd.	Northbound	S.E. Corner
LeHarve Dr.	East-west	Towers Blvd.	Southbound	N.W. Corner
Butternut Rd.	East-west	Rushford Ln.	Northbound	S.E. Corner
Butternut Rd.	East-west	Rushford Ln.	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

§76-102. Parking prohibited in designated locations.

Add the words "Except as otherwise permitted in Section 76-101 herein" at the beginning of the sentence.

Section 76-101 All-night parking

Add between the words "6:00 A.M." and "opposite" the following wording:

"on Mondays, Wednesdays and Fridays"

Add between the words "opposite the hydrant side" and "the entire length" the following wording:

"and on Sundays, Tuesdays, Thursdays and Saturdays on the hydrant side."

Add between the words "Marne Road" and "Preston Place" the following wording:

"Peachtree Road"

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

B. No parking anytime

TOWERS BLVD.	West side	from the north curblin of LeHarve Drive northerly to the south curblin of Losson Road
WHITNEY PL.	South side (north leg) West side (east leg) North side (south leg)	from the east curblin of Towers Boulevard to the east curblin of Towers Boulevard
PARKTRAIL LN.	East side	from the north curblin of Whitney Place (south leg) to the south curblin of Whitney Place (north leg)

F. Miscellaneous signs

(6) No parking or standing

DICK RD.	West side	from the south curblin of Walden Avenue southerly to the north curblin of Broadway
TOWERS BLVD.	East side	from the north curblin of Whitney Place (north leg) northerly to the south curblin of Losson Road

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

Item No. 4b continued

Dated: November 5, 1990

Richard M. Moleski
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Woy, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clark of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication Nov. 8, 1990;
last publication Nov. 8, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Woy
8th
Sworn to before me this
day of November, 1990
Margaret J. Bourdette
Notary public in and for Erie County, N. Y.

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

= LEGAL NOTICES ——— LEGAL NOTICES

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 November 11, 1990 at 6:30 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic Law) said proposed amendments being as follows:

ARTICLE IV

Traffic Control Signals

Section 76-40 A. Installation, maintenance and operation of traffic control signals shall be amended by deleting therefrom the following:

(28) Pine Ridge at Parkview Terrace.

(a) Variable automatic: 1 section, 4 sides, 3 lights per side.

(b) Sensor pads, push buttons.

(c) Normal operation: flashing signal, yellow indications facing north and south on Pine Ridge Road and red indications facing east on Parkview Terrace and the west.

(d) Sensor-pad, push-button activation displays steady green indication facing north and south on Pine Ridge Road and steady red indications facing east on Parkview Terrace and to the west, followed by steady red indications facing north and south on Pine Ridge Road and steady green indications facing east on Parkview Terrace and to the west. Short interval reverts to operation in Subsection A928 (c)

ARTICLE VIII

Stop and Yield Intersections

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

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
Towers Blvd.	North-south	Whitney Place (north leg)	Westbound	N.E. Corner
Towers Blvd.	North-south	Whitney Place (south leg)	Westbound	N.E. Corner
Whitney Place (north leg)	East-west	Parktrail Lane	Northbound	S.E. Corner
Whitney Place (south leg)	East-west	Parktrail Lane	Southbound	N.W. Corner
Pine Ridge Rd.	North-south	Parkview Terrace	Westbound	N.E. Corner
LeHavre Drive	East-west	Towers Blvd.	Northbound	S.E. Corner
LeHavre Drive	East-west	Towers Blvd.	Southbound	N.W. Corner
Butternut Rd.	East-west	Rushford Lane	Northbound	S.E. Corner
Butternut Rd.	East-west	Rushford Lane	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

§76-102. Parking prohibited in designated locations.

Add the words "Except as otherwise permitted in Section 76-101 herein" at the beginning of the sentence.

Section 76-101 All-night parking

Add between the words "6:00 a.m." and "opposite" the following wording: "on Mondays, Wednesdays and Fridays"

Add between the words "opposite the hydrant side" and "the entire length" the following wording:

"and on Sundays, Tuesdays, Thursdays and Saturdays on the hydrant side."

Add between the words "Marne Road" and "Preston Place" the following wording:

"Peachtree Road"

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

B. No parking anytime
TOWERS BLVD. West side from the north curbline of LeHavre Drive northerly to the south curbline of Losson Road

WHITNEY PLACE

South side (north leg)
West side (east leg)
North side (south leg)

from the east curbline of Towers Blvd. to the east curbline of Towers Blvd.

PARKTRAIL LANE

East side

from the north curbline of Whitney Place (south leg) to the south curbline of Whitney Place (north leg)

F. Miscellaneous signs

(6) No parking or standing
West side

DICK ROAD

from the south curbline of Walden Avenue southerly to the north curbline of Broadway

TOWERS BLVD.

East side

from the north curbline of Whitney Place (north leg) northerly to the south curbline of Losson Road

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
Dated: November 5, 1990

RICHARD M. MOLESKI
Town Clerk

PUBLISH: November 8, 1990

MEETING NO. 25
November 5, 1990

Item No. 5a Motion by Councilman Solecki, Seconded by Councilman Rogowski
Chairman of Sanitation Committee

WHEREAS, by resolution dated August 6, 1990, bids for Disposal of
Municipal Solid Wastes at a Landfill Facility, were advertised, and

WHEREAS, on August 16, 1990 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 RESOLVED, that Item #1 and Item #3 of the bid
be awarded to

Integrated Waste Systems, Inc.
100 Corporate Parkway
Amherst, New York 14226

ITEM I Construction & Demolition Debris
@ \$65.00 per ton tipping fee for a two (2) year period.

ITEM III Tires
@ \$130.00 per ton tipping fee for a two (2) year period.

with the stipulation that excess tonnage above that disposed of at Occidental Waste
to Energy Facility will be delivered, and BE IT FURTHER

RESOLVED, that Item #II of the bid be awarded to

BFI Waste Systems of NY, Inc.
2321 Kenmore Avenue
Kenmore, New York 14217

ITEM II Bulky Wastes (furniture, tree stumps, furniture with springs,
bedding).

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 5b Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received by this Town Board at a bid opening
on November 2nd, 1990 for One (1) New and Unused Model or 1991 Demonstrator Model
w/less than 10,000 miles of use, Five Passenger, Four Wheel Drive, Light Duty Truck
w/four doors for use by the Cheektowaga Highway Department as a result of adver-
tisement 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 West Herr Ford, Inc. S5025 Camp
Road, Hamburg, New York 14075 at the purchase price after trade-in of \$9,896.00, as
per letter attached and made a part of this resolution, and be it further

RESOLVED, that monies be charged to line item 0300-5130-2407.

* SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

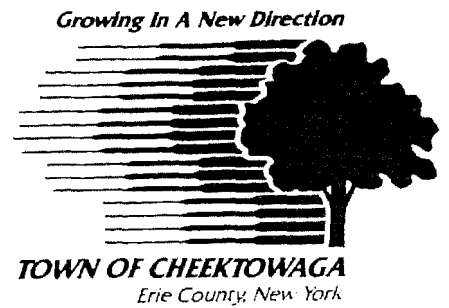
NAYES: 0

ABSENT: 0

Highway Department

3145 Union Road
Cheektowaga, NY 14227-1083
716/686-3450
Mobile: 716/863-5867

Christopher J. Kowal
Superintendent of Highways



November 2, 1990

SUPERVISOR FRANK E SWIATEK
TOWN BOARD MEMBERS
CHEEKTOWAGA NY 14227

Re: BID AWARD, ONE (1) NEW AND UNUSED MODEL OR 1991 DEMONSTRATOR MODEL
W/LESS THAN 10,000 MILES OF USE, FIVE PASSENGER, FOUR WHEEL DRIVE
LIGHT DUTY TRUCK W/FOUR DOORS

Dear Councillors:

Bids were opened this 2nd day of November, 1990 for the above mentioned vehicle for use by the Highway Department and after careful analysis and tabulation, please award bid to West Herr Ford, Inc., S5025 Camp Road, Hamburg NY 14075.

The following bids were received:

West Herr Ford Inc. S5025 Camp Rd., Hamburg 14075	New Vehicle	\$ 9,896. after trade-in
Bison Ford Truck Sales Inc. 2370 Walden Ave., Cheektowaga	Demonstrator w/9,870 Miles	\$ 9,100. after trade-in
Gillogly Chevrolet Inc. 1777 Union Rd., W Seneca	Demonstrator w/4,700	\$ 9,928. after trade-in

Award to West Herr Ford Inc was based on the following reasons:

1. Warranty: New Vehicle w/18,000 miles as opposed to demonstrator with depreciating warranty of 8200 miles.
2. New and unused vehicle has -0- mileage as compared to demo w/9800 mi.
3. Based on discussion with State Auditor before decision, the above reasons were justified.

Trusting this decision meets with your approval, I am

Respectfully yours,

Christopher J. Kowal
Highway Superintendent

CJK;erp
cc: Town Board
Law Office
Town Clerk

Residence: 50 Parktrail Lane + Cheektowaga, New York 14227 + 716/668-6827
Promoting Pride - Progress - Professionalism!

Item No. 6a Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

WHEREAS, this Town Board has retained the services of Scaffidi & Moore, Architects, P.C. for the provision of professional services for Phase III development of the Alexander Community Center, AND

WHEREAS, the Facilities Department Director, James J. Matecki advises that plans and specifications have been completed by Scaffidi & Moore Architects, P.C. in anticipation of Town Board approval in order to comply with plans for utilization of the Alexander Community Center, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for construction associated with Phase III development of the Alexander Community Center, said notice to be published in the Cheektowaga Times, AND BE IT FURTHER

RESOLVED, that sealed bids will be received and opened on the 15th day of November, 1990 at 10:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers of Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5012-1625-1100 and Account #5011-1625-1100.

* * * * *

NOTICE TO BIDDERS

Separate sealed bids for General Construction Work; Heating, Ventilating & Air Conditioning Work, Plumbing Work, Electric Work and Site Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on November 15, 1990 at 10:00 A.M. in the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York for reconstruction projects at the Alexander Community Center, Alexander Avenue, Cheektowaga, New York.

Specifications (including Information for Bidders and Form of Bid) and Plans for each project may be examined at the office of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226, and a copy may be obtained upon payment of \$100.00 per set for each project as a deposit to guarantee the safe return thereof.

Any bidder for the project furnishing the required bid security, other than the successful bidder, who returns such copy in good condition within fifteen (15) days following the receipt of bids for the project for which such bidder shall have submitted bid or the rejection of the bid of such bidder, will be refunded the full amount of the deposit will be reimbursed for the return of all other copies of the plans and specifications in good condition following the award of the contract or the rejection of the bids covered by such plans and specifications.

The Cheektowaga Town Board reserves the right to waive any informalities in or to reject any or all bids, as the same is permitted by law.

Each bidder must deposit with his bid, security in an amount of not less than 10% of the Base Bid for each project bid in the form and subject to the conditions provided in the Information for Bidders.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under this contract.

Bids shall remain open for acceptance for 45 days subsequent to the opening thereof.

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD

Richard M. Moleski

Dated: November 5, 1990

FILE No. 9020

B.R.1

Item No. 6a continued

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

10-23-90 87.41 X 716 838 3131 SCAFFIDI MOORE P.02

NOTICE TO BIDDERS

Separate sealed bids for General Construction Work; Heating, Ventilating & Air Conditioning Work, Plumbing Work, Electric Work and Site Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on November 15, 1990 at 10:00 AM in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for reconstruction projects at the Alexander Community Center, Alexander Avenue, Cheektowaga, New York.

Specifications (including Information for Bidders and Form of Bid) and Plans for each project may be examined at the office of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226, and a copy may be obtained upon payment of \$100.00 per set for each project as a deposit to guarantee the safe return thereof.

Any bidder for the project furnishing the required bid security, other than the successful bidder, who returns such copy in good condition within fifteen (15) days following the receipt of bids for the project for which such bidder shall have submitted bid or the rejection of the bid of such bidder, will be refunded the full amount of the deposit, including the successful bidder, and one half of the deposit will be reimbursed for the return of all other copies of the plans and specifications in good condition following the award of the contract or the rejection of the bids covered by such plans and specifications.

The Cheektowaga Town Board reserves the right to waive any informalities in or to reject any or all bids, as the same is permitted by law.

Each bidder must deposit with his bid, security in an amount of not less than 10% of the Base Bid for each project bid in the form and subject to the conditions provided in the Information for Bidders.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under this contract.

Bids shall remain open for acceptance for 45 days subsequent to the opening thereof.

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD

RICHARD M. MOLESKI, TOWN CLERK

Dated: November 5, 1990

FILE NO. 9020

B.R.1

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

Melanie Ruff, 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. 8, 1990;
last publication Nov. 8, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Ruff
8th
Sworn to before me this
day of November, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS**
Separate sealed bids for General Construction Work; Heating, Ventilating & Air Conditioning Work; Plumbing Work, Electric Work and Site Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town

=LEGAL NOTICES=

Board on November 15, 1990 at 10:00 AM in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for reconstruction projects at the Alexander Community Center, Alexander Avenue, Cheektowaga, New York.

Specifications (including Information for Bidders and Form of Bid) and Plans for each project may be examined at the office of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226, and a copy may be obtained upon payment of \$100.00 per set for each project as a deposit to guarantee the safe return thereof.

Any bidder for the project furnishing the required bid security, other than the successful bidder, who returns such copy in good condition within fifteen (15) days following the receipt of bids for the project for which such bidder shall have submitted bid or the rejection of the bid of such bidder, will be refunded the full amount of the deposit, including the successful bidder, and one half of the deposit will be reimbursed for the return of all other copies of the plans and specifications in good condition following the award of the contract or the rejection of the bids covered by such plans and specifications.

The Cheektowaga Town Board reserves the right to waive any informalities in or to reject any or all bids, as the same is permitted by law.

Each bidder must deposit with his bid, security in an amount of not less than 10% of the Base Bid for each project bid in the form and subject to the conditions provided in the Information for Bidders.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under this contract.

Bids shall remain open for acceptance for 45 days subsequent to the opening thereof.

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD
RICHARD M. MOLESKI
TOWN CLERK

Dated: November 5, 1990
FILE NO. 9020 B.R.1

PUBLISH: November 8, 1990

67
2047

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

WHEREAS, 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, 1991. 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. NOW, THEREFORE, BE IT

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 Friday, November 16, 1990 at 11:00 A.M. in the Council Chambers of the Cheektowaga Town Hall.

* * * * *

TOWN OF CHEEKTOWAGA, NEW YORK

NOTICE TO BIDDERS

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Friday, November 16, 1990, at a public bid opening at 11:00 A.M. at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, for the purpose of furnishing new trees for Spring, 1991, 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 5, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

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NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

Richard M. Moleski

Richard Moleski
Town Clerk
Town of Cheektowaga

Dated:

NOV 5 1990

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

Melanie Way....., 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. 8, 1990.....;
last publication.....Nov. 8, 1990.....;
and that no more than six days intervened be-
tween publications.

Melanie Way.....
8th
Sworn to before me this
day of November....., 1990
Margaret J. Bourdette.....

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA,
NEW YORK**

89
10-67
50

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Friday, November 16, 1990, at a public bid opening at 11:00 A.M. at the Town Hall, Broadway & Union Rds., Town of Cheektowaga, New York, for the purpose of furnishing new trees for spring, 1991, 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 Moleski
Town Clerk

Town of Cheektowaga
PUBLISH: November 8, 1990

Item No. 6c Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, this Town Board had authorized the preparation of plans and specifications for the installation of a traffic signal at the intersection of Towers Boulevard, Losson Road and the main entrance to Stiglmeier Park, AND

WHEREAS, the Town Engineer advises that plans and specifications have been completed and the project is ready for receipt of bids, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby to publish a Notice to Bidders in connection with said traffic signal installation, 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 November 19, 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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town of Cheektowaga on the 19th day of November, 1990 at 11:00 A.M., Local Time, in the Town Hall at Broadway and Union Road in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the installation of a traffic signal at the intersection of Losson Road, Towers Boulevard and the Stiglmeier Park entrance, widening of the Stiglmeier Park Entrance and construction of a bikeway into the park.

On and after the date of this notice, plans and specifications and other contract documents will be on file and may be examined at the office of the Town Engineer at 275 Alexander Avenue, Cheektowaga, New York and the office of EMS Consulting at 1863 Clinton Street, Buffalo, New York. Copies of the Contract Documents, plans, specifications and Instructions to Bidders may be obtained at the office of EMS Consulting at 1863 Clinton Street, Buffalo, New York upon payment of \$50.00 for each set of documents. Deposits should be made in the form of two \$25.00 checks made payable to the Town of Cheektowaga, New York. Contract documents will be mailed by EMS Consulting upon receipt of a separate \$15.00 nonrefundable check for mailing and handling costs in addition to the Contract Document deposit. Checks for mailing and handling costs shall be made payable to EMS Consulting.

Any bidder returning plans and specifications in good condition within thirty days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half of the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as a non-bidder. No refund will be made for documents received after this thirty day period.

The Town of Cheektowaga reserves the right to reject any and all bids, to waive any informalities therein, 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.

Each proposal must be accompanied by a certified check or bank draft 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 a bid bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in the sum equal to five percent (5%) of the amount of the bid, conditioned that, if the proposal be accepted, the contractor will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

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

MEETING NO. 25
November 5, 1990

Item No. 6c continued

By Order Of: Richard M. Moleski
Town Clerk
Town of Cheektowaga

DATED: November 5, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

NOTICE TO BIDDERS

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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.

By Order Of: Richard M. Moleski
Town Clerk
Town of Cheektowaga

DATED: November 5, 1990

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

Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....Nov. 8, 1990.....;
last publication.....Nov. 8, 1990.....;
and that no more than six days intervened be-
tween publications.

Melanie Wolf.....
.....8th.....
Sworn to before me this
day of November....., 1990
Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS**

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LEGAL NOTICES

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Any bidder returning plans and specifications in good condition within thirty days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half of the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as a non-bidder. No refund will be made for documents received after this thirty day period.

The Town of Cheektowaga reserves the right to reject any and all bids, to waive any informalities therein, 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.

Each proposal must be accompanied by a certified check or bank draft 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 a bid bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in the sum equal to five percent (5%) of the amount of the bid, conditioned that, if the proposal be accepted, the contractor will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

Attention 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.

By Order Of: Richard M. Moleski
Town Clerk

Town of Cheektowaga
DATED: November 5, 1990
PUBLISH: November 8, 1990

Item No. 6d Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, this Town Board has retained the services of Babinsky Klein Engineering, P.C., for the provision of furnishing professional services for Boiler Renovations and Heating Improvements at the Cheektowaga Senior Citizen's Center, AND

WHEREAS, the Director of Facilities, James J. Matecki advises that plans and specifications have been completed by Babinsky Klein Engineering P.C., NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for construction associated with Boiler Renovations and Heating Improvements at the Cheektowaga Senior Citizen's Center AND BE IT FURTHER

RESOLVED, that sealed bids will be received and opened on the 21st day of November at 11:00 A.M., Eastern Standard Time in the Council Chambers of Cheektowaga Town Hall, AND, BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5811-7620-1104.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 21st day of November at 11:00 A.M., Local Time, in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the Cheektowaga Senior Citizens Center Boiler Renovations, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky Klein Engineering, P.C. for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the Office of the Engineers at 150 Creekside Drive, Amherst, New York 14228, beginning November 8, 1990, from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as Cheektowaga Senior Citizens Center Boiler Renovations.

Any Bids 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 in 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 bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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 the law, are herewith reserved.

Each proposal must be accompanied by a certified check for the sum equal to ten percent (10%) of the amount of the bid, payable to the order to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by

Item No. 6d continued

the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same 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.

A pre-bid meeting will be held on November 14, 1990 at 10:00 A.M., at the Senior Citizens Center, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

NOTICE TO BIDDERS

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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 the law, are herewith reserved.

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same 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.

A pre-bid meeting will be held on November 14, 1990 at 10:00 a.m., at the Senior Citizens Center, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990

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

Melanie Way 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. 8, 1990;
last publication Nov. 8, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Way
8th
Sworn to before me this
day of November, 1990
Margaret J. Bourdette

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**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, Erie County, New York, on the 21st day of November at 11:00 a.m., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the Cheektowaga Senior Citizens Center Boiler Renovations, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky-Klein Engineering, P.C. for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the Office of the Engineers at 150 Creekside Drive, Amherst, New York 14228, beginning on November 8, 1990 from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as Cheektowaga Senior Citizens Center Boiler Renovations.

Any Bids 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 in 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 bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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 the law, are herewith reserved.

Each proposal must be accompanied by a certified check for the sum equal to ten percent (10%) 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 ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same 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.

A pre-bid meeting will be held on November 14, 1990 at 10:00 a.m. at the Senior Citizens Center, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990
PUBLISH: November 8, 1990

Item No. 6e Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, this Town Board has retained the services of Babinsky Klein Engineering, P.C., to provide professional services for the Senior Citizens Center's Air Conditioning System, Mechanical and Electrical Renovations, AND

WHEREAS, the Facilities Director, James, J. Matecki, advises that plans and specifications have been completed by Babinsky Klein Engineering, P.C., NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for construction associated with Air Conditioning System and Mechanical and Electrical Renovations at the Senior Citizens Center, AND BE IT FURTHER

RESOLVED, that sealed bids will be received and opened on the 28th day of November, 1990 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers of Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5008-1625-1100.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 28th day of November at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the Senior Citizens Center Air Conditioning System (Mechanical and Electrical Renovations), complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky Klein Engineering, P.C. for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the Office of the Engineers at 150 Creekside Drive, Amherst, New York 14228, after November 8, 1990 from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as Senior Citizens Center Air Conditioning System (Mechanical and Electrical Renovations).

Any Bids 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 bid, will be refunded in 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 bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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 the law, are herewith reserved.

Item No. 6e continued

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same 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.

A pre-bid meeting will be held on November 14, 1990 at 11:00 A.M., at the Cheektowaga Senior Citizens Center, Cheektowaga, New York, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

NOTICE TO BIDDERS

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

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The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as Senior Citizens Center Air Conditioning System (Mechanical and Electrical Renovations).

Any Bids 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 in 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 bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (3) 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 the law, are herewith reserved.

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same 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.

A pre-bid meeting will be held on November 14, 1990 at 11:00 AM, at the Cheektowaga Senior Citizens Center, Cheektowaga, New York, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990

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

Melanie Way....., 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. 8, 1990 ;
last publication..... Nov. 8, 1990 ;
and that no more than six days intervened be-
tween publications.

Melanie Way.....
..... 8th
Sworn to before me this
day of November, 19 90
Margaret J. Bourdette.....

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**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, Erie County, New York, on the 28th day of November at 11:00 a.m., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the Senior Citizens Center Air Conditioning System (Mechanical and Electrical Renovations), complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Bahinsky-Klein Engineering, P.C. for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the Office of the Engineers at 150 Creekside Drive, Amherst, New York 14228, beginning on November 8, 1990 from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as Senior Citizens Center Air Conditioning System (Mechanical and Electrical Renovations).

Any Bids 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 in 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 bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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 the law, are herewith reserved.

Each proposal must be accompanied by a certified check for the sum equal to ten percent (10%) 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

=LEGAL NOTICES=

Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same 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.

A pre-bid meeting will be held on November 14, 1990 at 11:00 a.m. at the Cheektowaga Senior Citizens Center, Cheektowaga, New York, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990

PUBLISH: November 8, 1990

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

WHEREAS, this Town Board has retained the services of Babinsky Klein Engineering, P.C. for the provision of professional services for an Energy Monitoring and Control System Project at the Town Hall, Police and Court Building and Town Park Recreation Center, AND

WHEREAS, the Facilities Director, James J. Matecki, advises that plans and specifications have been completed by Babinsky Klein Engineering, P.C., NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for construction associated with an Energy Monitoring and Control System at the Town Hall, Police and Court Building and Town Park Recreation Center, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received and opened on the 28th day of November, 1990 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers of Cheektowaga Town Hall AND, BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5912-1625-1100.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 28th day of November at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the Energy Monitoring and Control System Project at the Town Hall, Police/Court Facility and the Town Park Recreation Facility, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky Klein Engineering, P.C. for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the Office of the Engineers at 150 Creekside Drive, Amherst, New York 14228, beginning on November 8, 1990 from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as Energy Monitoring and Control System Project.

Any Bids 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 in 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 bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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 the law, are herewith reserved.

Item No. 6f continued

Each proposal must be accompanied by a certified check for the sum equal to ten percent (10%) 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 ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five 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.

A pre-bid meeting will be held on November 15, 1990 at 2:00 P.M. at the Cheektowaga Recreation Center, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 28th day of November at 11:00 a.m., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the Energy Monitoring and Control System Project at the Town Hall, Police / Court Facility and the Town Park Recreation Facility, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky-Klein Engineering, P.C. for the said project.

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The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as Energy Monitoring and Control System Project.

Any Bids 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 in 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 bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (3) 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 the law, are herewith reserved.

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same 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.

A pre-bid meeting will be held on November 15, 1990 at 2:00 p.m. at the Cheektowaga Recreation Center, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990

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

Melanie Way, 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. 8, 1990 ;
last publication Nov. 8, 1990 ;
and that no more than six days intervened be-
tween publications.

Melanie Way
Sworn to before me this
day of November, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**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, Erie County, New York, on the 28th day of November at 11:00 a.m., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the Energy Monitoring and Control System Project at the Town Hall, Police/Court Facility and the Town Park Recreation Facility, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky-Klein Engineering, P.C. for the said project.

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The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as Energy Monitoring and Control Systems Project.

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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 in 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 bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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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.

A pre-bid meeting will be held on

= LEGAL NOTICES =

November 15, 1990 at 2:00 p.m. at the Cheektowaga Recreation Center, to discuss the project with interested bidders.

Richard M. Moleski
Town Clerk

DATED: October, 1990
PUBLISH: November 8, 1990

Item No. 7 Sale of Three (3) Used Police Cars
This item has been withdrawn.

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

WHEREAS, the Town of Cheektowaga is currently operating a nutrition program for the elderly,

WHEREAS, an agreement between the Town of Cheektowaga and Maryvale Corp. located at the Maryvale East Complex, 100 Moorman Drive, Cheektowaga, New York has been drafted relative to the operation of the said nutrition program for the Month of December, 1990,

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for December, 1990, NOW, THEREFORE, BE IT

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

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga Youth Bureau offers highly successful adapted recreation programs for developmentally disabled youth between the ages of five and twenty-one residing within the Town of Cheektowaga, and

WHEREAS, the adapted recreation programs currently offered are not available on selected legal and school holidays, and

WHEREAS, families participating in the current adapted recreation programs have expressed their desire to institute the availability of similar programs on legal and school holidays, and

WHEREAS, grant monies are available through the New York State Office of Mental Retardation and Developmental Disabilities to underwrite the costs of transportation associated with the implementation of an adapted recreation program on legal and school holidays; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Office of Mental Retardation and Developmental Disabilities in an amount not to exceed \$1,354.00 for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga Youth Bureau offers highly successful adapted recreation programs for developmentally disabled youth between the ages of five and twenty-one residing with the Town of Cheektowaga, and

Item No. 8c continued

WHEREAS, the adapted recreation programs currently offered are not available on selected legal and school holidays, and

WHEREAS, families participating in the current adapted recreation programs have expressed their desire to institute the availability of similar programs on legal and school holidays, and

WHEREAS, grant monies are available through the New York State Office of Mental Retardation and Developmental Disabilities via the West Seneca Developmental Center to underwrite the costs associated with programs of this nature; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the West Seneca Developmental Center in an amount not to exceed \$10,039.00 for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 8d Motion by Councilman Blachowski, Seconded by Councilman Kulyk

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 an amount not to exceed \$12,000 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 housing rehabilitation deferred loan in the amount of not to exceed \$12,000 to the owner of 120 St. Boniface Road, Cheektowaga, New York, and authorizes the Supervisor to execute the loan documents and any other necessary documents with said property owner.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 8e Motion by Councilman Rogowski, Seconded by Councilman Solecki

WHEREAS, by resolution dated October 6, 1986, the Cheektowaga Town Board entered into an agreement with Sorrento, Inc. and Buffalo Forge Company with respect to opening and dedicating the north-south portion of Duke Road as a public highway, and

WHEREAS, as a condition to such roadway dedication, the Town was required to abandon and deed a portion of the east-west section of Duke Road to Buffalo Forge Company, and

WHEREAS, on December 3, 1987, the closing on these transactions was held and the deeds for such property were exchanged, and

Item No. 8e continued

WHEREAS, the deed from the Town to Buffalo Forge Company and the abandonment papers were not filed in the Erie County Clerk's Office by Buffalo Forge Company and such documents have been lost, and

WHEREAS, Buffalo Forge Company is now requesting that a new deed and new abandonment papers be signed by the necessary Town officials, and

WHEREAS, pursuant to the aforementioned agreement dated October 6, 1986, the Town is obligated to comply with this request, NOW, THEREFORE, BE IT

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

RESOLVED, that the Town Board members and Highway Superintendent be and hereby are authorized to execute the attached highway discontinuance papers.

*SEE NEXT PAGES FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

RECOMMENDATION FOR THE ABANDONMENT
OF A HIGHWAY BY TOWN SUPERINTENDENT OF HIGHWAYS
(PURSUANT TO SECTIONS 205 AND 207 OF THE HIGHWAY LAW)

The undersigned, _____, Town Superintendent of Highways for the Town of Cheektowaga, County of Erie and State of New York, hereby certifies:

1. That that portion of Duke Road (formerly known as Walden Avenue), a Town highway in said Town of Cheektowaga known and described as:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 16, Township 10, Range 7 of the Holland Land Company's Survey and more particularly described as follows:

BEGINNING at a point on the north line of Duke Road at its point of intersection with the New York State Thruway (Ontario Section); thence easterly along the north line of Duke Road a distance of 462.90 feet to a point; thence southerly a distance of 12.73 feet to a point on the north line of Duke Road; thence easterly along the north line of Duke Road a distance of 636.70 feet to a point; thence southerly a distance of 66.0 feet to a point on the south line of Duke Road; thence westerly along the south line of Duke Road a distance of 636.70 feet to a point; thence southerly a distance of 21.27 feet to a point on the south line of Duke Road; thence westerly along the south line of Duke Road a distance of 439.22 feet to a point on the east line of the New York State Thruway (Ontario Section); thence northerly along the east line of the New York State Thruway (Ontario Section) a distance of 100 feet to the point or place of beginning.

The above being intended to describe the westerly 1,099.60 feet of Duke Road (a public highway formerly known as Walden Avenue and varying in width from 66 feet to 100 feet). Said roadway lying east of the New York State Thruway (Ontario Section); north of a portion of land conveyed to Ampco-Pittsburgh Securities II, Inc. by deed recorded in the Erie County Clerk's Office in Liber 9144 of Deeds at Page 683; and south of lands conveyed to Buffalo Forge Company by deed recorded in the Erie County Clerk's Office in Liber 7436 of Deeds at Page 29; 186

be and hereby is declared abandoned pursuant to Sections 205 and 207 of the Highway Law of the State of New York as a highway and public right-of-way.

2. Said portion of Duke Road is the terminus of Duke Road.

3. There has been no evidence of public use thereof as a Town highway for more than nine years last past.

4. Such portion of Duke Road has not been traveled on or used as a highway by the general public for nine or more years prior to the date of this certificate.

IN WITNESS WHEREOF, the undersigned Town Superintendent of Highways, _____, has executed the undersigned, and Members of the Town Board of said Town, constituting a majority of said Board, have consented to this certificate and the filing and recording thereof.

Dated: Cheektowaga, New York, the ____ day of _____, 1990.

Town Superintendent of Highways

Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

Councilman

THIS INDENTURE, made the ____ day of _____ Nineteen
Hundred and Ninety between TOWN OF CHEEKTOWAGA, NEW YORK,
Broadway and Union Road, Cheektowaga, New York 14227, a
corporation organized under the laws of the State of New York,
party of the first part, and BUFFALO FORGE COMPANY, 490
Broadway, Buffalo, New York 14204, party of the second part.

WITNESSETH that the party of the first part, in considera-
tion of One and No More Dollars (\$1.00 and No More) lawful money
of the United States, paid by the party of the second part, does
hereby remise, release and quitclaim unto the party of the
second part, its successors and assigns forever, all

THAT TRACT OR PARCEL OF LAND, situate in the Town of
Cheektowaga, County of Erie and State of New York, being part of
Lot No. 16, Township 10, Range 7 of the Holland Land Company's
Survey and more particularly described as follows:

BEGINNING at a point on the north line of Duke Road at its
point of intersection with the New York State Thruway (Ontario
Section); thence easterly along the north line of Duke Road a
distance of 462.90 feet to a point; thence southerly a distance
of 12.73 feet to a point on the north line of Duke Road; thence
easterly along the north line of Duke Road a distance of 636.70
feet to a point; thence southerly a distance of 66.0 feet to a
point on the south line of Duke Road; thence westerly along the
south line of Duke Road a distance of 636.70 feet to a point;
thence southerly a distance of 21.27 feet to a point on the
south line of Duke Road; thence westerly along the south line of
Duke Road a distance of 439.22 feet to a point on the east line
of the New York State Thruway (Ontario Section); thence
northerly along the east line of the New York State Thruway
(Ontario Section) a distance of 100 feet to the point or place
of beginning.

The above being intended to describe the westerly 1,099.60
feet of Duke Road (a public highway formerly known as Walden
Avenue and varying in width from 66 feet to 100 feet). Said

roadway lying east of the New York State Thruway (Ontario Section); north of a portion of land conveyed to Ampco-Pittsburgh Securities II, Inc. by deed recorded in the Erie County Clerk's Office in Liber 9144 of Deeds at Page 683; and south of lands conveyed to Buffalo Forge Company by deed recorded in the Erie County Clerk's Office in Liber 9799 of Deeds at Page 29.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the
its successors
party of the second part, / and assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this ____ day
of _____ Nineteen Hundred and Ninety.

By _____

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

WHEREAS, the Town of Cheektowaga is a member of Cheektowaga United, a local coalition chartered to coordinate alcoholism and other drug abuse prevention/education programs in the community, and

WHEREAS, the misuse and abuse of alcohol and other drugs has been identified as a concern in the community and was recently documented by a Town-wide survey of youth in grades 6 through 12 conducted for Cheektowaga United by the Greater Buffalo Council on Alcoholism and Substance Abuse which indicated that 63% of the students in our community drank alcoholic beverages over the past year and 12% have used marijuana and other illegal substances, and

WHEREAS, the Town of Cheektowaga and other members of Cheektowaga United have committed significant resources toward the coordination and planning of a Town-wide substance abuse prevention/education program, and

WHEREAS, through the efforts of State Assemblyman Paul Tokasz, New York State has committed \$15,000 in Legislative Initiative monies to Cheektowaga United for the purpose of conducting prevention programs, and

WHEREAS, through the efforts of State Senator Dale Volker, New York State has committed \$12,195 in Legislative Initiative monies to the Town of Cheektowaga Youth Bureau for the purpose of intervention assistance, and

WHEREAS, the Town of Cheektowaga further recognizes the need to encompass the entire community in the war on substance abuse and is seeking additional sources of funding to undertake this mission, and

WHEREAS, grant monies are available through the United States Public Health Service, Office of Substance Abuse Prevention for the implementation of The Community Partnership Program to underwrite the costs associated with programs of this nature; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to United States Public Health Service, Office of Substance Abuse Prevention for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9 Memorialize the Erie County Legislature to Apportion a Fair Share of Revenues Generated by Additional 1% Sales Tax to the Town of Cheektowaga
This item failed due to lack of second.

Item No. 10a 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

Item No. 10a continued

WHEREAS, the Advisory Committee, at its meeting held on October 25, 1990, rendered the determinations shown on the attached memo dated October 26, 1990, 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 26, 1990 memo attached hereto:

Item I 75 Innsbruck

Item II 65 Innsbruck

* SEE NEXT PAGE FOR ATTACHMENT

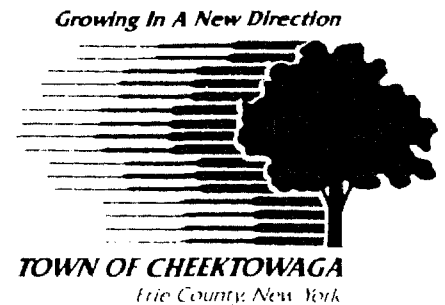
Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
 Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Office of Building & Plumbing Inspections
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14227
716 / 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: October 26, 1990

RECEIVED
OCT 30 1990
TOWN ATTORNEY

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 October 25, 1990, in the Town Hall Council Chambers.

ITEM I 75 Innsbruck - 22,000 sq. ft. Office/
Warehouse

Applicant: Volland Electric Equipment Corp.

Determination: Non-Significant with conditions.
The applicant has appeared before the Traffic Safety Commission with regard to ingress/egress for the project and the Traffic Safety Commission has found no problem. The applicant has also been in contact with the Town Engineer and they are in the process of finalizing the drainage plan.

This project is a continuation of development within this Industrial Park of the type that is appropriate for the area.

The condition is that prior to issuance of a building permit the drainage plan be approved by the Town Engineer.

ITEM II 65 Innsbruck - Proposed 12,800 sq. ft.
Office/Warehouse

Applicant: Gary Castine

Determination: Non-Significant.

Page: 2

The applicant is seeking to construct a facility for a storage of beverages. The beverages would supply only his stores and he would not be acting as a distributor. This item had been before the Traffic Safety Commission and they had found no problem with the proposed lay out. The building will be one story of split-rib block with other decorative features.

The Planning Board has reviewed a preliminary landscaping plan and has approved it at their October meeting.

ITEM III 3700 Broadway - Rezoning from "M2" to "RA"

Applicant: Louis Marini

Determination: Non-Significant with conditions. The applicant had applied for the rezoning to construct apartment buildings early in 1990 and was before the Committee for review of this plan. At that time, the Advisory Committee suggested that he hire an engineer to review the drainage for the site. The applicant has submitted a new drainage plan executed by an Engineer which shows the majority of the drainage going to Broadway for which the applicant has already obtained a New York State Department of Transportation permit. The Town Engineer is requesting some additional details on the utility locations and drainage but generally is satisfied with the plan. The Planning Board has not completed review of this project and will do so at a later date. The condition is that the applicant change the requested zoning from "RA" to "C" which would eliminate a number of restrictions that would be placed on the adjacent property owners if the property had been rezoned to "RA". The second condition is that the drainage plan be further detailed to the Town Engineer's satisfaction.

[illegible]

Applicant: Michael Penna

Determination: Tabled.
The applicant was unable to present to the committee a new site plan as requested. But in attendance at this meeting was a resident on Union Road that is opposed to the rezoning. The opposition is based on the effect of property values in the area. He was advised that he would also have the opportunity to speak before the Town Board at a formal public hearing.

ITEM V William & Linden Sts. - Proposed Mini Plaza

Applicant: Casey & David Kosminski

Determination: Tabled.

The site is located at the Northeast corner of William Street and Linden and is at present a vacant lot. The applicant wishes to construct a mini plaza approximately 6,000 square feet area part of which will be a sit down/ take out pizzeria with the balance to be leased at a later date.

The plan as submitted showed a driveway to the rear of the building with parking located in front and to the East. This results in a need for two variances from the Zoning Board of Appeals. The first variance would be for driveway being within closer than ten feet to a residential district line and the second variance would be for the set back of the building off the Linden Street right-of-way which would be less than the required twenty five feet. The applicant, after some discussion, will revise his plan in the hope of eliminating the need for the variances.

Landscaping must be reviewed by the planning board at a later date.

The drainage must be better detailed and the applicant hopes to have that information for the next environmental meeting.

UPDATE

It has come to the attention of the Town Engineer that the New York State Department of Environmental Conservation has some concern regarding the Emerald Gardens subdivision (formally Diamond D Estates) on Losson Road directly West of the new Towers Boulevard extension.

The State has indicated that two sites in the proposed subdivision may have elevated levels of hazardous materials. The extent of the contamination and the severity of the problem has yet to be determined.

The Department of Environmental Conservation is suggesting that the Town withhold approvals for this subdivision and require testing and any necessary cleanup on the part of the developer. Any testing and cleanup plans must be reviewed and approved by the New York State Department of Environmental Conservation and New York State Department of Health.

RE: EQR - October 25, 1990
October 26, 1990
Page: 4

With this new information it would be prudent for the Town to withhold further approvals of this subdivision and request that the developer of the site conduct the testing to New York State Department of Environmental Conservation /New York State Department Of Health guidelines and submit the results to these agencies for review.

=====

THE NEXT MEETING OF THE ENVIRONMENTAL QUALITY REVIEW ADVISORY COMMITTEE WILL BE HELD ON WEDNESDAY, NOVEMBER 14, 1990 AT 9:30 A.M. IN THE TOWN HALL COUNCIL CHAMBERS.

Item No. 10b 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 11, 1990, rendered the determinations shown on the attached memo dated October 16, 1990, 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 16, 1990 memo attached hereto:

Item III 768 Rein Road

* SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

Office of Building & Plumbing Inspections
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14227
716 / 686-3470



M E M O

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

RECEIVED

OCT 17 1990

FROM: Thomas Adamczak
Building Inspector

TOWN ATTORNEY

DATE: October 16, 1990

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 October 11, 1990, in the Town Hall Council Chambers.

ITEM I 603 Borden Road - Proposed Rezoning From
Residential to Apartment

Applicant: Marie Koch

Determination: Non-Significant.

The applicant is proposing to rezone the property from "R" to "RA" for the purpose of selling this property as a two-family dwelling. The single family home had been remodeled in 1986 and at that time the contractor had not indicated to the Building Inspection Office that this was to be a two-family dwelling. The area has both singles and two-families and the committee did not find any adverse impacts associated with this rezoning. There will be no further physical change to the property. The building will be inspected for code compliance at the time of sale.

ITEM II 4000-4004 Union Road - Rezoned From "R"
Residential to "C" Retail
Business

Applicant: Michael Penna

Determination: Tabled.

4004 Union Road at the present time is a hair salon that is located at the southwest corner of Union Road and Evergreen. The applicant has purchased the house directly to the south located at 4000 Union Road and wishes to convert the house to a jewelry store.

As part of the overall site plan the applicant would be establishing a larger parking area to the rear of the properties in combining both properties as one for legal purposes. Access to the parking area will be provided off of Evergreen by means of a two way driveway. The driveway to Union Road located on the property of 4000 Union Road will be eliminated and additional landscaping installed at the front of the property.

The two buildings are proposed to be connected with a general entranceway and handicapped access ramp.

Overall the property would have two apartments, a jewelry shop and a beauty shop requiring nine parking spaces. At the present time the applicant is providing eleven to twelve parking spaces depending on where the handicap parking space will be located.

This item will remain tabled until a new site plan is submitted which would show additional drainage information as well as other suggestions that were made at the meeting including screening of the parking area from the south and west properties.

ITEM III 768 Rein Road - Proposed Storage Building

Applicant: William Roche

Determination: Non-Significant.

The applicant is proposing to construct a storage facility for his vending machine business. The Planning Board has approved the landscaping plan and the Zoning Board of Appeals has granted a rear yard variance. Drainage had been discussed with the Town Engineering Department and the solution will be surface drainage to Rein Road. No outside storage is contemplated for this site and the applicant has proceeded to remove what debris and materials are located on the site at the present time.

ITEM IV Innsbruck Drive - Proposed Volland Electric
Equipment Corporation

Determination: Tabled.

The applicant proposes to construct a 22,000 square foot office/repair facility in the Gardenville Industrial Park North. This site is located near the proposed cul-de-sac for Innsbruck Drive.

RE: EQR - October 11, 1990
October 16, 1990
Page: 3

The applicant sells electrical materials and repairs various types of electrical motors. Two shifts work at their present facility on Niagara Street in Buffalo and it is anticipated the two shifts will remain at the new location.

The applicant was informed that the drainage plans need to be better detailed and a new plan must be submitted reflecting the cul-de-sac relocation.

The applicant must also contact the Planning Board for landscaping approval and Traffic Safety for their recommendations with regard to location of the driveways.

=====

NEXT MEETING OF THE ENVIRONMENTAL QUALITY REVIEW ADVISORY COMMITTEE
WILL BE HELD ON OCTOBER 25, 1990 AT 9:30 A.M., IN THE TOWN HALL
COUNCIL CHAMBERS.

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

WHEREAS, the New York State Division of Housing & Community Renewal has made available funding under its RESTORE Program for providing emergency housing repairs for eligible, low-income elderly homeowners, and

WHEREAS, the Town wishes to apply to the State for said funds through the Town's Office of Community Development, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the submission of an application and any related documents to the New York State Division of Housing and Community Renewal for a grant of \$25,000 under its RESTORE Program.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 12 Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, the Town wishes to carry out a drainage project in the Cedargrove Heights neighborhood with federal Community Development Block Grant Funds, and

WHEREAS, the services of professional engineering consultant are required to prepare plans and specifications and perform other related services for the project, and

WHEREAS, federal regulations require that the Town solicit and evaluate proposals for said professional engineering services prior to engaging the services of an engineering consultant, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Community Development and Engineering Departments to solicit proposals for said required engineering services.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

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

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

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 ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>COMPANY</u>	<u>EMT</u> <u>EXPIRES</u>
Altman, Matthew T.	Lockport, New York 14094	Town's Ambulance	12/31/90
Rook, Thomas A.	Buffalo, N.Y. 14213	Town's Ambulance	5/31/93
Schaefer, Edward W.	Sloan, N.Y. 14212	Town's Ambulance	1/31/92
Thomas, Todd A.	Boston, New York 14025	Town's Ambulance	5/31/92
Weeks, John L.	Buffalo, New York 14220	Town's Ambulance	5/31/91

Item No. 14 Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the Board of Fire Commissioners of South Line Fire District No. 10 have requested the relocation of one (1) existing fire hydrant and installation of one (1) additional hydrant on French Road within said Fire District, NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Water Authority is hereby authorized to install one (1) new hydrant on the south side of French Road at #1133 French Road and is also authorized to relocate the existing hydrant on the south side of French Road from a location immediately east of #1067 French Road to Fire District property located at #1049 French Road, AND, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the subject hydrants, with said charges being recovered by Town billing to the respective fire district.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15a Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

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 October 10, 1990, 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 letter, to conduct a sale of the surplus Town vehicles identified on the attached list at a public sale to the highest responsible bidder, on Tuesday, November 27, 1990 at 10:00 A.M. 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.

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY COUNCILMAN SOLECKI
TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AMENDED

Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

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

Item No. 15a continued

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 October 10, 1990, 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 letter, to conduct a sale of the surplus Town vehicles identified on the attached list and to add any other vehicles the Town wishes to dispose at a public sale to the highest responsible bidder, on Tuesday, November 27, 1990 at 10:00 A.M. and BE IT FURTHER

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

* SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Buffalo Thruway



Auto Auction, Inc.

(716) 892-2111

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

OCTOBER 10, 1990

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.

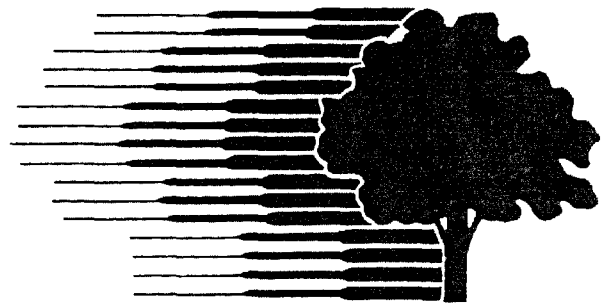
Gentlemen, to run this sale if you did not have my facilities you would have a net cost of approximately, \$2,000.00, which is more than I am charging the Town.

Respectfully Yours,

Thomas W. Hammar

Central Garage
Richard J. Koszuta
General Foreman

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

CENTRAL GARAGE AUCTION VEHICLES 1990

<u>VEHICLES #</u>	<u>MAKE</u>	<u>MODEL</u>	<u>SERIAL #</u>	<u>YEAR</u>	<u>MILEAGE</u>
2	Dodge	Diplomat	1B3BG26SXJW159519	1988	131,000
4	Dodge	Diplomat	1B3BG26S4JW159516	1988	124,000
12A	Dodge	Diplomat	1B3BG2647FX621120	1985	77,962

Central Garage • 3175 Union Road • Cheektowaga, New York 14227 • 716/686-3439

MEETING NO. 25
November 5, 1990

Item No. 15b Retain Firm Regarding Condemnation Proceedings
This item has been withdrawn.

Item No. 15c Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, the United States Department of Energy rendered a decision and order on August 6, 1990 finding that purchasers of refined petroleum products from August 19, 1973 through January 27, 1981 were overcharged, and

WHEREAS, the Town of Cheektowaga may be eligible for a refund for such overcharges up to \$8,200.00, and

WHEREAS, Petroleum Funds, Inc., a private venture has offered to file for such refund on behalf of the Town for a commission of 20% and a filing fee of \$25.00, and

WHEREAS, such fee and commission will only be paid once the Town has received the refund, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes Petroleum Funds, Inc. to apply for the aforesaid refund on behalf of the Town, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to retain Petroleum Funds, Inc. and to recover the aforementioned refund.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 15d Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga has received a proposal from Babinsky Klein Engineering in the amount of \$2,000.00 to perform an Energy Use Evaluation report of the Alexander Community Center for submission to the New York State Energy Office for Technical Assistance Funding, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby retains the firm of Babinsky Klein Engineering, P.C., 3200 Niagara Falls Boulevard, North Tonawanda, New York to perform an Energy Use Evaluation study of the Alexander Community Center at a fee not to exceed \$2,000.00, AND BE IT FURTHER

RESOLVED, that the funds for said action are available from Account #5912-1625-1100.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 16 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are terminated, as listed:

EFFECTIVE

TOWN CLERK'S OFFICE

Tracey Krawczyk

Immediately

Item No. 16 continued

FACILITIES DEPARTMENT

EFFECTIVE

Joanne Krajewski

Immediately

SEWER DEPARTMENT

Thomas Nowak

11/09/90

Dennis Williams

11/22/90

David Kosmider

11/22/90

James McCloskey

11/02/90

SANITATION DEPARTMENT

Leonard Jasinski

Immediately

Jeffrey Choinski

"

Matthew Wisniewski

"

Terry Caggiano

"

Stanley Krzywowiaza

"

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 17a Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, by Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, the title of Recycling Driver and Recycling Laborer were established, pending suitable determination by the Erie County Department of Personnel, AND

WHEREAS, the Erie County Department of Personnel has advised the Town of a change in the above titles, AND

WHEREAS, said changes include the title of Recycling Driver is to become Light Motor Equipment Operator, PJC, a non-competitive classification, and the title of Recycling Laborer is to become Laborer's Aide, PJC, a labor classification, NOW, THEREFORE, BE IT

RESOLVED, that the title of Motor Equipment Operator and Laborer's Aide be and hereby are established, pending jurisdictional classification by the New York State Civil Service Commission.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

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

WHEREAS, as part of the Town's personnel reorganization, the Town has determined that a need exists to establish the position of Traffic Maintenance Worker in the Police Department, AND

WHEREAS, the creation of such position has been approved by the Erie County Department of Personnel as temporary, pending jurisdictional classification, NOW, THEREFORE BE IT

RESOLVED, that the position of Traffic Maintenance Worker be and hereby is established, pending jurisdictional classification pursuant to the rules of the Erie County Department of Personnel, and, BE IT FURTHER

Item No. 17b continued

RESOLVED, that the Employee Relations Department be and hereby is directed to process the necessary paperwork to obtain such jurisdictional classification, AND, BE IT FURTHER

RESOLVED, that the salary for said position is to be negotiated between the Town and the Town of Cheektowaga Employees Association.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17c Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, as part of the Town's personnel reorganization, the Town has determined that a need exists to establish the position of Zoning Inspector in the Building Department, AND

WHEREAS, the creation of such position has been approved by the Erie County Department of Personnel as temporary, pending jurisdictional classification, NOW, THEREFORE, BE IT

RESOLVED, that the position of Zoning Inspector be and hereby is established, pending jurisdictional classification pursuant to the rules of the Erie County Department of Personnel, AND, BE IT FURTHER

RESOLVED, that the Employee Relations Department be and hereby is directed to process the necessary paperwork to obtain such jurisdictional classification, AND, BE IT FURTHER

RESOLVED, that the salary for said position is to be negotiated between the Town and Town of Cheektowaga Employees Association.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, by resolution, this Town Board established the job title of Light Motor Equipment Operator, PJC, and Laborer's Aide, PJC, AND

WHEREAS, there is a need to create three (3) positions in each job title, NOW, THEREFORE, BE IT

RESOLVED, that three (3) positions of Light Motor Equipment Operator, PJC, and three (3) positions of Laborer's Aide, PJC, be and hereby are created, pending jurisdictional classification.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19a Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, a vacancy exists in the position of Motor Equipment Operator 'A' (Promotional) in the Sanitation/Recycling Department, AND

Item No. 19a continued

WHEREAS, a notice of such vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, AND

WHEREAS, Jeffrey Bolis, currently employed as a Motor Equipment Operator 'B' with the Town, bid on said position and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Jeffrey Bolis, 190 Ellicott Creek Road, be and hereby is appointed to the position of Motor Equipment Operator 'A' (Promotional) in the Sanitation/Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Gabryszak, Solecki, Rogowski and Blachowski
NAYES: Councilmen Jaworowicz and Kulyk
ABSENT: 0

Item No. 19b Motion by Councilman Kulyk, Councilman Blachowski

WHEREAS, the Town has previously appointed Richard Willis to the position of Housing Inspector on a provisional basis, pending the establishment of a valid competitive Civil Service list for said position, AND

WHEREAS, such competitive list has now been established by the Erie County Department of Personnel, AND

WHEREAS, the persons whose names appear on said list have been canvassed for such position, NOW, THEREFORE, BE IT

RESOLVED, that Richard Willis, Cheektowaga, New York be and hereby is permanently appointed to the position of Housing Inspector, effective immediately, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19c Appointment of Chairman and Ex-officio Members to Cheektowaga Conservation Advisory Council
This item has been withdrawn.

Item No. 20 Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, by resolution, this Town Board appointed Paul Stallone, Ronald Golas and James Kazmierczak as Recycling Drivers, AND

WHEREAS, the Town needs to reclassify these individuals, as per the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED, that the position of Paul Stallone, Ronald Golas and James Kazmierczak be and hereby are reclassified as Motor Equipment Operator 'B'.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, due to medical illness, Town Attorney James Kirisits has been unable to work since October 15, 1990 and is expected to be off work for approximately another month, and

WHEREAS, Deputy Town Attorney Kevin Schenk has assumed the duties of the Town Attorney during his absence and this Board feels he should be adequately compensated for same, NOW, THEREFORE, BE IT

RESOLVED, that, effective from October 15, 1990 to the date of return of Town Attorney James Kirisits, Kevin Schenk shall be paid at the rate of the salary of the Town Attorney (\$39,682), as established by this Town Board by resolution dated January 2, 1990, and BE IT FURTHER

RESOLVED, that monies for such additional salary shall be appropriated from budget line number 0100-1420-1151.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 22a Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1990-91 winter programs.

J.F.K. HIGH SCHOOL RECREATION ATTENDANTS - \$3.75 per hour - A7140.1615

Jeffrey Bakowski
Kevin Burke
Jason Cwiklinski
Jason Dauscher
Brian Hondzinski
Jason Kenjockety
Mark Ostempowski
Jeffrey Pula
Keith Sokolowski
Michael Stachura
Shawn Surdej
Greg Wazny
Jeffrey Wheeler

RINK GUARD ATTENDANTS - \$3.75 per hour - A7140.1611

Patty Danner
John Flynn
Todd Meyers

FURTHER BE IT RESOLVED that the above be terminated effective June 3, 1990.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 22b Motion by Councilman Kulyk, Seconded by Councilman Rogowski

BE IT RESOLVED, that the following individual is hired as seasonal employee in the listed department, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association,

Item No. 22b continued

for a period not to exceed twenty-four (24) weeks in a calendar year, paid through 0100-1410-1391 (Part-time Clerical) effective immediately. A portion of the salary to be invoiced through S.A.R.A. grant.

TOWN CLERK'S DEPARTMENT

Julie Miller

Sloan, N.Y.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 22c Motion by Councilman Rogowski, Seconded by Councilman Blachowski

BE IT RESOLVED, that the following persons be hired as seasonal employees in the listed departments, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, for a period not to exceed twenty-four (24) consecutive weeks in a calendar year:

EFFECTIVE

SEWER DEPARTMENT - \$4.65 per hour

Stephen Fialkowski

Immediately

SANITATION DEPARTMENT - \$5.00 per hour

Alfred Amanti, Jr.

10/31/90

AND, BE IT FURTHER

RESOLVED, that Kristen Mulcahy, a part-time employee, be and hereby is transferred from the Youth Bureau to the Assessor's Office, effective November 12, 1990, at the rate of \$5.00 per hour.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 23a Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, the collective bargaining agreement with the Town of Cheektowaga and the Town of Cheektowaga Employees Association makes provisions for leaves of absence for the purpose of child rearing, AND

WHEREAS, Bernadette Platt, Recreation Instructor, is a member of this bargaining unit and has made proper notification of her desire for such leave, NOW, THEREFORE, BE IT

RESOLVED, that Bernadette Platt be granted an unpaid leave of absence for the purpose of child rearing, not to exceed one (1) year in length, commencing on October 22, 1990.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEETING NO. 25
November 5, 1990

Item No. 23b Extended Sick Leave - Highway Department
This item has been withdrawn.

Item No. 24a Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, the Bureau of Municipal Police is sponsoring a Highway, Drug Interdiction Instructor Training Program in Saratoga Springs from November 12-16, 1990, and

WHEREAS, the Chief of Police has requested permission for Lieutenant Eugene Leahy to attend such program, and

WHEREAS, there is no tuition for this program and housing and meals will be paid for by the State of New York, and

WHEREAS, this Town Board feels that the information gathered at this program will be of benefit to the Town, NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Eugene Leahy be and hereby is authorized to attend the aforementioned Highway, Drug Interdiction Instructor Training Program, and BE IT FURTHER

RESOLVED, that the Town shall reimburse Lieutenant Leahy for tolls and gasoline in an amount not to exceed \$150.00 from budget line item number 01-1910-0004-4082, and BE IT FURTHER

RESOLVED, that Lieutenant Leahy shall be allowed to take a Town vehicle to and from such program.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
 Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 24b Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, the Apco Institute is holding a 40-hour course entitled "Train the Trainer Program" from November 5-9, 1990 in Rochester, New York, and

WHEREAS, such course is designed to provide formal training to dispatchers so that they can, in turn, present a basic telecommunicator training program to other dispatchers, and

WHEREAS, the Chief of Police has requested permission for two of his department's public safety dispatchers to attend this course, and

WHEREAS, this Board feels that the information gathered at such course will assist the Town, NOW, THEREFORE, BE IT

RESOLVED, that Public Safety Dispatchers David Filipski and Jeffrey Place be and hereby are authorized to attend such course, and BE IT FURTHER

RESOLVED, that such individuals be reimbursed at an amount not to exceed \$450.00 each (\$900.00 total) for their reasonable and necessary expenses associated with attending this course from budget line item number 01-1910-0004-4082, and BE IT FURTHER

RESOLVED, that such public safety dispatchers shall be allowed to take a Town vehicle to and from such course.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
 Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEETING NO. 25
November 5, 1990

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

BE IT RESOLVED, that the New York State Electric & Gas Corporation is hereby authorized to remove two (2) 7000 lumen mercury vapor luminaires located on Como Park Boulevard on Pole #107-1 and #108-1, Line 415, and to replace said equipment with two (2) 8500 lumen high pressure sodium luminaires, including a 20 foot bracket arm at an annual increase to the General Lighting District of \$7.08 in accordance with the attached New York State Electric & Gas proposal dated October 18, 1990, which is hereby made a part of this resolution.

*SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0



October 18, 1990

STREET LIGHTING PROPOSAL

TOWN OF CHEEKTOWAGA

COMO PARK BLVD.

(Remove 2 - 7000 lumen MV lamp(s) @ \$ 113.64 ea. = \$ 227.28
(Standards) 107-1, 108-1, L-415

COMO PARK BLVD.

(Install 2 - 8500 lumen HPS lamp(s) @ \$ 106.24 ea. = \$212.48
(Poles 107-1 108-1 L-415

Install 1-20 ft. Bracket at \$21.00 = \$21.88 = \$21.88

ANNUAL INCREASE ----- \$7.08

Work is required due to N.Y.S.D.O.T Road Wideing Job.

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

WHEREAS, Benderson Development Corporation (the "Developer") is the owner of a retail business plaza located at the northeast corner of Union Road and George Urban Boulevard, and

WHEREAS, the Developer is in the process of reconstructing such plaza, and

WHEREAS, a Tops Supermarket, a major tenant in this redeveloped plaza, is planning to request a certificate of occupancy for its portion of the plaza and open for business in the next few weeks, and

WHEREAS, as part of this project and other projects in the area, the Developer has committed itself to the construction of numerous traffic improvements along Union Road and George Urban Boulevard to mitigate traffic impacts caused by such projects; however, such traffic improvements will not be constructed until some time in 1991, and

WHEREAS, this Town Board feels that the grand opening of Tops Supermarket will adversely affect traffic on Union Road and George Urban Boulevard since the agreed upon traffic improvements will not yet be completed, and

WHEREAS, this Board feels that the Developer and/or Tops Supermarket should make arrangements with the Cheektowaga Police Department to provide traffic control during the grand opening of Tops Supermarket, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the Town Supervising Building and Plumbing Inspector to withhold the issuance of a certificate of occupancy for the proposed Tops Supermarket until such time as the Developer and/or Tops Supermarket agree to assume the cost for traffic control to be provided by the Cheektowaga Police Department during the grand opening of Tops Supermarket, and BE IT FURTHER

RESOLVED, that monies paid to the Town to reimburse the Town for police personnel costs associated with providing this traffic control service shall be deposited into budget line item number 0100-3120-2655.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

MOTION BY COUNCILMAN KULYK, SECONDED BY COUNCILMAN GABRYSZAK
TO DISPENSE WITH READING OF THE FIGURES IN ITEM NO. 27

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
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:	0100-1440-4325 (Copy Machine Supplies-Engineering)	\$ 400.00
	0100-1450-4431 (Equipment Repair-Town Clerk)	1,910.00
	0100-1450-4431 (Equipment Repair-Town Clerk)	1,800.00
	0100-1220-4321 (Computer Expense-Supervisor)	2,000.00
	0100-1420-4501 (Con. Legal Ser.-Law)	2,000.00
	0100-1440-4191 (Miscellaneous Expense-Engineering)	63.00
	0100-9010-8101 (Fringe Benefits-Retirement)	9,935.00

MEETING NO. 25
November 5, 1990

Item No. 27 continued

	0100-3120-2303 (Police Vehicles)	\$ 400.00
	0100-1430-1125 (Coordinator of Employee Relations)	200.00
	0100-1430-1125 (Coordinator of Employee Relations)	100.00
	0100-1430-1125 (Coordinator of Employee Relations)	3,700.00
	0100-9010-8101 (Employee's Retirement)	5,000.00
	0100-9010-8101 (Retirement)	5,000.00
TO:	0100-1440-4191 (Miscellaneous-Engineering)	400.00
	0100-1410-4001 (Office Supplies-Town Clerk)	1,910.00
	0100-1410-2201 (Office Equipment-Town Clerk)	1,800.00
	0100-1220-4011 (Supervisor-Printed Forms)	2,000.00
	0100-1420-4013 (Law Books-Law)	2,000.00
	0100-1440-4042 (Maps-Engineering)	63.00
	0100-7550-4377 (Celebrations-Sesquicentennial)	9,935.00
	0100-3120-4031 (Meals to Prisoners)	1,000.00
	0100-1430-4001 (Office Supplies-Personnel)	200.00
	0100-1430-4013 (Ref. Library-Personnel)	100.00
	0100-1430-2501 (Office Equipment-Personnel)	3,700.00
	0100-1220-4957 (Grants Consultant)	5,000.00
	0100-1110-4592 (Contracted Clerical-Justice)	5,000.00

PART TOWN FUND

FROM:	0800-3620-4321 (Comp. Exp.-Building and Plumbing)	300.00
	0800-3620-4321 (Comp. Exp.-Building and Plumbing)	1,000.00
	0800-3620-4191 (Miscellaneous Exp.-Building and Plumbing)	50.00
TO:	0800-3620-4001 (Office Supplies-Building and Plumbing)	300.00
	0800-3620-4191 (Miscellaneous Exp.-Building and Plumbing)	1,000.00
	0800-3620-4088 (Travel & Conference-Building and Plumbing)	50.00

SPECIAL DISTRICT FUND

FROM:	1500-8160-4221 (Gas-Sanitation)	3,500.00
	1500-8173-4071 (Recycling Uniforms)	6,000.00
	1500-8173-4161 (Recycling Gasoline)	12,000.00
	2500-8135-4021 (Maintenance Supplies-Main Pump Station)	5,000.00
TO:	1500-8160-4453 (Building Repairs-Sanitation)	2,500.00
	1500-8173-4432 (Recycling Remodeling)	6,000.00
	1500-8160-4431 (Equipment Repairs-Sanitation)	1,000.00
	1500-8160-2209 (Miscellaneous Office Equipment-Sanitation)	9,000.00
	1500-8173-2501 (Recycling Equipment)	3,000.00
	2500-8135-4431 (Equipment & Maintenance-Main Pump Station)	5,000.00

GENERAL FUND

FROM:	0100-7310-1812 (YCC Participants)	491.09
	0100-7310-1803 (Adapted Recreation-Youth)	4,297.53
	0100-7310-1811 (YCC Supervisors)	128.49
	0100-7310-1811 (YCC Supervisors)	430.00
	0100-7310-4689 (YCC Expenses)	120.03
	0100-3120-3820 (State Aid Police)	30,000.00
TO:	0100-7310-4201 (Telephone-Youth)	491.09
	0100-7310-1802 (Dev. Dis. Day Camp)	4,297.53
	0100-7310-4431 (Equipment Repair & Maintenance)	128.49
	0100-7310-1804 (Admin. Intern)	430.00
	0100-7310-4431 (Equipment Repair & Maintenance)	120.03
	0100-3120-2503 (Body Armor)	18,000.00
	0100-3120-2204 (Computer Equipment-Police)	12,000.00

HIGHWAY

FROM:	0300-0902 (Fund Balance-Des. for Highway Projects)	24,357.20
	0300-5141-1416 (Tree Trimmer)	1,989.76

MEETING NO. 25
November 5, 1990

Item 27 continued

TO: 0300-5150-4458 (Highway Improvement Chips) 24,357.20
0300-5141-1421 (Mechanics Helper) 1,989.76

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
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 5, 1990 are hereby approved and made a part hereof:

GENERAL FUND	\$ 323,355.35
HIGHWAY FUND	128,149.35
TRUST & AGENCY FUND	19,617.10
HUD-CDBG FUND	23,691.40
PART TOWN FUND	2,094.71
RISK RETENTION FUND	40,113.03
STATE AHC FUND	1,364.00
HUD REHAB. FUND	3,895.14
CAPITAL FUND	715,877.94
SPECIAL DISTRICT FUND	470,912.34
DEBT SERVICE FUND	9,890.00
	<u>\$1,738,960.36</u>
	=====

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATION

Item No. 29 Building Permits.
Received and Filed.

Item No. 30a Minutes of Meeting - Cheektowaga Library Board/September.
Received and Filed.

Item No. 30b Minutes of Meeting - Traffic Safety Commission/October.
Received and Filed.

Item No. 31 Quarterly Report-Office of Disaster Preparedness/July-September 1990.
Received and Filed.

III. GENERAL COMMUNICATION

Item No. 32 Petition Regarding Rezoning of Property Located at Glidden & William
Streets.
Received and Filed.

Item No. 33 NYSDOT/Notice of Order Regarding Stop Sign on Allied Drive.
Received and Filed.

MEETING NO. 25
November 5, 1990

Item No. 34 Resolution From Town of Wales Regarding Gas and Oil Prices.
Received and Filed.

Item No. 35a Notice of Claim: NYSEG vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department and Highway
Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 35b Notice of Claim: NYSEG vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department and Highway
Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 35c Notice of Claim: Genevieve Figura vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department and Highway
Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 35d Notice of Claim: Nicholas and Carol Pitas vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department and Highway
Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 35e Notice of Claim: Kim Marie Schmidt vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department and Police
Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 35f Notice of Claim: Melinda Miller, an infant by and through Roger
Miller, her father and natural guardian and Roger Miller individually
vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Recreation
Department and Facilities Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 35g Notice of Claim: Amica Mutual Insurane Company/John Gartner vs Town
of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department and Sanitation
Department; S.I.S. Insurance Carrier
Received and Filed.

* * * * *

MOTION BY SUPERVISOR SWIA TEK, SECONDED BY COUNCILMAN ROGOWSKI
TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTIONS AND
THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

* * * * *

IV. SUSPENSION OF RULES

Item No. 36a Motion by Councilman Gabryszak, Seconded by Councilman Solecki

BE IT FURTHER that the Supervisor be authorized to execute an amended agreement on behalf of the Youth Bureau and the New York State Office of Mental Retardation and Developmental Disabilities.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 36b Motion by Councilman Blachowski, Seconded by Councilman Kulyk

WHEREAS, the Town of Cheektowaga, on August 3, 1987, gave Mr. & Mrs. Kenneth Elis a Housing Rehabilitation Community Development loan for property owned by them located at 40 Sierra Drive, Cheektowaga, New York, and

WHEREAS, Mr. & Mrs. Elis are now applying for a home equity line of credit through Citibank and Citibank is requesting the Town to execute a Subordination Agreement relating to the Town's Community Development loan, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Mr. & Mrs. Elis and the Town's Housing Rehabilitation Community Development loan for 49 Sierra Drive, Cheektowaga, New York, and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 37a Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk

BE IT RESOLVED, that the following individual is hereby hired as a part-time employee, not to exceed 19 hours on an annual basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

EFFECTIVE

POLICE DEPARTMENT - \$5.00 per hour

Charlene A. Rondina

Immediately

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 37b Motion by Councilman Solecki, Seconded by Councilman Kulyk

BE IT RESOLVED, that the following individual is hereby hired as a part-time employee, not to exceed 19 hours on an annual basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

MEETING NO. 25
November 5, 1990

Item No. 37b continued

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour

Justine Sinnott

November 7, 1990

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 38 Motion by Councilman Rogowski, 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 19th day of November, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; Christopher Kowal, Highway Superintendent; John Schaller, Assistant Chief of Police; Terry Rusin, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Chester L. Bryan, Town Engineer; Ronald Marten, Building & Plumbing Inspector and Dennis J. Ciotusznski, Town Justice; Casey Kozminski, Assessor; Ray Pugh, Planning Board member; Sgt. Mark E. Nacke, Traffic Unit-Police Department; Gregory Joos, Coordinator of Employee Relations.

I. PUBLIC HEARINGS

*PLEASE NOTE: This Public Hearing was held at 6:30 p.m.

This being the time and place advertised for a public hearing to consider the advisability of adopting 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 IV

Traffic Control Signals

Section 76-40 A. Installation, maintenance and operation of traffic control signals shall be amended by deleting therefrom the following:

(28) Pine Ridge Road at Parkview Terrace.

- (a) Variable automatic: 1 section, 4 sides, 3 lights per side.
- (b) Sensor pads, push buttons.
- (c) Normal operation: flashing signal, yellow indications facing north and south on Pine Ridge Road and red indications facing east on Parkview Terrace and the west.
- (d) Sensor-pad, push-button activation displays steady green indications facing north and south on Pine Ridge Road and steady red indications facing east on Parkview Terrace and to the west, followed by steady red indications facing north and south on Pine Ridge Road and steady green indications facing east on Parkview Terrace and to the west. Short interval reverts to operation in Subsection A928(c).

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 19th day of November, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; Christopher Kowal, Highway Superintendent; John Schaller, Assistant Chief of Police; Terry Rusin, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Chester L. Bryan, Town Engineer; Ronald Marten, Building & Plumbing Inspector and Dennis J. Ciotusznski, Town Justice; Casey Kozminski, Assessor; Ray Pugh, Planning Board member; Sgt. Mark E. Nacke, Traffic Unit-Police Department; Gregory Joos, Coordinator of Employee Relations.

I. PUBLIC HEARINGS

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Traffic Control Signals

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(28) Pine Ridge Road at Parkview Terrace.

- (a) Variable automatic: 1 section, 4 sides, 3 lights per side.
- (b) Sensor pads, push buttons.
- (c) Normal operation: flashing signal, yellow indications facing north and south on Pine Ridge Road and red indications facing east on Parkview Terrace and the west.
- (d) Sensor-pad, push-button activation displays steady green indications facing north and south on Pine Ridge Road and steady red indications facing east on Parkview Terrace and to the west, followed by steady red indications facing north and south on Pine Ridge Road and steady green indications facing east on Parkview Terrace and to the west. Short interval reverts to operation in Subsection A928(c).

CONTINUED PUBLIC HEARING

ARTICLE VIII

Stop and Yield Intersections

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

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>
Towers Blvd.	North-south	Whitney Pl. (north leg)	Westbound	N.E. Corner
Towers Blvd.	North-south	Whitney Pl. (south leg)	Westbound	N.E. Corner
Whitney Pl. (north leg)	East-west	Parktrail Ln.	Northbound	S.E. Corner
Whitney Pl. (south leg)	East-west	Parktrail Ln.	Southbound	N.W. Corner
Pine Ridge Rd.	North-south	Parkview Terr.	Westbound	N.E. Corner
LeHarve Dr.	East-west	Towers Blvd.	Northbound	S.E. Corner
LeHarve Dr.	East-west	Towers Blvd.	Southbound	N.W. Corner
Butternut Rd.	East-west	Rushford Ln.	Northbound	S.E. Corner
Butternut Rd.	East-west	Rushford Ln.	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

§76-102. Parking prohibited in designated locations.

Add the words "Except as otherwise permitted in Section 76-101 herein" at the beginning of the sentence.

Section 76-101 All-night parking

Add between the words "6:00 A.M." and "opposite" the following wording:

"on Mondays, Wednesdays and Fridays"

Add between the words "opposite the hydrant side" and "the entire length" the following wording:

"and on Sundays, Tuesdays, Thursdays and Saturdays on the hydrant side."

Add between the words "Marne Road" and "Preston Place" the following wording:

"Peachtree Road"

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

B. No parking anytime

TOWERS BLVD.	West side	from the north curbline of LeHarve Drive northerly to the south curbline of Losson Road
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PUBLIC HEARING CONTINUED

WHITNEY PL.	South side (north leg) West side (east leg) North side (south leg)	from the east curblin of Towers Boulevard to the east curblin of Towers Boulevard
PARKTRAIL LN.	East side	from the north curblin of Whitney Place (south leg) to the south curblin of Whitney Place (north leg)

F. Miscellaneous signs

(6) No parking or standing

DICK RD.	West side	from the south curblin of Walden Avenue southerly to the north curblin of Broadway
TOWERS BLVD.	East side	from the north curblin of Whitney Place (north leg) northerly to the south curblin of Losson Road

* * * * *

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. 2a Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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 1991, for the General Fund, 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 October 30, 1990 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 1991 Ad Valorem Budget for the Town of Cheektowaga and the respective districts therein:

Town of Cheektowaga
1991
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.

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

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

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 the said Estimates and Assessment Rolls of the amounts set forth as Special Districts respectively and does determine same to be necessary and required as aforesaid set forth, namely:

Town of Cheektowaga
1991
Final Benefit Basis Budget

and,

WHEREAS, a Public Hearing was duly held on the 30th day of October, 1990 at 6:30 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 Rolls for the year 1991.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for Sports Lighting at Stiglmeier Park, which bids were received and publicly opened on November 2, 1990, and

WHEREAS, said bids were referred to the engineering firm of R. P. Morrow Associates, P.C. for analysis, tabulation and report, which analysis, tabulation and report state that such bid, along with alternate bids 2, 3, and 5, be awarded to Wittburn Enterprises, Inc., NOW, THEREFORE, BE IT

RESOLVED, that the contract for Sports Lighting at Stiglmeier Park (base bid and alternate bid numbers 2, 3 and 5) be and hereby is awarded to Wittburn Enterprises, Inc., 36 Cypress Street, Buffalo, New York 14204 at the total bid price of \$217,300.00, said being the lowest responsible bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED, that moneys for such project shall be appropriated from budget line item number 5818-7110-1102.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 4 Motion by Councilman Gabryszak Seconded by Councilman Rogowski

WHEREAS, Scaffidi & Moore Architects have reviewed a proposal from Louis Migliore Construction Co., Inc. for a credit in the amount of \$150.00 for an imperfection in the carpet of the second floor meeting room at the Alexander Community Center, NOW, THEREFORE, BE IT

Item No. 4 continued

RESOLVED, that the Cheektowaga Town Board hereby accepts Change Order G-3 in the amount of a credit for \$150.00, as submitted by Louis Migliore Construction Co., Inc., 787 Military Road, Buffalo, N.Y. 14217.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5a Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the Town has received funding from the U.S. Department of Housing & Urban Development under the Community Development Block Grant Program for the 1990-91 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 provisions of housing-related information to low and moderate income residents, and

WHEREAS, funding for such services has been included in the Town's 1990-91 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 \$7,500.00, said amount to be paid from program Year 1990-91 Community Development Block Grant funds.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5b Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga has received funding from the U. S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, for the 1990-91 Program Year, and

WHEREAS, an eligible activity under the Community Development Block Grant Program is the provision of energy conservation programs to assist low-income renters and homeowners, and

WHEREAS, Supportive Services Corporation of Western New York, has requested funding for the provision of energy conservation and weatherization services for low-income Town residents, and

WHEREAS, funding for such services has been included in the Town's 1990-91 Community Development Block Grant application, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized to execute an Agreement with Supportive Services Corporation of Western New York, for the provision of energy conservation and weatherization services for Town residents, and BE IT

Item No. 5b continued

FURTHER RESOLVED that the fee paid to Supportive Services be in the amount of \$4,700.00, said fee to be paid from Fiscal Year 1990-91 Community Development Block Grant Funds.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5c Motion by Supervisor Swiatek Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is the owner of land known as the former Wagner Street, which Wagner Street commences in the north line of Dings Street 125 feet east of the east line of Claude Drive, and

WHEREAS, Ralph D. Mastrangelo and Donald M. Mueller are the owners of the adjoining premises to the west known as 614 Dings Street, and

WHEREAS, there is an existing stone driveway within the former Wagner Street right-of-way which driveway provides the only access to a garage located at 614 Dings Street, and

WHEREAS, the owners of 614 Dings Street have requested that the Town grant them a license over a portion of the former Wagner Street for vehicular access to their garage, and

WHEREAS, the Town Engineer and Town Attorney have reviewed a proposed License Agreement and have no objection to the Town entering into same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the attached License Agreement and authorizes and directs the Supervisor to execute same on behalf of the Town

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* See next page for agreement - copy signed by Supervisor only

LICENSE AGREEMENT

THIS AGREEMENT, made this 20th day of November, 1990, between the TOWN OF CHEEKTOWAGA, hereinafter referred to as "TOWN" and RALPH D. MASTRANGELO and DONALD M. MUELLER, hereinafter referred to as "OWNERS".

WHEREAS, the "TOWN" is the owner in fee simple of land known as the "former Wagner Street right-of-way", which said land being fifty (50) feet in width commencing in the north line of Dingens Street, one hundred twenty-five (125) feet east of the east line of Claude Drive and more specifically shown on the attached survey prepared by Richard W. Siepel dated August 31, 1990, and,

WHEREAS, the "OWNERS" are the owners in fee simple of the adjoining premises to the west designated as part of subdivision lots numbers 81 and 85 under cover number 868 locally known as 614 Dingens Street being thirty-two and 50/100 (32.50) feet front and rear by one hundred twenty-four and 70/100 (124.70) feet in depth, being part of premises conveyed to the "OWNERS" by Deed recorded in the Erie County Clerk's Office on May 17, 1990, in Liber 10173 at pages 428 and 430, and also as more specifically shown on the attached survey of Richard W. Siepel, dated August 31, 1990, and,

WHEREAS, there is an existing stone driveway within the "former Wagner Street right-of-way" which driveway provides the only access to a garage located at 614 Dingens Street and the parties hereto desire to permit ingress and egress to such garage and to permit travel of motor vehicles over said driveway to be used by the "OWNERS" their heirs and successors and lawful tenants of the "OWNERS" and their heirs and successors.

NOW, THEREFORE, for valuable consideration paid by the "OWNERS", the "TOWN" hereby grants unto the "OWNERS", their heirs, successors and lawful tenants, a license for full and free right and authority to enter and exit over the property described in the attached Schedule "A" to the garage in the rear of the premises of the "OWNERS" and to permit the travel of motor vehicles over said driveway.

The "OWNERS" recognize that a public sanitary sewer line is located within the "former Wagner Street right-of-way", and they hereby covenant and agree that they, their heirs, successors and lawful tenants will not permit the parking of any vehicles on the existing stone drive or

otherwise obstruct or hinder access to the sanitary sewer line for maintenance purposes; and further covenant and agree to hold the "TOWN" harmless from any and all liability with respect to their use of said driveway; and in the further event that the "TOWN" is required to perform work within the roadway, that this license agreement shall be temporarily suspended for that purpose and agree to hold the "TOWN" harmless for any damage caused by such interruption for repair.

The "OWNERS" further agree that, should they, their successors or assigns, desire to pave any portion of the aforesaid stone driveway, they shall receive approval from the "TOWN's" Engineer and such paving shall be at "OWNER's" risk. "OWNERS" agree that the TOWN shall not be responsible for replacing any pavement torn up by the "TOWN" or its contractors should the "TOWN" need to tear up the driveway.

Should the "OWNERS" transfer their property located at 614 Dingens Street and this license agreement to another party, they shall notify the TOWN, in writing, within 10 days of such transfer and shall supply the TOWN with the name and address of the new owner.

IT IS FURTHER agree that this license agreement shall be revocable by the "TOWN" at any time upon 30 days advance written notice to the "OWNERS".

IN WITNESS WHEREOF, the parties have duly executed this instrument the day and year first above written.

TOWN OF CHEEKTOWAGA

By: 

FRANK E. SWIATEK

RALPH D. MASTRANGELO

DONALD M. MUELLER

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
TOWN OF CHEEKTOWAGA)

On this 20th day of November, 1990, before me personally came FRANK E. SWIATEK, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, New York; that he knows the seal of said Town; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said Town; and that he signed his name thereto by like order.

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 23, 1991

Kevin G. Schenk

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

On this _____ day of _____, 1990, before me, the subscriber personally appeared RALPH MASTRANGELO, to me personally known and known to me to be the same person described in and who executed the within instrument and he acknowledged to me that he executed the same.

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

On this _____ day of _____, 1990, before me, the subscriber personally appeared DONALD M. MUELLER, to me personally known and known to me to be the same person described in and who executed the within instrument and he acknowledged to me that he executed the same.

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 75, Township 10 and Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEING that portion of Wagner Street (a 50.0 foot wide right-of-way) shown on a map filed in the Erie County Clerk's Office under Cover Number 868, bounded and described as follows:

BEGINNING at a point on the northwest corner of Wagner Street and Dingens Street (width varies); thence proceeding northerly along the westerly boundary of said Wagner Avenue, eighty-five (85.0) feet to a point; thence proceeding easterly at right angles to the westerly line of Wagner Street, thirty-five (35.0) feet to a point; thence proceeding southerly and parallel to the aforementioned westerly line of Wagner Street, eighty-five (85.0) feet, more or less, to the northerly line of Dingens Street; thence proceeding westerly along the northerly line of Dingens Street, thirty-five (35.0) feet to the point or place of beginning.

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

WHEREAS, the Department of Housing & Urban Development is changing to a "Voice Response System" to replace the existing Treasury Financial Communications System for the processing of payments for the Community Development Block Grant Program, and

WHEREAS, H.U.D. has requested that new Letter of Credit Control systems access authorization forms be submitted with the names of the individuals authorized to request Community Development Block Grant program payments, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to sign and submit to H.U.D. the Letter of Credit Control system Voice Response Access Authorization Forms and any required related documents authorizing the following individuals to request Community Development Block Grant Program payments: Theresa A. Rusin, Robert E. Kaczmarek and Jerome J. Gabryszak.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5e Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, Scaffidi & Moore Architects have submitted for approval a Certificate of Substantial Completion for Wood Laminate Repairs at the Reinstein Library, AND

WHEREAS, said Certificate of Substantial Completion issued to Osmose Wood Preserving Inc., 980 Ellicott St., Buffalo, N.Y. 14209, establishes the date of October 18, 1990, which starts all warranties, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes Supervisor Frank Swiatek to sign the Certificate of Substantial Completion for Osmose Wood Preserving, Inc.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6a Motion by Councilman Blachowski Seconded by Councilman Solecki

WHEREAS, Robert E. Mariacher, et al. ("Owners") are the owners of a portion of property known as the Gardenville Industrial Park-North in the Town, and

WHEREAS, Volland Electric Equipment Corp., Frank Stucke and Joseph Hoerner ("Developers") have entered into agreements with such Owners to purchase and develop properties within the Gardenville Industrial Park-North, and

WHEREAS, pursuant to the attached Declaration of Easements and Agreements between the Owners, Developers and the Town, Owners must construct an access road from the existing Innsbruck Drive to the Developers' properties and otherwise provide the developers with access to their properties, and dedicate such extended Innsbruck Drive to the Town as a public roadway, and

WHEREAS, the Town Engineer has requested and the Owners have agreed to grant the Town the attached easement over their property for storm drainage purposes, and

WHEREAS, this Town Board is agreeable to the terms specified in the attached Declaration of Easements and Agreements and Easement, NOW, THEREFORE, BE IT

Item No. 6a continued

RESOLVED, that this Town Board hereby accepts and approves the attached Declaration of Easements and Agreements and authorized the Supervisor to execute same on behalf of the Town, and BE IT FURTHER

RESOLVED, that this Town Board hereby accepts the attached Easement and directs the Town Attorney to record same in the Erie County Clerk's Office.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGE FOR EASEMENT

This Indenture,Made the 23rd day of September Nineteen Hundred and ninety-one

Between ROBERT E. MARIACHER, Cheektowaga, New York 14227,
NORMAN DiDONATO, Buffalo, New York 14202, FRANK L. CIMINELLI,
Williamsville, New York 14221, EUGENE P. VUKELIC,
Cheektowaga, New York 14227, WILLIAM NUNZ,
Cheektowaga, New York 14227 and PAUL M. NICTER a/k/a PAUL N. NICTER,
Buffalo, New York 14207, parties of the first part, and

THE TOWN OF CHEEKTOWAGA, NEW YORK, a municipal corporation having its
offices at Broadway and Union Roads, Cheektowaga, New York 14227,

Witnesseth, that the parties of the first part, in consideration of One and No More
Dollar (\$1.00 & No More)

lawful money of the United States,

paid by the party of the second part, do hereby grant and release unto the party 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 and being part of Lot 89, Buffalo Creek
Reservation, being part of Township 10, Range 7 of the Holland Land Company
Survey (so-called), more particularly described on Schedule "A" annexed hereto
and made a part hereof, and further described as the "Proposed Road" in the
survey of McIntosh & McIntosh, P.C., dated August 30, 1990, a copy of which
(not to scale) is annexed hereto and made a part hereof as Schedule "B".

THIS CONVEYANCE IS MADE AND ACCEPTED SUBJECT TO THE FOLLOWING EASEMENTS,
RESTRICTIONS AND RIGHTS OF WAY OF RECORD:

1. Easement to Erie County Water Authority by deed recorded in the Erie County Clerk's Office in Liber 9796 of Deeds at Page 397 on November 25, 1987.
2. Easement to New York State Electric & Gas Corporation, New York Telephone Company and National Fuel Gas Corporation pursuant to easement recorded in the Erie County Clerk's Office in Liber 9789 of Deeds at Page 613 on November 9, 1987.
3. Easement to the County of Erie for the purposes of Erie County Sewer District No. 1 recorded in the Erie County Clerk's Office on October 29, 1990 in Liber 10230 of Deeds at Page 354.
4. Easement to New York State Electric & Gas Corporation, New York Telephone Company and National Fuel Gas Distribution Corporation recorded in the Erie County Clerk's Office on March 4, 1991 in Liber 10266 of Deeds at Page 338.
5. Declaration of Easements and Agreements made by Robert E. Mariacher, et. al. recorded on March 4, 1991 in the Erie County Clerk's Office in Liber 10266 of Deeds at Page 309.
6. Easement to the Town of Cheektowaga, New York recorded in the Erie County Clerk's Office on March 4, 1991 in Liber 10266 of Deeds at Page 323.
7. Easement to New York State Electric & Gas Corporation recorded on March 4, 1991 in the Erie County Clerk's Office in Liber 10266 of Deeds at Page 331.
8. Easement to New York State Electric & Gas Corporation recorded on April 2, 1991 in the Erie County Clerk's Office in Liber 10274 of Deeds at Page 338.
9. Easement to Erie County Water Authority recorded on July 12, 1991 in the Erie County Clerk's Office in Liber 10307 of Deeds at Page 209.

The premises conveyed herein are an extension of Innsbruck Drive and are being dedicated to and accepted by the Town of Cheektowaga, New York for highway purposes and shall also be known as Innsbruck Drive.

EXCEPTING AND EXCLUDING THEREFROM, the water line and appurtenances located within the said premises which are to be conveyed by the parties of the first part to the Erie County Water Authority and the sanitary sewer line and appurtenances located within the said premises which are to be conveyed to the County of Erie for the purposes of Erie County Sewer District No. 1.

LIBR 10331 PG 736

CHEEKTOWAGA TOWN CLERK'S OFFICE

Together with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

To have and to hold, the above granted premises unto the said part y of the second part, and assigns forever.

And said parties of the first part covenant as follows:

First, that the part y of the second part shall quietly enjoy the said premises;

Second, that said parties of the first part will forever Warrant the title to said premises.

Third, that this conveyance is subject to the trust fund provisions of section thirteen of the lien law.

In Witness Whereof, the parties of the first part have hereunto set their hand(s) and seal(s) the day and year first above written.

In Presence of

WILLIAM NUNZ

PAUL M. NICTER a/k/a
PAUL N. NICTER

L.S.

L.S.

ROBERT E. MARIACHER

NORMAN DiDONATO

FRANK L. CIMINELLI

EUGENE P. VUKELIC

ls

ls

ls

ls

State of New York
County of ERIE

ss.

On this 23rd day of September
before me, the subscriber, personally appeared
ROBERT E. MARIACHER

Nineteen Hundred and ninety-one

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.

Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991
NOV.

State of New York
County of ERIE

ss.

On this 24th day of September
before me, the subscriber, personally appeared
NORMAN DiDONATO

Nineteen Hundred and ninety-one

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.

Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991
NOV.

RECEIVED
S. J. L. L. L.
REAL ESTATE

SEP 26 1991

TRANSFER TAX
4333 ERIE
COUNTY

LIBER 10331 PG 737

SCHEDULE "A" TO DEED FOR DEDICATION OF ROAD

Parties of the First Part: Robert E. Mariacher, et. al.

Party of the Second Part: The Town of Cheektowaga, New York

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York and being part of Lot 89, Buffalo Creek Reservation, being part of Township 10, Range 7 of the Holland Land Company survey (so-called), bounded and described as follows:

BEGINNING at the most easterly end of the northerly line of Innsbruck Drive (72.0 feet wide) as dedicated to the Town of Cheektowaga and said description is filed in the Erie County Clerk's Office in Liber 9813 of Deeds at Page 91;

RUNNING THENCE: N-40°-49'-28"-E, along the said northerly line of Innsbruck Drive extended, a distance of 247.51 feet to a point of curvature;

RUNNING THENCE: Northerly, along a curve to the left having a radius of 25.50 feet, a distance of 24.01 feet to a point of reverse curvature;

RUNNING THENCE: Northerly, easterly and southerly along a curve to the right having a radius of 79.0 feet, a distance of 396.96 feet to a point of reverse curvature;

RUNNING THENCE: Southwesterly, along a curve to the left having a radius of 25.50 feet, a distance of 24.01 feet to the southerly line of said Innsbruck Drive extended;

RUNNING THENCE: S-40°-49'-28"-W, along the said southerly line of Innsbruck Drive extended, a distance of 247.51 feet to the most easterly end of the southerly line of said Innsbruck Drive;

RUNNING THENCE: N-49°-10'-32"-W, along the most easterly end of said Innsbruck Drive, a distance of 72.0 feet to the POINT OR PLACE OF BEGINNING

LIBER 10331 PG 738

SCHEDULE "B" TO DEED FOR DEDICATION OF ROAD

Parties of the First Part: Robert E. Mariacher, et. al.

Party of the Second Part: The Town of Cheektowaga, New York



UNION ROAD

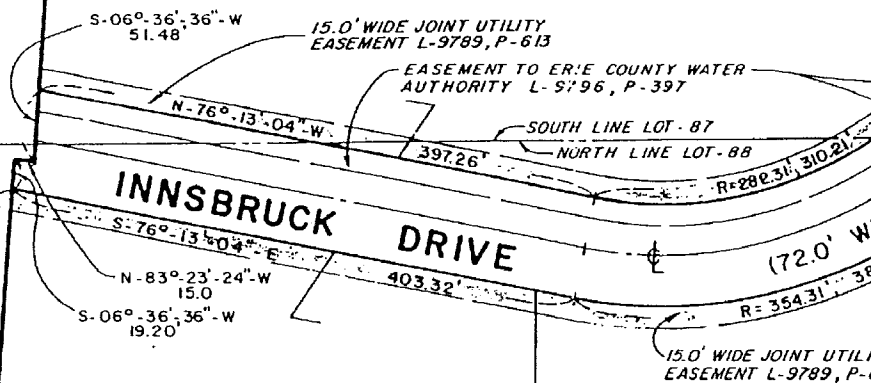
(VARYING WIDTHS)

1526.10' TO MONUMENTED C. OF THE
GARFENVILLE BRANCH OF PENN CENTRAL R.R.

© 1990 McINTOSH & McINTOSH, P.C.
ALL RIGHTS RESERVED

NOTE UNAUTHORIZED ALTERATION OR ADDITION TO THIS
SURVEY MAP IS A VIOLATION OF SECTION 7209

REPUTED OWNER
ROBERT E. MARIACHER, ET. AL.
L-8113, P-446
L-8240, P-329
L-8240, P-363



REPUTED OWNER
ERIE COUNTY INDUSTRIAL
DEVELOPMENT AUTHORITY
L-9744, P-46

RESURVEYED	REVISION	LOCATION
	REVISED PROPOSED ROAD SEPTEMBER 18, 1990	BEING PAR

FILED

1991 SEP 26 AM 10:08

State of New York
County of ERIE

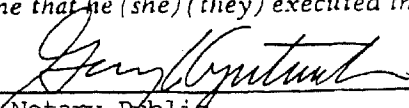
SS.

On this 23rd day of September
before me, the subscriber, personally appeared
FRANK L. CIMINELLI

Nineteen Hundred and

ERIE COUNTY
CLERK'S OFFICE
ninety-one

to me personally known and known to me to be the same person(s) described in and who executed the
within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.


Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991
NOV.

State of New York
County of ERIE

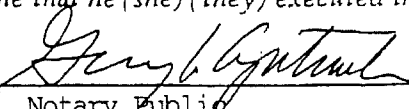
SS.

On this 23rd day of September
before me, the subscriber, personally appeared
EUGENE P. VUKELIC

Nineteen Hundred and

ninety-one

to me personally known and known to me to be the same person(s) described in and who executed the
within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.


Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991
NOV.

State of New York
County of ERIE

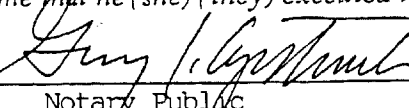
SS.

On this 23rd day of September
before me, the subscriber, personally appeared
WILLIAM NUNZ

Nineteen Hundred and

ninety-one

to me personally known and known to me to be the same person(s) described in and who executed the
within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.


Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991
NOV.

State of New York
County of ERIE

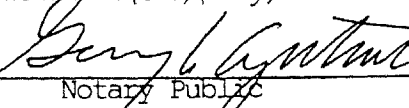
SS.

On this 24th day of September
before me, the subscriber, personally appeared
PAUL M. NICTER a/k/a PAUL N. NICTER

Nineteen Hundred and

ninety-one

to me personally known and known to me to be the same person(s) described in and who executed the
within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.


Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991
NOV.

Warranty with Lien Covenant
(Individual)

ROBERT E. MARIACHER, NORMAN
DIDONATO, FRANK L. CIMINELLI,
EUGENE P. VUKELIC, WILLIAM
NUNZ and PAUL M. NICTER a/k/a
PAUL N. NICTER

to

THE TOWN OF CHEEKTOWAGA,
NEW YORK

Dated September 23, 1991

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

Recorded in Liber 10331, Page 236

of
on the 26th day of
A.D., 1991, at 10:08 o'clock A.M.
and examined.



THIS SPACE FOR CLERK'S TIME STAMP
(Do not write in this space.)

LIBER 10331 PG 740

B 189703-25-
1-5-0

Sanders Legal Publishers
Prudential Building - Buffalo, New York 14202

TEMPORARY DRAINAGE EASEMENT

THIS TEMPORARY DRAINAGE EASEMENT is made as of the 23rd
day of September, 1991 by ROBERT E. MARIACHER, FRANK L.
CIMINELLI, EUGENE P. VUKELIC, WILLIAM NUNZ, NORMAN DIDONATO and
PAUL M. NICHTER a/k/a PAUL N. NICHTER, c/o 2303 Union Road, Town
of Cheektowaga, County of Erie and State of New York (hereinafter
collectively referred to as the "Grantors") in favor of THE TOWN
OF CHEETOWAGA, NEW YORK, a municipal corporation organized under
the laws of the State of New York having its principal office in
the Town Hall, Broadway and Union Roads, Cheektowaga, New York
14227 (hereinafter referred to as the "Grantee").

RECEIVED
S. J. Long
REAL ESTATE

SEP 26 1991

W I T N E S S E T H:

TRANSFER TAX
4334 ERIE
COUNTY

IN CONSIDERATION of the sum of One Dollar (\$1.00) and
no more, lawful money of the United States, the receipt of which
is hereby acknowledged, the Grantors hereby grant and release
unto the Grantee, its successors and assigns forever, a temporary
easement and right-of-way, with the temporary right, privilege
and authority to inspect, operate, maintain and repair a drainage
ditch or storm sewer pipeline and to remove any obstructions to
storm drainage flow as the Grantee, in its sole discretion, may
now and at any time and from time to time in the future deem
necessary or proper upon, over, across and/or under a certain
parcel of land more particularly described in Schedule "A"
annexed hereto and made a part hereof and further identified in
the location plan annexed hereto and made a part hereof as
Schedule "B."

CHEEKTOWAGA TOWN CLERK'S OFFICE
F. N. # 41
84

The Grantors, as an undertaking and covenant for
themselves and their respective successors and assigns, hereby
covenant and agree with respect to the lands covered by the
easement granted hereby that, except as otherwise set forth
herein, and for so long as this temporary easement is in force
and effect, no building or other structure shall be erected,
moved or placed upon or permitted to be erected, moved or placed

LIBER 10331 PG 741

upon the lands covered by the easement granted hereby provided, however, that nothing contained herein shall preclude the Grantors or their successors or assigns from improving the lands covered by the easement granted hereby with driveways or parking areas or driving on or parking upon the said lands covered by the easement granted hereby for so long as same shall not interfere with the Grantee's use and enjoyment of the easement granted hereby.

This easement is made subject to all easements, agreements and rights of way of record.

The Grantors covenant with the Grantee that the Grantors will forever warrant the title to the premises subject to this easement and that the Grantee shall quietly enjoy the said easement and rights conveyed hereby.

Nothing contained herein shall preclude the Grantors from altering the location of the ditch (through underground piping or otherwise) currently located on the property covered by the temporary easement granted hereby and described in Schedule "A" annexed hereto and made a part hereof and shown on Schedule "B" annexed hereto and made a part hereof provided that the Grantors shall grant a new easement acceptable to the Grantee (which acceptance shall not be unreasonably withheld) which shall provide the Grantee with substantially the same rights with respect to the ditch as so re-located as set forth herein.

This temporary easement shall remain in full force and effect until the Grantors or their successors and assigns desire to develop and/or otherwise improve the property covered by the temporary easement granted hereby in whole or in part in which event the location of the said easement shall be permanently established at such location acceptable to the Grantee (which

IN WITNESS WHEREOF, the Grantors have caused this
easement to be duly executed as of the day and year first above
written.

Robert E. Mariacher

William Nunz

Frank L. Ciminelli

~~Norman DiDonato~~

Eugene P. Vukelić

Paul M. Nichter a/k/a
Paul N. Nichter

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

On this 23rd day of September, 1991, before me, the subscriber, personally appeared Robert E. Mariacher, to me known and known to me to be the person described in and who executed the within instrument and he acknowledged to me that he executed the same.

Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991

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

On this 23rd day of September, 1991, before me, the subscriber, personally appeared Frank L. Ciminelli, to me known and known to me to be the person described in and who executed the within instrument and he acknowledged to me that he executed the same.

Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991
N.Y.C.

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

On this 23rd day of September, 1991, before me, the subscriber, personally appeared Eugene P. Vukelic, to me known and known to me to be the person described in and who executed the within instrument and he acknowledged to me that he executed the same.

Notary Public

GUY J. AGOSTINELLI

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 91
1008

SCHEDULE "A" TO TEMPORARY DRAINAGE EASEMENT

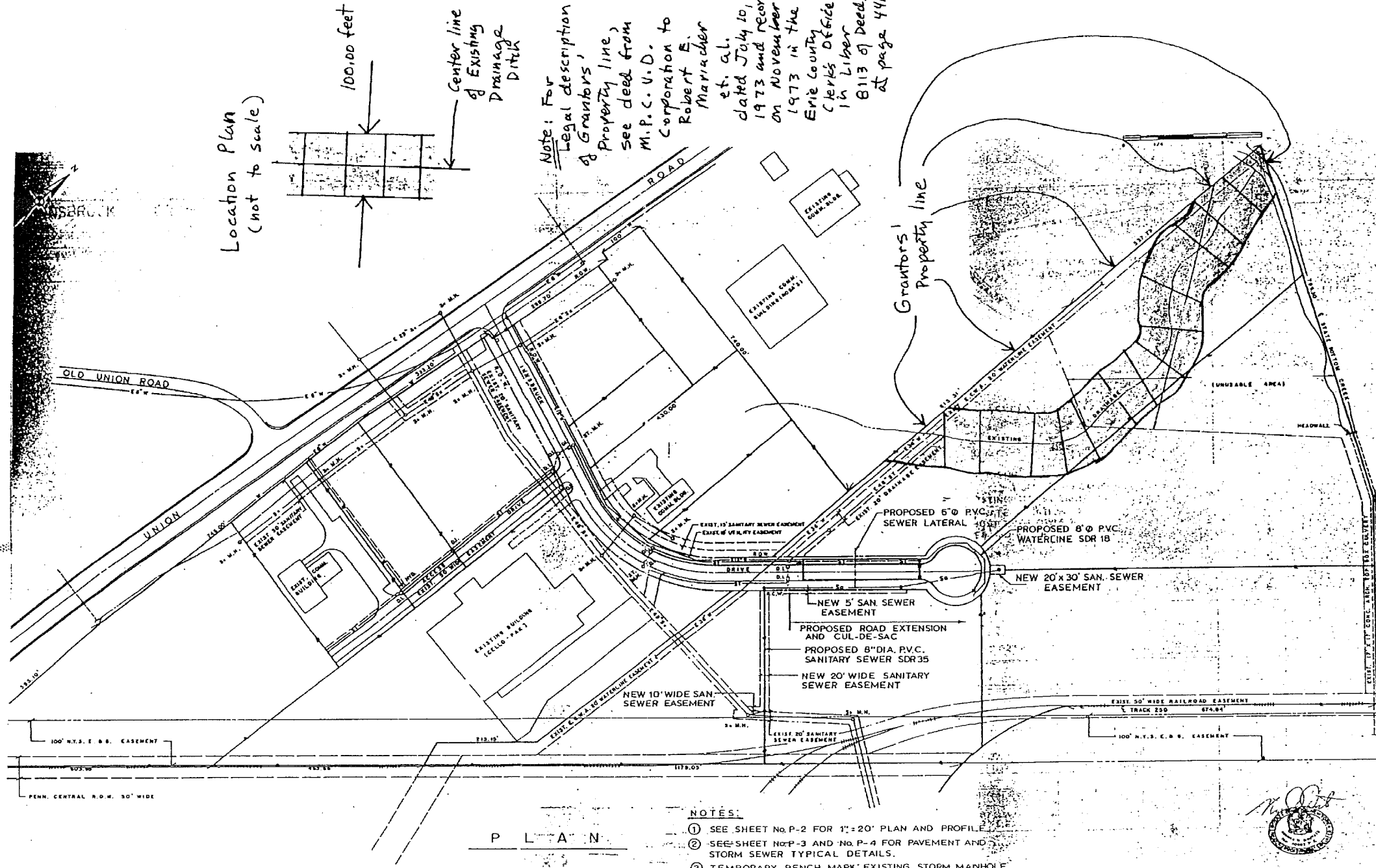
Grantors: Robert E. Mariacher et al
Grantee: The Town of Cheektowaga, New York

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Nos. 60, 87 and 89, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Subject to the limitations set forth herein, a strip of land one hundred (100) feet in width the center line of which is the center line of a drainage ditch as is currently located, the approximate location of which drainage ditch and such strip of land being shown on Schedule "B" annexed hereto and made a part hereof, the said drainage ditch being labeled on said Schedule "B" as an "Existing Drainage Ditch", PROVIDED, HOWEVER, that nothing contained herein shall be deemed a grant of an easement upon property not currently owned by the Grantors and, to the extent that the aforesaid strip of land as so described extends beyond the property line of the Grantors as described in a deed from M.P.C.V.D. Corporation to Robert E. Mariacher et. al. dated July 10, 1973 and recorded on November 10, 1973 in the Erie County Clerk's Office in Liber 8113 of Deeds at page 446 and as shown on Schedule "B" annexed hereto and made a part hereof, the boundary line of same for purposes of this temporary drainage easement shall be deemed to be the said property line.

SCHEDULE "B" TO TEMPORARY DRAINAGE EASEMENT

Grantors: Robert E. Mariacher et al
Grantee: The Town of Cheektowaga, New York



55 ACRES - GARDENVILLE INDUSTRIAL PARK

GENERAL SITE PLAN


10331745

REVISION	9-10-90 CAW
	9-25-90 S.L.S.
DRAWN BY	S.L.S.
CHECKED BY	J.D.
SCALE	1"=100'
DATE	7-6-90
DWG. NO.	P-1

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 3709.

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

On this 23rd day of September, 1991, before me, the subscriber, personally appeared William Nunz, to me known and known to me to be the person described in and who executed the within instrument and he acknowledged to me that he executed the same.


Notary Public
Guy J. AGOSTINELLI
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY, 91
My Commission Expires March 30, 1991
NOV.

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

On this 24th day of September, 1991, before me, the subscriber, personally appeared Norman DiDonato, to me known and known to me to be the person described in and who executed the within instrument and he acknowledged to me that he executed the same.

Notary Public
GUY J. AGOSTINELLI
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY 91
My Commission Expires March 30, 19 91
NOV.

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

On this 24th day of September, 1991, before me, the subscriber, personally appeared Paul M. Nichter a/k/a Paul N. Nichter, to me known and known to me to be the person described in and who executed the within instrument and he acknowledged to me that he executed the same.

Guy J. Agostinelli

Notary Public

GUY J. AGOSTINELLI
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19 91
NOV.

GUY J. AGOSTINELLI
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1991
NOV.

1991 SEP 26 11 08

[illegible]

4

TEMPORARY DRAINAGE EASEMENT

from

Robert E. Mariacher,
Frank L. Cimirelli,
Eugene P. Vukelic
William Nunn
Norman DiDonato
and Paul M. Nichter
aka Paul N. Nichter

to
The Town of Cheektowaga,
New York

September 23, 1991

STATE OF NEW YORK
 ERIE COUNTY CLERK'S OFFICE
 Recorded in Liber 10331 Page 74

of ... *Thames* ...
on the ... *26*... day of ... *Sept*...
A.D., 19*91*... at *10.00* o'clock ... *A.M*
and examined.

David J. Lawrence
CLERK

018703-28
7-9-0
B65

MEETING NO. 26
November 19, 1990

Item No. 6b Motion by Councilman Blachowski Seconded by Councilman Solecki

WHEREAS, Harlequin Sales Corporation recently developed a piece of property located at 3010 Walden Avenue in the Town and has constructed an office/warehouse building on such property, and

WHEREAS, as part of such project, sanitary sewer lines were constructed on such property, and

WHEREAS, such sanitary sewer lines are within a Town of Cheektowaga Sanitary Sewer District, and

WHEREAS, the Town Engineer has requestd that the owner of such property convey sanitary sewer easements to the Town over this property, and

WHEREAS, the Erie County Industrial Development Agency ("ECIDA") is the record owner of such property as a result of financing provided by such agency, and

WHEREAS, the ECIDA has executed the requested sanitary sewer easements, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned sanitary sewer easements from the ECIDA/Harlequin Sales Corporation over property located at 3010 Walden Avenue, and BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to record such easements in the Erie County Clerk's Office.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, there was a break in the force main at the Roycroft Pump Station causing mud to be backed up into the pump station and a large hole was discovered in the force main necessitating immediate repair, AND

WHEREAS, M. C. Morgan Contractors, Inc. was delegated to perform the required repair work as outlined in the attached memorandum of Chester Bryan, Town Engineer, dated November 8, 1990, NOW, THEREFORE, BE IT

RESOLVED, that the voucher of M. C. Morgan Contractors, Inc., in the amount of \$9,515.18 for labor and equipment required to make the necessary sewer repair, be and hereby is approved, AND, BE IT FURTHER

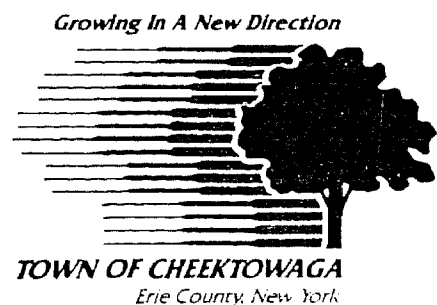
RESOLVED, that payment for said emergency repair be and hereby is chargeable to Sewer District No. 5 Contracted Repairs, Budget Item #25-8125-0001-4543.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGE FOR MEMORANDUM

Chester L. Bryan, P.E.
Town Engineer



M E M O

TO: William Rogowski, Chairman
Storm & Sanitary Sewers

FROM: Chester L. Bryan, P.E.
Town Engineer

RE: Emergency Repair
Roycroft Pump Station

DATE: November 8, 1990

On Thursday evening, October 25, 1990, Ted Brudz, Foreman of the Sanitary Sewer Department, called me at home to advise that the sanitary sewer pump at the Roycroft Pump Station was inoperative. To prevent any sanitary sewer back-up into homes in this Cleveland/Wehrle Drive area, the storm water bypass pumps were activated at that pump station. Sanitary sewer waters were then discharged through a pressure pipe into the storm sewer at Cleveland Drive.

The problem appeared to be in the force main just outside of the pump station building. Ted Brudz advised that this is a very deep pipe line and the Sewer Department would be unable to handle this type of a repair. There was a break in the pipe causing mud to be backed up into the pump station. I advised Ted Brudz to call M.C. Morgan Contractors, Inc. the first thing on Friday morning to start the necessary excavation and repair. This was Friday, October 26th. In excavating, a large hole was discovered in the pressure main and a clamp was placed over the pipe to make the repair. Following this repair the excavation was filled in. On Monday I was again advised that it appeared that there was another fault with the force main. M.C. Morgan's equipment and crews were there that morning. I visited the site and directed some pump tests which indicated that the break in the force main was also in the same general area as the first problem. Excavation was ordered. The pipe was exposed and another break in the line was discovered and repaired. This time the lines were put under pressure to make sure that there were no other problems. The excavation was then filled in. Ted Brudz arranged to have the Highway Department assist us in trucking away a fill material that was excavated from the repair site.

We have received an invoice from M.C. Morgan Contractors, Inc. for the use of their 750 backhoe, three (3) dump trucks and related equipment necessary to make the repair, together with labor costs for two (2) laborers and two (2) operators. We are preparing the resolution for Town Board approval for this repair, chargeable to our Sanitary Sewer District Account. We have had a similar failure a few years ago on this pipe line and also near the Roycroft Pump Station building.

It appears that the sound solution to any future problems at this location is to replace this pressure main in the driveway of this Town pump station, which is on Town property. Ted Brudz suggested that if the replacement pipe was at a lesser depth, the Sewer Maintenance Department could have made the repair. Our Al Blachowski is working on this project to construct a new pressure main at a depth of somewhere around 6' and to abandon the very deep, defective pressure pipe. This type of repair utilizing a replacement pipe should remain trouble free for many, many years to come. The lesser depth of the pipe would allow Town forces to make a repair rather than calling in a contractor.

CLB:dms

CC: Ted Brudz
Al Blachowski

Item No. 8 Authorization for WNY Chapter of March of Dimes to conduct walk-a-
thon. This item was withdrawn.

Item No. 9 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 14, 1990, rendered the determinations shown on the attached memo dated November 16, 1990, 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 16, 1990 memo attached hereto:

Item VI William St./Linden St.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
 Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGE

RE: EQR - November 14, 1990
November 16, 1990
Page: 4

After some review, it was suggested to the developer that dividers be provided at the driveways of Como Park Boulevard and the plan be amended accordingly. Drainage must also be finalized with the Town Engineer.

The New York State Department of Transportation and the Erie County Department of Environment and Planning have been notified of this request and have until November 26, 1990 to comment on the project. Therefore this item will remain tabled until the next meeting.

ITEM VI William and Linden - Proposed Strip Plaza

Applicant: C & D Kozminski

Determination: Non-Significant With Conditions.
The site located at the northeast corner of William Steet and Linden is presently zoned for retail sales. The applicant is proposing to construct a small strip plaza to house a sit-down/take-out restaurant and other retail space.

The Planning Board has approved the landscaping for the site.

The applicant was informed that the drainage plan and calculations that were submitted must be modified to include some on-site detention. Also an outside grease trap with a minimum capacity of 500 gallons must be installed for the restaurant occupant. Six foot stockade fence must be constructed along the north property line and due to the proximity of a private garage near that line the applicant must consult with the neighbor to accomodate him in his maintenance of the garage.

The conditions are the installation of the grease trap and the modification of the drainage plan.

ITEM VII Harlem and Lyman - Proposed Professional Office Building

Applicant: Robert Campo

Determination: Tabled.
The site is located on Harlem Road between McParlin Avenue and Lyman Avenue. The applicant is proposing to construct a one-story Professional Office Building that will front on Harlem Road. Parking will be provided on each side of the building.

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

WHEREAS, the need exists in the Sanitation Department for a wheel loader, AND

WHEREAS, funds are available from the Sanitation Department budget for the purchase of such wheel loader, AND

WHEREAS, John Deere Industrial has been awarded a contract by the State of New York, contract #P34234, for the sale of the tractor shovel (wheel loader), NOW, THEREFORE, BE IT

RESOLVED, that the General Foreman of the Cheektowaga Sanitation Department be and hereby is authorized to purchase the above named equipment from John Deere Industrial for \$51,869.43, and BE IT FURTHER

RESOLVED, that the money for such purchase shall be paid out of the Sanitation Department budget, line item 15-5524-8160-0200.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Cheektowaga Police Department has recommended that the Town authorize the establishment of a vehicle impound lot on Town property as a means of controlling automobiles, etc. that are impounded by law or otherwise towed for traffic infractions, and

WHEREAS, funding was previously allocated by this Town Board for an impound lot to be located between the Sewer Maintenance Building and the Sanitation Department Building just southeast of the Police Department Building off of Union Road, and

WHEREAS, the Town Environmental Advisory Committee reviewed the concept of a Town impound lot and found same to be environmentally non-significant, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby concurs with the aforementioned environmental determination of non-significance for the Town impound lot and hereby approves such project and BE IT FURTHER

RESOLVED, that the Chief of Police or his designee be and hereby is directed to operate such impound lot, and BE IT FURTHER

RESOLVED, that the owners of vehicles towed to and stored in such impound lot shall be responsible for paying the following fees relating to the towing, storage and movement of such vehicles:

1. Towing Fees - as prescribed by Town Code Chapter 78
2. Storage Fees - \$10.00 per day
3. Fee for moving vehicle while on impound lot when requested by owner, his agent or insurance company- actual fee charged Town by authorized Town tower.
4. Administrative expenses - actual cost incurred by Town for postage, notification, etc., plus cost of labor for Town personnel.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 12a Motion by Councilman Kulyk Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be and hereby are terminated, as listed:

SANITATION DEPARTMENT - \$5.00 per hour

EFFECTIVE

Stanley Kozlowski
Alan Brzoskowski
James Hilburger
Christopher Golas

Immediately
Immediately
Immediately
Immediately

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the below listed individuals be terminated from the following Youth Bureau programs: Corps

New York State Conservation Corps - 01-7310-0001-1815

-- Alan Miano

Cheektowaga Conservation Corps - 01-7310-0001-1811

-- James Hornung

-- Larry Osswald

Administrative Interns - 01-7310-0001-1804

-- Shannon Costrino

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the following individuals be and hereby are terminated as employees in the Department of Senior Services: James Brado, Mary Jane Chirico and Jacqueline Mongiovi.

BE IT FURTHER RESOLVED that Marie Hoffman,
Cheektowaga, N.Y. 14225 be hired as a part-time nutrition site manager at \$4.25 per hour, at a maximum of 20 hours weekly.

Funding Source: 0100-7620-1639

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 14 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, a vacancy exists in the Police Department in the position of Captain, AND

Item No. 14 continued

WHEREAS, a candidate from the existing Civil Service List was interviewed and his resume and work performance was studied, AND

WHEREAS, the Chief of Police and his screening committee recommend that Lieutenant Thomas E. Rowan be promoted to said vacancy, NOW, THEREFORE, BE IT

RESOLVED, that Thomas E. Rowan be and hereby is promoted to the position of Captain, effective immediately.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Kulyk Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals are hereby hired as a part-time employee, not to exceed 19 hours on an annual basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employee Association:

SANITATION DEPARTMENT \$5.00 per hour

EFFECTIVE

James Kazmierczak
SS

Immediately

Robert Jaroszewski
SS

Immediately

Laurie Lang
SS #

Immediately

Ann Czechowski
SS

11/26/90

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Motion by Councilman Kulyk Seconded by Supervisor Swiatek to dispense with reading of names in Item 16a and 16b and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 16a Motion by Councilman Gabryszak Seconded by Councilman Rogowski

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1990-91 winter programs.

RINK GUARD ATTENDANT - A7140.1611 - \$3.75 per hour

David Weber

Item No. 16a continued

RECREATION ATTENDANTS - A7140-1612 - \$4.00 per hour

Nick Byrnes
David Ish

LIFEGUARD - SCHOOL SWIM PROGRAM - A7140.1615 - \$4.50 per hour

Annette Pyszczyński

SOCCER INSTRUCTOR - A7140.1615 - \$4.50 per hour

Maurice Desjardins

BASKETBALL SUPERVISOR - CLEVELAND HILL H.S. - A7140.1615 - \$5.00 per hour

Tony Percival

FURTHER BE IT RESOLVED that the following employees hired to help aid the Cheektowaga Recreation Department in conducting its 1990 summer programs be terminated effective immediately.

Melissa Bialkowski
Patrick Glasser
Stephen Glasser
Jennifer Kemp
William Kolasa
Michael Stachura
Lori Torgalski
Marco Bona
Craig Fredette
Maria-Rose Frasina
Timothy Kronewetter
Irene Leary
Richard Miazga
John Skubinski
Heidi Cartenuto
Amy Roska
Richard Tonge

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 16b Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individual be hired for the Adapted Recreation Program at the designated title and salary, effective immediately (01-7310-0001-1803):

Counselor I at \$3.80 per hour:

Amy Wetmore 14227

BE IT FURTHER RESOLVED that the following individuals be hired for the Cheektowaga Youth Bureau at the designated title and salary (01-7310-0001-1804)

Administrative Intern at \$5.00 per hour:

Christopher Krajewski 14227
Theresa M. Schneider 14227
Mark T. Kopp 14227

Item No. 16b continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, the current collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club provides for leaves of absence in accordance with the Civil Service Law of the State of New York, AND

WHEREAS, Police Officer Daniel O. Whitehead has properly requested an unpaid leave of absence for a period not to exceed one (1) year, NOW, THEREFORE, BE IT

RESOLVED, that Daniel O. Whitehead is hereby granted an unpaid leave of absence from his employment with the Town of Cheektowaga Police Department to commence on December 1, 1990.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Digital Equipment Company has provided the Town of Cheektowaga with two complimentary 40 hour training classes valued at \$1,395.00 each, AND

WHEREAS, these computer training classes will be held during the week of November 26th to November 30th, 1990, NOW, THEREFORE, BE IT

RESOLVED, that Theresa Rusin the Town's Chief Accountant is authorized to attend the course to be held in Bedford, Massachusetts and the Town agrees to reimburse Ms. Rusin for all reasonable and necessary expenses not to exceed \$1,050.00 to be charged to account 0100-1910-4082 and BE IT FURTHER

RESOLVED, that Joseph Kardas, the Town's computer consultant is authorized to attend said course and the Town agrees to reimburse Mr. Kardas for all reasonable and necessary expenses not to exceed \$1,200.00 to be charged to account 0100-1910-4082.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 18b Authorize Town Disaster Coordinator to attend conference.
This item was withdrawn.

Item No. 18c Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, a Field Training and Evaluation Seminar will be held from December 3-7, 1990 at the Criminal Justice and Public Safety Training Center in Rochester, New York, and

WHEREAS, such seminar is designed to provide Police Field Training Officers with expertise in training and evaluating recent graduates of the Basic School for Police Officers, and

Item No. 18c continued

WHEREAS, the Chief of Police has requested permission for Sergeant Gary Grieco and Officer Russell Paul and Kenneth Jezioro to attend this seminar, and

WHEREAS, this Town Board feels that the information gathered at this seminar will be of benefit to the Town, NOW, THEREFORE, BE IT

RESOLVED, that Sergeant Gary Grieco, Officer Russell Paul and Officer Kenneth Jezioro be and hereby are authorized to attend the aforementioned seminar and BE IT FURTHER

RESOLVED, that such police officers shall be reimbursed for their reasonable and necessary expenses associated with attending such seminar for a total cost not to exceed \$1,105.00 from budget line item number 01-1910-0004-4082, and BE IT FURTHER

RESOLVED, that such officers shall be allowed to take a Town vehicle to and from such seminar.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the firm of Scaffidi & Moore Architects has submitted a proposal to provide professional services, plans and specifications for the Alexander Community Center Phase III construction, AND

WHEREAS, said construction documents shall include Site Work, Mechanical Work, Electrical Work and General Construction Work, NOW, THEREFORE, BE IT

RESOLVED, that the firm of Scaffidi & Moore Architects, 4535 Bailey Avenue is hereby retained by this Town Board to provide professional services for Phase III Construction at the Alexander Community Center at a fee not to exceed \$15,500.00, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Account #5012-1625-1100.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Motion by Supervisor Swiatek Seconded by Councilman Gabryszak to dispense with reading of amounts in Item 20 and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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

Item No. 20 continued

GENERAL FUND

FROM:	1110-4051 (Justice-Microfilming)	\$ 500.00
	1410-4052 (Town Clerk-Record Administration)	6,772.00
	1420-4501 (Law-Contracted Legal Services)	1,500.00
	1640-1442 (Central Garage-Auto Mechanic)	5,775.00
	1640-4441 (Central Garage-Police Equip Repairs)	4,000.00
	1640-4446 (Central Garage-Motor Repairs & Maint)	2,000.00
	1640-4447 (Central Garage-Collision Repairs)	2,000.00
	1640-4021 (Central Garage-Maintenance Supplies)	1,000.00
	1640-4449 (Central Garage-Sr. Citizen Repairs)	1,000.00
	9010-8101 (Employees' Retirement)	4,500.00
	3120-1351 (Police-Sr. Clerk)	750.00
	3120-1561 (Police-Dispatchers)	8,100.00
	3510-1491 (Dog Kennel-Part Time Laborer)	6,612.00
	3510-4211 (Dog Kennel-Electric)	600.00
	3510-4221 (Dog Kennel-Gas)	1,500.00
	3510-4532 (Dog Warden-Veterinarian Services)	300.00
	3120-1591 (Police-School Crossing Guards)	16,000.00
	7310-4677 (Catholic Charities-Dropout Youth)	7,350.00
	7310-2501 (Youth-Other Equipment)	1,756.00
	7310-4681 (Youth-In-Service Training)	12.00
	7310-4261 (Youth-Postage)	4.37
	7310-4671 (Youth-Service Projects)	147.63
TO:	1110-4001 (Justice-Office Supplies)	\$ 500.00
	1410-1391 (Town Clerk-Part Time Clerical)	6,772.00
	1420-1151 (Law-Deputy Attorney)	1,500.00
	1640-1201 (Central Garage-General Crew Chief)	5,775.00
	1640-1202 (Central Garage-Auto Crew Chief)	4,500.00
	1640-4161 (Central Garage-Gasoline)	8,000.00
	3120-1112 (Police-Chief of Police)	750.00
	3310-4478 (Traffic Control-Signal Upgrade)	8,100.00
	3020-4029 (Communications-Contractual Supplies)	6,000.00
	3120-4190 (Police-Impound Lot Fence & Supplies)	612.00
	3310-4476 (Traffic Control-Signal Repairs)	18,400.00
	3120-1531 (Police Detectives)	3,645.00
	7310-1804 (Youth-Administrative Intern)	2,595.00
	7310-1803 (Youth-Adapted Recreation Program)	3,030.00
	9950-8001 (Transfer to Capital Fund)	2,000.00

SPECIAL DISTRICT FUND

FROM:	2100-1910-1799 (SD#1- Appropriated Fund Balance)	\$ 250.00
	2300-1910-2799 (SD#3- Appropriated Fund Balance)	4,750.00
	2500-1910-1799 (SD#5- Appropriated Fund Balance)	10,600.50
TO:	2100-8121-4585 (SD#1 Water Billing Information)	250.00
	2300-8123-4585 (SD#3- Water Billing Information)	4,750.00
	2500-8125-4585 (SD#5- Water Billing Information)	10,600.50

RISK RETENTION FUND

FROM:	1910-2798 (Appropriated Reserves)	\$58,000.00
TO:	1930-4703 (Workers Compensation Claims)	\$50,000.00
	1710-4528 (Loss Control Workers Compensation)	8,000.00

CAPITAL FUND

FROM:	5912-1910-5031 (Interfund Transfer In)	\$ 2,000.00
TO:	5912-1625-1100 (Energy Study-Alexander)	2,000.00

Item No. 20 continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to November 19, 1990 are hereby approved and made a part hereof:

GENERAL FUND	\$1,674,084.03
HIGHWAY FUND	474,324.98
CAPITAL FUND	1,015,104.85
TRUST & AGENCY FUND	43,735.13
HUD-CDBG FUND	17,872.09
PART TOWN FUND	40,642.35
RISK RETENTION FUND	132,513.99
STATE AHC FUND	2,888.40
DEBT SERVICE FUND	11,952.50
HUD REHAB. FUND	19,418.80
SPECIAL DISTRICT FUND	1,388,044.05
	<u>\$4,820,581.17</u>
	=====

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Minutes of Cheektowaga Planning Board, October, 1990.
Received and Filed

III. GENERAL COMMUNICATIONS

Item No. 23 NYSDOT: Designation of Restricted Highway - Portion of Atlantic Avenue from East Lovejoy St. to a point 500 LF east of Lovejoy St. and a portion of William St. beginning at North Ogden St. and proceeding east to a point 1000 LF east of Richard Drive.
Received and Filed

Item No. 24 Third-Party Summons: Thomas J. Lewlew vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Bruce Chamberlin, Chief of Police; Joseph J. Naples, Insurance Carrier; Adjustco, Insurance Carrier; E. Holfoth, Insurance Carrier.
Received and Filed

Item No. 25a Notice of Claim: Michelle Pierson vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Recreation Department; Adjustco, Insurance Carrier.
Received and Filed

Item No. 25b Notice of Claim: M. Laurent vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Sanitation Department; Adjustco, Insurance Carrier.
Received and Filed

Item No. 25c Notice of Claim: Fireman's Fund/Neal's Radiator Services vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Sanitation Department; Adjustco, Insurance Carrier.
Received and Filed

Item No. 25d Notice of Claim: Judith and Samuel Burgio vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Adjustco, Insurance Carrier.
Received and Filed

* * * * *

Motion by Councilman Kulyk Seconded by Supervisor Swiatek to suspend the rules to include the following items and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

V. SUSPENSION OF RULES

Item No. 26 Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, Louis Marini has made application and requested the Rezoning from M2-General Manufacturing to C-Retail Business District for property located at 3700 Broadway, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on December 3, 1990 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 Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Way, 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 November 21, 1990;
last publication November 21, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Way
Sworn to before me this 21st
day of November, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

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 3rd day of DECEMBER, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of LOUIS MARINI to Rezone from M2-GENERAL MANUFACTURING District to C-RETAIL BUSINESS District on property located at 3700 BROADWAY 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.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's survey, described as follows: BEGINNING at a point in the north line of Broadway, distant one thousand two hundred ninety-eight twenty eight hundredths (1298.28) feet the east line of the lands conveyed to A. Criqui by deed recorded in Erie County Clerk's Office in Liber 64 of Deeds at page 136, point being the southeast corner of lands conveyed to James W. Oppenheimer and others by deed recorded in said Clerk's Office in Liber 7955 of Deeds at page 435; thence northeasterly along the easterly line of lands conveyed by aforesaid deed recorded in said Clerk's Office in Liber 7955 of Deeds at page 435, two hundred ninety-two and thirty-eight hundredths (292.38) feet; thence, three hundred ninety-six and ninety hundredths (396.90) feet to the northeast corner of lands conveyed to Christoph Miller by deed recorded in said Clerk's Office in Liber 345 of Deeds at page 395; thence southerly along the east line of lands conveyed by aforesaid deed recorded in said Clerk's Office in Liber 345 of Deeds at page 395, two hundred ninety-two and thirty-eight hundredths (292.38) feet to the north line of Broadway; thence westerly along the north line of Broadway, three hundred ninety-six and ninety hundredths (396.90) feet to the point of beginning.

BY ORDER OF THE TOWN BOARD

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueling A. Balchowski

RICHARD M. MOLESKI

Town Clerk

PUBLISH: November 21, 1990

Item No. 27 Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

BE IT RESOLVED, that the following individual is hereby hired as a part-time employee, not to exceed 19 hours on an annual basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employee Association:

POLICE DEPARTMENT - \$5.00 per hour

EFFECTIVE

Jane Wojciechowski
(SS#

November 20

FURTHER, BE IT RESOLVED that the below listed individual is terminated from the Police Department:

Leslie Jacobs

November 23

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 28 Motion by Supervisor Swiatek Seconded by Unanimous

WHEREAS, by agreement dated November 1, 1989, the Town of Cheektowaga agreed to remove snow, ice, etc. from certain County roads for the years 1989-92 in exchange for reimbursement from the County, and

WHEREAS, the amount of reimbursement paid to the Town by the County was to be modified each year, and

WHEREAS, the County of Erie has notified the Town that the rate of reimbursement to the Town for this year shall be \$1175 per lane mile, and

WHEREAS, the average cost to local governments in 1989 for snow and ice control services was \$2340 per lane mile, and

WHEREAS, the County of Erie is reimbursed by the State of New York for snow and ice removal on State roads at rates equivalent to \$2280 per lane mile, and

WHEREAS, paragraph "FOURTH" of the aforementioned agreement between the Town and the County provides that the Town may terminate such agreement upon thirty (30) days written notice to the County, and

WHEREAS, this Town Board feels that the reimbursement rate by the County is extremely inadequate and unfair to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby exercise its option under paragraph numbered "FOURTH" of said agreement to terminate the same effective January 1, 1991, and by this resolution, does hereby provide written notice pursuant to said agreement to the County of Erie, that the agreement is so terminated and that the Town of Cheektowaga shall not be bound by any term thereof on or after January 1, 1991, and BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to cause to be transmitted to the County of Erie a certified copy of this resolution in a manner which provides for the receipt of such notification by the County of Erie on or before November 30, 1990, and BE IT FURTHER

RESOLVED, that in the event the County of Erie shall establish and approve a rate of reimbursement to the Town under said agreement in an amount of not less than \$1500 per lane mile prior to this termination taking effect, this resolution shall be deemed ineffectual and shall not serve to cause termination of the said agreement, without further action of this board.

Item No. 28 continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Kulyk Seconded by Supervisor Swiatek 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 3rd day of December, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

ABSENT: William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; Bruce Chamberlin, Chief of Police; Terry Rusin, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Chester L. Bryan, Town Engineer; Ronald Marten, Building & Plumbing Inspector; Ray Pugh, Planning Board Member; Gregory Joos, Coordinator of Employee Relations.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, Marie Koch-Haniszewski has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by her and located at 603 Borden Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of November, 1990 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, 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 Marie Koch-Haniszewski for the rezoning from R-Residential District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

*SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

AFFIDAVIT - NEXT PAGE

DESCRIPTION: KOCH TO STEINEL

603 Borden Road, Cheektowaga, NY

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 forty-three (43), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING in the center line of Borden Road one hundred and eighty-one hundredths (100.81) feet southerly from the intersection of said center line of Borden Road with the northerly line of said Lot Number forty-three (43); thence easterly parallel with the northerly line of said Lot Number forty-three (43), two hundred five (205) feet; thence southerly parallel with the easterly line of Lot Number forty-three (43), one hundred and eighty-two hundredths (100.82) feet; thence westerly parallel with the northerly line of said Lot Number forty-three (43), two hundred five (205) feet to the center line of Borden Road; thence northerly along said easterly line of Borden Road one hundred and eighty-two hundredths (100.82) feet to the point or place of beginning.

STATE OF NEW YORK }
COUNTY OF ERIE }

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

1. Aregular..... 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
onDecember 3..... 19...90, and minutes of said meeting have been
duly recorded in the Minute Book by me in accordance with law for the purpose of
recording the minutes of meetings of said Board, and such minutes appear at item
.....2....., inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed
the corporate seal of said Town, this.....3rd..... day ofDecember.....
19...90...

Richard M. Moleski

.....
Town Clerk

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

Melanie Way, 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 December 6, 1990 ;
last publication December 6, 1990 ;
and that no more than six days intervened be-
tween publications.

Melanie Way
Sworn to before me this 6th

day of December, 1990

Margaret J. Bourdette

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA TOWN
BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 3rd day of December, 1990 at 7:30 o'clock p.m. Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz

Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

ABSENT: William P. Rogowski
Motion by: Councilman Kulyk
Seconded by Councilman Jaworowicz

WHEREAS, Marie Koch-Haniszewski has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by her and located at 603 Borden Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town board on the 19th day of November, 1990 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

ICES

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the application of Marie Koch-Haniszewski for the rezoning from R-Residential District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby approved, 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 Jaworowicz Voting AYE

Councilman Gabryszak Voting AYE

Councilman Kulyk Voting AYE
Councilman Solecki Voting AYE

Councilman Rogowski Voting AYE

ABSENT
Councilman Blachowski Voting AYE

AYES: 6
NAYES: 0

ABSENT: 1

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 forty-three (43), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING in the center line of Borden Road one hundred and eighty-

one hundredths (100.81) feet southerly from the intersection of said center line of Borden Road with the northerly line of said Lot Number forty-three (43); thence easterly parallel with the northerly line of said Lot Number forty-three (43), two hundred five (205) feet; thence southerly parallel with the easterly line of Lot Number forty-three (43), one hundred and eighty-two hundredths (100.82) feet; thence westerly parallel with the northerly line of said Lot Number forty-three (43), two hundred five (205) feet to the center line of Borden Road; thence northerly along said easterly line of Borden Road one hundred and eighty-two hundredths (100.82) feet to the point or place of beginning.

**STATE OF NEW YORK,
COUNTY OF ERIE**

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

1. A REGULAR meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on December 3, 1990, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 3rd day of December, 1990.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: December 6, 1990

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Alexander Community Center, Phase III, and said bids were received and publicly opened on November 15, 1990, AND

WHEREAS, said bids were referred to the architectural firm of Scaffidi & Moore Architects, P.C. for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contract for Alexander Community Center Phase III Construction be and hereby is awarded to the following firm being the lowest responsible bid meeting the requirements of the specifications for the following:

Site Work

Louis Del Prince & Sons Inc.	Base Bid	\$41,390.00
580 Cayuga Road	Alternate S-1	3,500.00
Cheektowaga, NY 14225	Alternate S-2	8,910.00
	TOTAL	<u>\$53,800.00</u>

AND BE IT FURTHER RESOLVED, that funds for said project shall be appropriated from budget line item, Account #5011-1625-1100.

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY SUPERVISOR SWIASTEK
TO TABLE ITEM 3A AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Alexander Community Center Phase III and said bids were received and publicly opened on November 15, 1990, AND

WHEREAS, said bids were referred to the architectural firm of Scaffidi and Moore Architects, P.C. for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contracts for Alexander Community Center Phase III Construction be and hereby is awarded to the following firms being the lowest responsible bids meeting the requirements of the specifications:

General Construction

Higgins-Kieffer	Base Bid	\$39,450.00
7350 Boston State Road	Alternate GC1	4,713.00
North Boston, NY 14110	Alternate GC3	4,656.00
	TOTAL	<u>\$48,819.00</u>

Electrical Work

G & M Electrical Contracting, Inc.	Base Bid	\$ 8,835.00
4804 Transit Road	TOTAL	<u>\$ 8,835.00</u>
Depew, NY 14043		

Item No. 3b continued

Mechanical Work

Bosch Enterprises, Inc.	Base Bid	\$49,656.00
1978 South Park Avenue	Alternate M-1	1,778.00
Buffalo, NY 14220		
	TOTAL	<u>\$51,434.00</u>

AND, BE IT FURTHER RESOLVED, that funds for said project shall be appropriated from budget line item, Account #5012-1625-1100.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 3c Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, bids were received and opened on November 19th at 11:00 A.M. by the Town Clerk for the installation of a traffic signal at the intersection of Losson Road, Towers Boulevard and Stiglmeier Park, AND

WHEREAS, the Town Engineer and EMS Consulting have reviewed same bids and recommend that the bid be awarded to Spoth Enterprises, Inc. for their submission of the lowest bid, which bid is approximately 8% lower than the engineer's estimate, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the installation of a traffic signal at the intersection of Losson Road, Towers Boulevard and Stiglmeier Park be and hereby is awarded to Spoth Enterprises, Inc., 8746 Lakeshore Road, Angola, New York 14006 for the bid price of \$77,292.88, which was the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed and authorized to sign any and all agreements for said traffic installation contract on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that funding for said traffic installation shall be chargeable to Account #5006-3310-1100 with the additional funds to be charged from Account #5529-7110-0315 as necessary.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

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

WHEREAS, this Town Board authorized the receipt of bids for the Demolition of the Tree Pickle Works, which bids were duly received and opened on November 5, 1990, AND

WHEREAS, this Town Board has reviewed various sites for a new library and has determined that the site located on Losson Road, which property has been donated by Dr. Victor Reinstein, would be the most cost effective site for the construction of a library in the southeast area of Town, AND

WHEREAS, the donated Losson Road site property is restricted for library use and is approximately 1/2 of a mile from the Tree Pickle Works, NOW, THEREFORE, BE IT

RESOLVED, that the bids as received for the Demolition of the Tree Pickle Works be and hereby are rejected.

Item No. 4 continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the Contracting of Snow Removal if a Snow Emergency should occur.

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

RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforementioned item at 11:00 A.M. on December 14, 1990 in the Council Chambers of the Cheektowaga Town Hall.

* * * * *

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: December 3, 1990

PUBLISHED: December 6, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

AFFIDAVIT - NEXT PAGE

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

Melanie Way, 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 December 6, 1990;
last publication December 6, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Way
6th
Sworn to before me this
day of December, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**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

DATE: December 3, 1990

PUBLISH: December 6, 1990

Item No. 6 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the New York State Energy Office offers grant monies to conduct Technical Assistance Studies, and

WHEREAS, the Town is interested in implementing a variety of energy saving measures at the Alexander Street Community Center, and

WHEREAS, the performance of a Technical Assistance Study will identify energy saving measures which may be implemented at the Alexander Street Community Center to reduce energy costs, and

WHEREAS, additional grant monies are available to implement energy conservation measures detailed in the completed Technical Assistance Study; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Energy Office in an amount not to exceed \$7,000.00 for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN GABRYSZAK
TO TABLE ITEM 6 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 7 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, S.B.L. #114.20-9-12 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessor's 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.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 8 Motion by Councilman Solecki, Seconded by

WHEREAS, occasionally the Town of Cheektowaga sells surplus Town property which is no longer needed for Town purposes, and

Item No. 8 continued

WHEREAS, Town employees may be interested in purchasing some of this property, and

WHEREAS, Town employees, by virtue of their Town employment, have knowledge of the condition of such surplus property, thereby giving them an unfair advantage in the purchasing of the property, and

WHEREAS, even if Town employees are not aware of the value, condition, etc. of the surplus property, their presence at an auction and their purchase of surplus property creates the appearance of impropriety, and it could influence the fairness and impartiality of Town auctions, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts the following policy with respect to the sale of Town surplus property:

No Town employee shall be allowed to bid on or purchase surplus Town property or participate in bidding at an auction of surplus Town property.

* * * * *

MOTION BY COUNCILMAN KULYK, SECONDED BY COUNCILMAN JAWOROWICZ TO TABLE ITEM 8 AND THE VOTING WAS AS FOLLOWS:

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 9 Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, the owners of property abutting Gertrude Avenue, a paper street, in the Town of Cheektowaga, have petitioned this Town Board to abandon and discontinue said street as a Town highway, and

WHEREAS, investigation has indicated that such paper street was never deeded to the Town nor has it been used as a Town highway for more than six years last past, and

WHEREAS, the Superintendent of Highways has recommended that such proposed abandonment/discontinuance be effectuated, NOW, THEREFORE, BE IT

RESOLVED, that said Gertrude Avenue, as more particularly described in the Petition for Abandonment and Discontinuance be and the same is hereby abandoned and discontinued as a Town highway under Sections 205 and 207 of the Town Law, and BE IT FURTHER

RESOLVED, that members of the Town Board be and hereby are authorized and directed to execute the necessary written consent to such abandonment/discontinuance.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 10a Motion by Councilman Kulyk, Seconded by Councilman Blachowski

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

Item No. 10a 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 November 14, 1990, rendered the determinations shown on the attached memo dated November 16, 1990, 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 November 16, 1990 memo attached hereto:

Item III

Proposed 11 lot Subdivision
(Borden/Losson)

*SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

As a result of the revisions to the site plan, the New York State Department of Environmental Conservation and Erie County Department of Environment and Planning will be notified of the revised proposal and the site plan will be sent to them.

ITEM IV 590 Duke Road - Proposed Extension of
Derrick Manufacturing

Applicant: Derrick Manufacturing

Determination: Tabled.

The applicant proposes to construct several additions to the facility. These would include a 23,500 square foot plant addition, a 13,650 square foot storage building addition and a 8,400 square foot office addition. Also a new parking lot will be constructed to the west of the facility as an extension of an existing parking lot.

The applicant has been contact with the Engineering Department and has made some modifications to the drainage plan for the site. The Planning Board has already approved the landscaping and has indicated that the developer will save as many trees as possible. If these trees cannot be saved they are willing to install 4 1/2 inch caliper trees as replacements. The revised plans have not been submitted for distribution to the committee therefore it was recommended that this item be tabled until revised plans can be distributed and reviewed by the individual committee members.

ITEM V Transit and Como - Proposed Rezoning For A
NOCO Express Shop

Applicant: NOCO Energy Corporation

Determination: Tabled.

The proposed site is at the southwest corner of Transit Road and Como Park Boulevard. It is presently occupied by a grocery store and single family home and is zoned C-Retail Business. The developer proposes to rezone the property to CM-General Commercial and obtain a Special Use permit for the purpose of installing gas pumps for the dispensing of gasoline. The project will result in the demolition of the grocery store and the single family home. Construction to consist of a small retail store and canopy to cover the pump islands.

Item No. 10b Motion by Councilman Kulyk, Seconded by Councilman Blachowski

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 29, 1990, rendered the determinations shown on the attached memo dated November 29, 1990, 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 November 29, 1990 memo attached hereto:

Item II

590 Duke Road

*SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

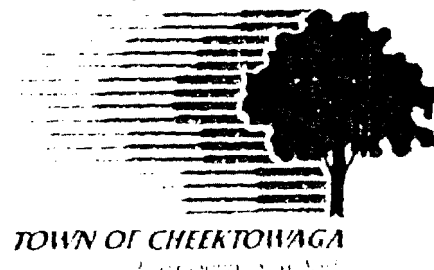
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski

NAYES: 0

ABSENT: William P. Rogowski

Office of Building & Plumbing Inspections
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14227
716-686-3470

Growing In A New Direction



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 29, 1990

RECEIVED
1990 NOV 30 PM 2:34
CHEEKTOWAGA
TOWN CLERK

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 29, 1990, in the Town Hall Council Chambers.

ITEM I Como Park Boulevard/Transit Road - Proposed NOCO Gasoline Facility

Applicant: NOCO Energy Corporation

Determination: Non-Significant.

The applicant had presented a new site plan which showed better delineation of the driveways along Como Park Boulevard with additional landscaping islands. The Traffic Safety Commission is of the belief that the driveways along Transit Road are too wide but is deferring to the New York State DOT Planning and Safety Department for their decision. The Erie County Highway Department has indicated that they have found the Como Park Boulevard driveways to be generally satisfactory.

The area along this stretch of Transit Road has been slowly developing commercially, with a car dealer located on the east side of Transit Road as well as a car wash, gas stations and other retail businesses. Therefore the proposed use as a gasoline dispensing facility would be consistent with development in the area.

ITEM II 590 Duke Road - Proposed Addition to Derrick Manufacturing

Applicant: Derrick Manufacturing Corporation

Determination: Non-Significant.

The applicant presented the updated site plans to the committee and they were found acceptable. The additions to the facility will be for storage, offices and manufacturing purposes and is consistent with the zoning as well as the actual development that has occurred in the area.

ITEM III Harlem Road/Lyman

- Proposed Professional
Office Building

Applicant: Robert Campo

Determination: Non-Significant.

The applicant returned to the committee with a revised site plan which showed better delineation of the driveways as well as additional curbing and landscaping. The use is consistent with existing uses in the area and has proper zoning along this stretch of Harlem Road. The applicant was informed that solid screening would be needed along the east property line to screen the parking areas from the residents. He indicated that these homes have high bushes at the present time and the owners of these homes had indicated that they would prefer bushes only. The applicant was informed that if this is the case he will have to apply to the Zoning Board of Appeals for a variance on solid screening.

ITEM IV Galleria Drive

- Proposed Parking Areas For
The Walden Galleria Mall

Applicant: Pyramid Company of Buffalo

Determination: Tabled.

The Pyramid Company of Buffalo has found an increased need for parking areas for the Walden Galleria Mall. The need is a result of proposed expansion of the mall for additional anchor stores as well as the need for additional parking, especially at holiday time, due to the popularity of the mall.

The parking areas will be located at the northeast end of the mall. One will be located on south side of Galleria Drive adjacent, to and east of the existing Post Office. The second parking area will be located in the vicinity of McKesson Parkway, Scajaquada Creek and the "Ring" Road around the mall. The third parking area, not subject to environmental review, is on the north side of Galleria Drive west of the Westco facility. This third area was originally part of the mall review.

Item No. 11a Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, Diamond "D" Development, Inc. (the Applicant") has applied to the Town of Cheektowaga for an environmental review of its request to develop a residential subdivision (Emerald Gardens Subdivision) on acres of land on the south side of Losson Road under the State Environmental Review Act, and

WHEREAS, the appropriate governmental agencies 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 subdivision, and

WHEREAS, the Town Environmental Advisory Committee has reviewed this proposed subdivision development and, based on input received from the New York State Department of Environmental Conservation and the Erie County Department of Environment and Planning, it has recommended that the Applicant prepare and submit a Draft Environmental Impact Statement ("DEIS") to this Board with the main focus of such report being the investigation and clean up of any hazardous materials on the site, 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. Investigation and cleaning up of any hazardous wastes on the site

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 subdivision development could have a significant effect on the environment, and BE IT FURTHER

RESOLVED that the Applicant 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 the Applicant and other interested and involved agencies of this requirement.

Upon Roll Call....

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

NAYES: 0

ABSENT: William P. Rogowski

Item No. 11b Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, Sonwil Distribution Center, Inc. ("the Applicant") has applied to the Town of Cheektowaga for an environmental review of its request to rezone 23+/- acres of land at the terminus of Sonwil Drive from R-Residential District and RA-Apartment District to M1-Light Manufacturing District and to utilize such property for warehousing and offices under the State Environmental Quality Review Act, and

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

Item No. 11b continued

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 Advisory Committee has reviewed this project and has recommended that the Applicant prepare and submit a Draft Environmental Impact Statement ("DEIS") to this Board, 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. Emergency access
2. Traffic
3. Drainage
4. Adequacy of utilities (i.e. water line, sanitary sewer, etc.

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 rezoning and warehouse/office project could have a significant effect on the environment, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Office 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 the Applicant and other interested and involved agencies of this requirement.

Upon Roll Call....

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

NAYES: 0

ABSENT: William P. Rogowski

Item No. 12 Motion by Councilman Solecki, Seconded by Councilman Blachowski
Chairman of Sanitation Committee

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

Item No. 12 continued

withdraw the sum of \$54,820.99 for services for the period 8/20/90, 9/28/90 and 10/31/90 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 Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 13 Motion by Councilman Kulyk, Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be and hereby are terminated in the various departments as listed:

EFFECTIVE

SANITATION DEPARTMENT

Edward Schaffer	Immediately
Marc Stolinski	"
Anthony Terranova	"
Anthony Wdowik	"
Christopher Weber	"

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 14 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, due to a leave of absence, a temporary vacancy exists in the position of Recreation Instructor in the Recreation Department, AND

WHEREAS, a notice of such temporary vacancy has been posted in accordance with the provisions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Maureen Schneider, who is currently serving as temporary Recreation Instructor, has bid on said position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Maureen Schneider, Cheektowaga, New York 14227, be and hereby is appointed to the temporary vacancy of Recreation Instructor in accordance with the terms and conditions of the collective bargaining agreement between the Town and Town of Cheektowaga Employees Association, AND, BE IT FURTHER

RESOLVED, that said appointment is effective immediately and will expire upon the incumbent thereof returning from an approved leave of absence.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 15 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, the terms of Arthur Blachowski, Robert Buczynski, Ronald Kmiotek and Anthony Osswald, as members of the Cheektowaga Traffic Safety Commission, will expire on December 31, 1990, AND

WHEREAS, this Town Board desires to reappoint said members to another term on such Commission, NOW, THEREFORE, BE IT

RESOLVED that Arthur Blachowski, Robert Buczynski, Ronald Kmiotek and Anthony Osswald be and hereby are re-appointed to three-year terms on the Cheektowaga Traffic Safety Commission, said terms to expire on December 31, 1993.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
NAYES: 0
ABSENT: William P. Rogowski
ABSTAINED: Jacqueline A. Blachowski

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

BE IT RESOLVED, that the following individuals are hereby hired as part-time employees, not to exceed 19 hours on an annual basis, in the various departments listed, and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour

Henry J. Januszcak (Laborer) 12/4/90
S.S.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

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

BE IT FURTHER RESOLVED that the following individual be hired for the Cheektowaga Youth Bureau at the designated title and salary (01-7310-0001-1804)

Administrative Intern at \$5.00 per hour:

Joseph L. Favata 14043

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

Item No. 17 Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, Corporate Health Services, a Services of Sisters Hospital, in association with W.N.Y. United Against Drug and Alcohol Abuse, presents a one-day seminar entitled "Workplace Perspectives - A New Approach to Substance Abuse Issues", AND

WHEREAS, Gregory D. Joos, Coordinator of Employee Relations, has requested to attend said seminar, which is to be held on Tuesday, December 4, 1990, at the Sheraton Buffalo Airport in Cheektowaga, NOW, THEREFORE, BE IT

Item No. 17 continued

RESOLVED, that Gregory D. Joos be and hereby is authorized to attend this seminar, with the \$25.00 tuition fee to be charged to account #01-1910-0004-4082.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

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:	0100-1440-4325 (Copy Machine Supplies-Engineering)	\$ 100.00
	0100-1440-4325 (Copy Machine Supplies-Engineering)	500.00
	0100-9010-8101 (Retirement)	190.75
	0100-3120-1391 (Police Part-time Clerk)	6,000.00
	0100-3120-1581 (Police Matrons)	4,000.00
	0100-3120-1541 (Police Patrolmen)	8,000.00
TO:	0100-1440-4001 (Office Supplies-Engineering)	100.00
	0100-1440-4191 (Miscellaneous Expenses-Engineering)	500.00
	0100-3310-4185 (Traffic Flashers, Barricades)	190.75
	0100-3020-2513 (Police Communication Equipment)	3,500.00
	0100-3120-4001 (Police Office Supplies)	1,500.00
	0100-3120-2501 (Police Equipment)	1,000.00
	0100-3120-4007 (Police Scientific Unit Supplies)	2,000.00
	0100-3120-4073 (Police Uniforms-Matrons, Schools Guards)	2,000.00
	0100-3120-2501 (Police Equipment)	8,000.00

HIGHWAY FUND

FROM:	0300-5150-1701 (Highway Improvement Labor)	82,760.00
	0300-5110-4173 (General Stone)	20,000.00
TO:	0300-5110-1701 (Highway General Labor)	82,760.00
	0300-5110-4162 (General-Gasoline and Oil)	20,000.00

SPECIAL DISTRICT FUND

FROM:	1500-8160-4021 (Sanitation Maintenance Supplies)	1,000.00
TO:	1500-8173-4194 (Recycling Advertising)	1,000.00

MOTION BY COUNCILMAN JAWOROWICZ, SECONDED BY SUPERVISOR SWIATEK TO TABLE ITEM 18 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

MEETING NO. 27
December 3, 1990

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 November 19, 1990 are hereby approved and made a part hereof:

GENERAL FUND	\$ 568,819.64
HIGHWAY FUND	122,936.26
CAPITAL FUND	94,288.19
TRUST & AGENCY FUND	7,573.65
HUD - CDBG FUND	9,001.00
PART TOWN FUND	1,375.71
RISK RETENTION FUND	3,875.00
STATE AHC FUND	4,184.00
HUD REHAB. FUND	2,825.00
SPECIAL DISTRICT FUND	<u>303,565.13</u>
	\$1,118,443.58
	=====

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: William P. Rogowski

II. DEPARTMENTAL COMMUNICATION

Item No. 20 Building Permits.
Received and Filed.

Item No. 21a Minutes of Meeting - Cheektowaga Public Library/October
Received and Filed.

Item No. 21b Minutes of Meeting - Cheektowaga Traffic Safety Commission/November

III. GENERAL COMMUNICATION

Item No. 22 Petition From Residents Regarding Winter Parking Ban on Peach Tree Road

Item No. 23a Notice of Claim: John Cirrincione vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department and Sanitation Department; S.I.S Insurance Carrier
Received and Filed.

Item No. 23b Notice of Claim: Charles Abbinanti vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department and Police Department; S.I.S. Insurance Carrier
Received and Filed.

Item No. 23c Notice of Claim: Norma Mann vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department and Sewer Maintenance Department; S.I.S. Insurance Carrier
Received and Filed.

MEETING NO. 27
December 3, 1990

* * * * *

MOTION BY COUNCILMAN KULYK, SECONDED BY SUPERVISOR SWIATEK
TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION AND
THE VOTING WAS AS FOLLOWS:

* * * * *

IV. SUSPENSION OF RULES

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

WHEREAS, Matthew Kandefer Inc. has submitted application for final
payment in the amount \$889.50 for Plumbing Work at the Alexander Community Center,
AND

WHEREAS, Matthew Kandefer has submitted Affidavit of Payment of Debts
and Claims, Affidavit of Release of Liens and Consent of the Surety Company to Final
Payment, AND

WHEREAS, the firm of Scaffidi & Moore Architects has submitted a
Certificate of Substantial Completion with the date to start all warranties as
required by Contract Documents effective June 6, 1990, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes
Supervisor Frank E. Swiatek to sign said Certificates of Substantial Completion as
submitted, AND BE IT FURTHER

RESOLVED, that the Cheektowaga Town Board hereby approves final
payment of \$889.50 to Matthew Kandefer Inc., 873 Mineral Springs Rd., Buffalo, New
York 14224 for Plumbing Work performed at the Alexander Community Center.

Upon Roll Call....

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

NAYES: 0

ABSENT: William P. Rogowski

Item No. 25 Motion by Councilman Kulyk, Seconded by Supervisor Swiatek to adjourn
the meeting in memory and remembrance of Pearl Harbor Day, December
7, 1941.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of December, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; Bruce Chamberlin, Chief of Police; Christopher Kowal, Highway Superintendent; Salvatore LaGreca, Chairman of Planning Board; Chester L. Bryan, Town Engineer; Ronald Marten, Building & Plumbing Inspector; Gregory Joos, Coordinator of Employee Relations.

I. FROM THE TABLE

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Alexander Community Center, Phase III, and said bids were received and publicly opened on November 15, 1990, AND

WHEREAS, said bids were referred to the architectural firm of Scaffidi & Moore Architects, P.C. for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contract for Alexander Community Center Phase III Construction be and hereby is awarded to the following firm being the lowest responsible bid meeting the requirements of the specifications for the following:

Site Work

Louis Del Prince & Sons Inc.	Base Bid	\$41,390.00
580 Cayuga Road	Alternate S-1	3,500.00
Cheektowaga, NY 14225	Alternate S-2	8,910.00
	TOTAL	<u>\$53,800.00</u>

AND BE IT FURTHER RESOLVED, that funds for said project shall be appropriated from budget line item, Account #5011-1625-1100.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 3 Authorize Supervisor to sign/execute grant application regarding Technical Assistance Studies.
This item was withdrawn.

Item No. 4 Motion by Councilman Solecki Seconded by Councilman Kulyk

WHEREAS, occasionally the Town of Cheektowaga sells surplus Town property which is no longer needed for Town purposes, and

Item No. 4 continued

WHEREAS, Town employees may be interested in purchasing some of this property, and

WHEREAS, Town employees, by virtue of their Town employment, have knowledge of the condition of such surplus property, thereby giving them an unfair advantage in the purchasing of the property, and

WHEREAS, even if Town employees are not aware of the value, condition, etc. of the surplus property, their presence at an auction and their purchase of surplus property creates the appearance of impropriety, and it could influence the fairness and impartiality of Town auctions, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts the following policy with respect to the sale of Town surplus property:

No Town employee shall be allowed to bid on or purchase surplus Town property or participate in bidding at an auction of surplus Town property.

* * * * *

MOTION BY COUNCILMAN SOLECKI AND SECONDED BY COUNCILMAN KULYK TO SUBSTITUTE THE FOLLOWING RESOLUTION FOR THE ABOVE TABLED RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

Motion by Councilman Solecki Seconded by Councilman Kulyk

WHEREAS, occasionally the Town needs to dispose of surplus Town equipment and supplies which are no longer needed for Town use, and

WHEREAS, under State law, the Town has the discretion to sell surplus Town Property by public auction, competitive bidding or private negotiation, and

WHEREAS, this Board feels that it would be in the Town's best interest to dispose of such surplus Town property only at public auction, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts as its policy for the sale/disposal of surplus Town equipment and supplies the requirement that all such surplus Town property be sold at public auction.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5 Transfer of Funds.
This item was withdrawn.

II. RESOLUTIONS

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

BE IT RESOLVED, that the first Town Board meeting for 1991 shall take place on Monday, January 7, 1991 at 7:30 P.M. (public comment period begins at 7:15 P.M.) in the Council Chambers in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

Item No. 6 continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7 Motion by Councilman Rogowski Seconded by Councilman Solecki

WHEREAS, this Town Board held a public hearing on November 19, 1990 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 IV

Traffic Control Signals

Section 76-40 A. Installation, maintenance and operation of traffic control signals shall be amended by deleting therefrom the following:

(28) Pine Ridge Road at Parkview Terrace.

- (a) Variable automatic: 1 section, 4 sides, 3 lights per side.
- (b) Sensor pads, push buttons.
- (c) Normal operation: flashing signal, yellow indications facing north and south on Pine Ridge Road and red indications facing east on Parkview Terrace and the west.
- (d) Sensor-pad, push-button activation displays steady green indications facing north and south on Pine Ridge Road and steady red indications facing east on Parkview Terrace and to the west, followed by steady red indications facing north and south on Pine Ridge Road and steady green indications facing east on Parkview Terrace and to the west. Short interval reverts to operation in Subsection A928(c).

ARTICLE VIII

Stop and Yield Intersections

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

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>
Towers Blvd.	North-south	Whitney Pl. (north leg)	Westbound	N.E. Corner

Item No. 7 continued

Towers Blvd.	North-south	Whitney Pl. (south leg)	Westbound	N.E. Corner
Whitney Pl. (north leg)	East-west	Parktrail Ln.	Northbound	S.E. Corner
Whitney Pl. (south leg)	East-west	Parktrail Ln.	Southbound	N.W. Corner
Pine Ridge Rd.	North-south	Parkview Terr.	Westbound	N.E. Corner
LeHarve Dr.	East-west	Towers Blvd.	Northbound	S.E. Corner
LeHarve Dr.	East-west	Towers Blvd.	Southbound	N.W. Corner
Butternut Rd.	East-west	Rushford Ln.	Northbound	S.E. Corner
Butternut Rd.	East-west	Rushford Ln.	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

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

B. No parking anytime

TOWERS BLVD.	West side	from the north curblin of LeHarve Drive northerly to the south curblin of Losson Road
WHITNEY PL.	South side (north leg) West side (east leg) North side (south leg)	from the east curblin of Towers Boulevard to the east curblin of Towers Boulevard
PARKTRAIL LN.	East side	from the north curblin of Whitney Place (south leg) to the south curblin of Whitney Place (north leg)

F. Miscellaneous signs

(6) No parking or standing

DICK RD.	West side	from the south curblin of Walden Avenue southerly to the north curblin of Broadway
TOWERS BLVD.	East side	from the north curblin of Whitney Place (north leg) northerly to the south curblin of Losson 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.

Item No. 7 continued

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 Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Lutz....., 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 December 20, 1990;
last publication December 20, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Lutz.....
Sworn to before me this 20th.....
day of December....., 1990
Margaret J. Bourdette.....

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICES—LEGAL NOTICES

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 17th day of December, 1990 at 7:30 o'clock p.m. Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by: Councilman Rogowski
Seconded by Councilman Solecki

WHEREAS, this Town Board held a public hearing on November 19, 1990 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 IV
Traffic Control Signals

Section 76-40 A. Installation, maintenance and operation of traffic control signals shall be amended by deleting therefrom the following:

(28) Pine Ridge Road at Parkview Terrace.

- (a) Variable automatic: 1 section, 4 sides, 3 lights per side.
- (b) Sensor pads, push buttons.
- (c) Normal operation: flashing signal, yellow indications facing north and south on Pine Ridge Road and red indications facing east on Parkview Terrace and the west.
- (d) Sensor-pad, push-button activation displays steady green indications facing north and south on Pine Ridge Road and steady red indications facing east on Parkview Terrace and to the west, followed by steady red indications facing north and south on Pine Ridge Road and steady green indications facing east on Parkview Terrace and to the west. Short interval reverts to operation in Sub-section A928(c).

ARTICLE VIII
Stop and Yield Intersections

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

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
Towers Blvd.	North-south	Whitney Place (north leg)	Westbound	N.E. Corner
Towers Blvd.	North-south	Whitney Place (south leg)	Westbound	N.E. Corner
Whitney Place (north leg)	East-west	Parktrail Lane	Northbound	S.E. Corner
Whitney Place (south leg)	East-west	Parktrail Lane	Southbound	N.W. Corner
Pine Ridge Rd.	North-south	Parkview Terrace	Westbound	N.E. Corner
LeHavre Drive	East-west	Towers Blvd.	Northbound	S.E. Corner
LeHavre Drive	East-west	Towers Blvd.	Southbound	N.W. Corner
Butternut Rd.	East-west	Rushford Lane	Northbound	S.E. Corner
Butternut Rd.	East-west	Rushford Lane	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

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

B. No parking anytime
TOWERS BLVD.

West side from the north curbline of LeHavre Drive northerly to the south curbline of Losson Road

WHITNEY PLACE

South side (north leg)
West side (east leg)
North side (south leg)

from the east curbline of Towers Blvd. to the east curbline of Towers Blvd.

PARKTRAIL LANE

East side from the north curbline of Whitney Place (south leg) to the south curbline of Whitney Place (north leg)

F. Miscellaneous signs

(6) No parking or standing

DICK ROAD

West side

from the south curbline of Walden Avenue southerly to the north curbline of Broadway

TOWERS BLVD. East side

from the north curbline of Whitney Place (north leg) northerly to the south curbline of Losson 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 a 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 Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE
Councilman Blachowski 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 17, 1990, and minutes of said meeting have been duly recorded in the minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 7, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 17TH day of December, 1990.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: December 20, 1990

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

WHEREAS, there is a need to establish revised procedures and rules for the collection of garbage and refuse in the Town of Cheektowaga, and

WHEREAS, the Sanitation Department and Sanitation Committee have recommended that a local law be adopted to establish such revised garbage and refuse collection procedures and rules, and

WHEREAS, a public hearing on "A Local Law known as Garbage, Rubbish and Refuse Collection Law of the Town of Cheektowaga, New York" was held on the 5th day of February, 1990 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall; at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, such local law, in its final form, has been on the desks of the members of this Town Board for at least seven calendar days, exclusive of Sundays, and

WHEREAS, this Board feels it is in the Town's best interests to adopt the aforementioned local law and to repeal the existing Garbage, Rubbish and Refuse Ordinance (Chapter 32 of the Code of the Town of Cheektowaga), NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts "A Local Law known as Garbage, Rubbish and Refuse Collection Law of the Town of Cheektowaga" as Local Law No. 5 of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that, within five (5) days of its adoption, the Town Clerk shall file one (1) certified copy of this local law in his office and three (3) copies with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Garbage, Rubbish and Refuse Ordinance be and hereby is repealed, and BE IT FURTHER

RESOLVED, that the adoption of this Local Law No. 5 of the Year 1990 and the repeal of the Garbage, Rubbish and Refuse Ordinance shall take effect, after filing of Local Law No. 5 of the Year 1990, as of January 1, 1991.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 9a Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, bid proposals for Senior Citizens Center Boiler Systems Renovations were received and opened by the Town Clerk at a public meeting held for said purpose on November 28, 1990, AND

WHEREAS, Babinsky.Klein Engineering P.C. has reviewed the low bid proposal submitted by B. H. Refrigeration Inc. for compliance with the terms of the plans and specifications for said project, AND

WHEREAS, Babinsky.Klein Engineers, P.C. has recommended that B. H. Refrigeration Inc. be awarded said contract in the amount of \$34,242., NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards said contract for Senior Citizens Center Boiler Systems Renovations to B. H. Refrigeration Inc., 818 Elmwood Avenue, Buffalo, NY, 14222-1499 in the amount of \$34,242.00, and BE IT FURTHER

RESOLVED, that funds for said construction are available from Account #5811-7620-1104.

Item No. 9a continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9b Motion by Councilman Gabryszak Seconded by Councilman Rogowski

WHEREAS, bid proposals for the Senior Citizens Center Air Conditioning Mechanical Work were received and opened by the Town Clerk at a public meeting held for said purpose on November 28, 1990, AND

WHEREAS, Babinsky.Klein Engineering, P.C. has reviewed the low bid proposal submitted by Moffett Heating Corp. for compliance with the terms of the plans and specifications for said project, AND

WHEREAS, Babinsky.Klein Engineering, P.C. has recommended that Moffett Heating Corp be awarded said contract to include Base Bid @\$33,962.00, Alternate M-1 @ \$12,548.00, Alternate M-2 @ \$12,575.00 and Alternate M-3 @ \$12,545.00, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards said contract for the Senior Citizens Center Air Conditioning Mechanical Work to Moffett Heating Corp., 26 Abbott Road, Buffalo, New York 14220 in the amount of \$71,630.00 which includes the Base Bid and Alternates M-1, M-2, and M-3, AND BE IT FURTHER

RESOLVED, that funds for said construction are available from Account #5005-8560-0700.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9c Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, bid proposals for the Senior Citizen Center Air Conditioning Electrical Work were received and opened by the Town Clerk at a meeting held for said purpose on November 28, 1990, AND

WHEREAS, Babinsky.Klein Engineering, P.C. has reviewed the low bid proposal submitted by Dobkin & Gold Electric Inc. for compliance with the terms of the plans and specifications for said project, AND

WHEREAS, Babinsky.Klein Engineering, P.C. has recommended that Dobkin & Gold Electric Inc. be awarded said contract to include Base Bid @ \$5,430.00, Alternate E-1 @ \$620.00, Alternate E-2 @ \$630.00 and Alternate E-3 @ \$570.00, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards said contract for the Senior Citizens Center, Air Conditioning, Electrical Work to Dobkin & Gold Electric, Inc., 6 Stetson Street, Buffalo, New York 14206, in the amount of \$7,250.00 to include the Base Bid and Alternates E-1, E-2 and E-3, AND BE IT FURTHER

RESOLVED, that funds for said construction are available from Account #5008-1625-1100.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9d Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

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 1991, by the Cheektowaga Highway Department, as a result of advertisement therefore, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED, that the bid be awarded to Schictel 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; AND BE IT FURTHER

RESOLVED, that said monies be charged to line item #0100-8560-4291.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 10a Motion by Councilman Jaworowicz Seconded by Councilman Solecki

WHEREAS, the Police Department is in need of one (1) used automobile and one (1) used van, 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 vehicles for the Police Department, information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received by the Town of Cheektowaga on January 7, 1991 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 by the Town of Cheektowaga on January 7, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) used automobile and one (1) used van for the Police Department.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder should it be in the best 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 17, 1990

* * * * *

Item No. 10a continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Wexler 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 December 20, 1990;
last publication December 20, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Wexler
Sworn to before me this 20th
day of December, 1990
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on January 7, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) used automobile and one (1) used van for the Police Department.

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

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

DATE: December 17, 1990

PUBLISH: December 20, 1990

Item No. 10b 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 1991 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 1991, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 7th day of January, 1991 at 11:00A.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 7, 1991 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 1991.

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 17, 1990

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Woy....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... Clark of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication December 20, 1990 ..;
last publication December 20, 1990 ..;
and that no more than six days intervened be-
tween publications.

Melanie Woy.....
Sworn to before me this 20th
day of December, 19..... 90
Margaret J. Bourdette.....

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

MARGARET J. BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on January 7, 1991 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 1991.

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

DATE: December 17, 1990

PUBLISH: December 20, 1990

416
50

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

WHEREAS, by resolution dated December 3, 1990, this Town Board directed that a Notice to Bidders be published for the Contracting of Snow Removal for a Snow Emergency, and

WHEREAS, such resolution stated that bids for such snow removal were to be opened on December 14, 1990 at 11:00 A.M., but the published Notice to Bidders inadvertently stated that bids would be opened on November 17, 1989 at 11:00 A.M., and

WHEREAS, the CHEEKTOWAGA TIMES and the prospective bidders were notified of this error, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution dated December 3, 1990 and the Notice to Bidders attached thereto be and hereby are rescinded, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish a new Notice to Bidders for the Contracting of Snow Removal if a Snow Emergency should occur.

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

RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforementioned item at 11:00 A.M. on December 28, 1990 in the Council Chambers of the Cheektowaga Town Hall.

* * * * *

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 1990-1991 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, December 28, 1990 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: December 17, 1990

PUBLISHED: December 10, 1990

* * * * *

Item No. 11 continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf....., 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 December 20, 1990;
last publication December 20, 1990;
and that no more than six days intervened be-
tween publications.

Melanie Wolf.....
Sworn to before me this 20th
day of December, 1990.
Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICES

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 1990-1991 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 December 28, 1990 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

DATE: December 17, 1990

PUBLISH: December 20, 1990

Item No. 12 Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga Building Code requires that all Building and Plumbing Permit fees shall be as specified in a schedule as approved by the Town Board, AND

WHEREAS, it has been recommened that the attached Building and Plumbing Permit fee schedule be adopted, AND

WHEREAS, it is in the public interest to adopt the attached Building and Plumbing Permit fee schedule, NOW, THEREFORE, BE IT

RESOLVED, that the Building and Plumbing Permit fees shall be set forth on the attached fee schedule effective January 1, 1991.

* SEE NEXT PAGE

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

TOWN OF CHEEKTOWAGA
BUILDING AND PLUMBING PERMIT FEE SCHEDULE

Each application shall be accompanied by the required fee based upon the valuation of the structure or improvement except where a specific fee is provided herein.

COMMERCIAL STRUCTURES

\$4.00 per thousand for the first \$100,000.00 valuation
\$1.00 per thousand over \$100,000.00 valuation
(Minimum Fee \$50.00)

RESIDENTIAL STRUCTURES

\$4.00 per thousand for the first \$100,000.00 valuation
\$1.00 per thousand over \$100,000.00 valuation
(Minimum Fee \$20.00)

ADVERTISING SIGN ..(PER SIGN FACE).....	\$40.00
DEMOLITION OR TANK REMOVAL (PER STRUCTURE) ..	\$20.00
IDENTIFICATION SIGN (PER SIGN FACE).....	\$20.00
MOBILE HOMES.....	\$25.00
MOVING OF BUILDINGS	\$50.00
PORTABLE SIGNS.....	\$40.00
STORAGE TANKS ..(PER TANK).....	\$50.00
SWIMMING POOLS..(ABOVE GROUND).....	\$20.00
SWIMMING POOLS..(IN GROUND).....	\$50.00

CERTIFICATE OF OCCUPANCY

When Building Permit In Force	No Charge
One & Two Family Dwellings	\$25.00
Multiple Dwellings (Per Apartment)	\$15.00
All Other Buildings	\$50.00

PLUMBING PLAN FILING FEE (COMMERCIAL)	\$20.00
PLUMBING PLAN FILING FEE (RESIDENTIAL)	\$10.00
BUILDING SEWER OR DRAIN PERMIT (ALL DISTRICTS).....	\$10.00

TOWN SANITARY SEWER DISTRICT TAP FEE (SEE SEWER USE ORDINANCE)	
COUNTY SANITARY SEWER DISTRICT INSPECTION FEE	\$10.00
SEWER REPAIR FEE.....	\$10.00
FEE FOR FIXTURES (FIRST FIXTURE).....	\$10.00
ALL ADDITIONAL FIXTURES (EACH).....	\$ 2.00

BUILDING SEWER AND DRAIN INSPECTION FEE (FOR EACH 100 FT. AND FRACTION THEREOF).....	\$ 5.00
STORM SEWER OR YARD DRAIN CONNECTION FEE	\$25.00
STORM SEWER OR YARD DRAIN INSPECTION FEE (FOR EACH 100 FT. AND FRACTION THEREOF).....	\$ 5.00
REINSPECTION FEE	\$10.00

No fees for bonafide religious, charitable, or educational organizations where such exemptions are consistent with provisions applicable to taxes generally.

In the event that work requiring a building or plumbing permit is commenced prior to the issuance of the permit, the fee for the permit shall be double the regular rate or the additional sum of \$25.00 whichever is greater. This shall be in addition to any other penalty provided for commencement of work without a permit.

In the event an application for a building permit is not approved or when a valid building permit shall have expired by limitation or abandonment the applicant shall be entitled to a refund of 50% of the fee paid with a minimum to be retained of \$10.00.

Item No. 13 Motion by Councilman Solecki Seconded by Councilman Rogowski

WHEREAS, this Town Board has previously adopted Local Law No. 5 of the Year 1990 entitled "A Local Law known as the Garbage, Rubbish and Refuse Collection Law of the Town of Cheektowaga, New York", and

WHEREAS, such local law places a maximum limit on the number and size of garbage receptacles which the Town Sanitation Department will collect, and

WHEREAS, receptacles in excess of these limits will not be collected by the Sanitation Department unless separate additional fees are paid, and

WHEREAS, Section 198(9) of the Town Law authorizes the establishment of fees or rates to be paid by users for refuse and garbage collection service, NOW, THEREFORE, BE IT

RESOLVED, that, effective, January 1, 1991, the following fees shall be charged for collection of garbage for each of the following referenced containers:

Gravity-Fed Container:

2 cubic yard	\$30.00
4 cubic yard	32.50
6 cubic yard	35.00
8 cubic yard	37.50
10 cubic yard	40.00

Compactor Container:

2 cubic yard	\$43.00
4 cubic yard	46.00
6 cubic yard	50.00
8 cubic yard	53.00
10 cubic yard	57.00

Hopper \$10.00

Each additional Garbage Receptacle \$ 1.00

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 14 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, certain capital projects have completed the purposes for which they were in existence, and

WHEREAS, these capital projects have been reviewed to determine the proper disposition of residual funds in accordance with the general municipal law, NOW, THEREFORE, BE IT

RESOLVED, that the following project be closed as of December 31, 1990 and the ending equities are to be transferred as follows:

<u>PROJECT NO.</u>	<u>DESCRIPTION</u>	<u>DISPOSITION</u>
5513	Rein Road Bridge Replacement	Transfer balance of equity to the General Fund
5539	SD #8 Deficit Reduction	Transfer balance of equity to SD #8
5548	Various Park Improvements	Transfer balance of equity to Debt Reserve Fund

MEETING NO. 28
December 17, 1990

Item No. 14 continued

<u>PROJECT NO.</u>	<u>DESCRIPTION</u>	<u>DISPOSITION</u>
5803	Sanitary Sewer No. 3	Transfer balance of equity to Debt Reserve Fund
5804	Clinton Street Interceptor	Transfer balance of equity to Debt Reserve Fund
5805	Scajaquada Upstream Study	Transfer balance of equity to Debt Reserve Fund
5816	Sidewalk Repairs	Transfer balance of equity to Debt Reserve Fund
5820	Computer Hardware	Transfer balance of equity to Debt Reserve Fund
5824	Broadway/Wallace Street Improvements	Transfer balance of equity to Debt Reserve Fund
5825	Broadway/Wallace Sewer Improvements	Transfer balance of equity to Debt Reserve Fund
5902	Reconstruct Highway Garage	Transfer balance of equity to Debt Reserve Fund
5903	Highway Equipment	Transfer balance of equity to Debt Reserve Fund
5904	Highway Vehicles	Transfer balance of equity to Debt Reserve Fund
5909	Heavy Machinery	Transfer balance of equity to Debt Reserve Fund

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Blachowski Seconded by Councilman Solecki

WHEREAS, the County of Erie is the owner of 1277 and 1281-1287 Walden Avenue (S.B.L. Nos. 102.53-6-18 and 102.53-6-18./B), which properties were acquired at a tax foreclosure proceeding held in 1990, and

WHEREAS, the Town is interested in acquiring these properties as part of the Walden Avenue Beautification Project and for ingress and egress to the proposed Walden Commerce Park, and

WHEREAS, the County of Erie has informed the Town that it has others interested in acquiring these properties and, in order to consider the Town's interest in purchasing the properties it must have a commitment from the Town and a 10% good faith downpayment, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby expresses its commitment to the County of Erie to purchase the above referenced properties, and BE IT FURTHER

RESOLVED, that this Town Board hereby pledges \$6,300.00 as the required 10% good faith downpayment for the purchase of this property from the County, said moneys to be appropriated from budget line item number #0700-8669-0707.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, Volland Electric Equipment Corporation has made application to the Town for a building permit to construct an office/warehouse building at 75 Innsbruck Drive in the Town, and

WHEREAS, the portion of Innsbruck Drive on which the proposed building would front has not yet been improved or accepted as a Town highway, and

WHEREAS, Section 13-13 of the Building Construction Administration Ordinance states that no building permit shall be issued unless a public highway, sanitary sewers and a waterline are in place, or, in lieu of such utilities being in place, the applicant must submit the following to the Town:

1. a surety bond in an amount fixed by the Town Board guaranteeing that the highway and sanitary sewer will be constructed within six (6) months after the issuance of the building permit and that all other provisions of Chapter 13 of the Town Code will be fully complied with;
2. satisfactory proof that a contract has been entered into with the Erie County Water Authority ("ECWA") for the construction of a waterline in the highway;
3. satisfactory proof that the Erie County Sewer District has approved lateral sewers in the area.

and,

WHEREAS, this Town Board, at its November 19, 1990 meeting, approved Gardenville Industrial Park, Phase II, conditioned upon drainage easements being conveyed to the Town and execution of a Declaration of Easements and Agreements by the owners of the property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, based on authority found in Section 13-13.B. of the Building Construction Administration Ordinance, approves the issuance of a building permit to Volland Electric Equipment Corporation for the construction of an office/warehouse building at 75 Innsbruck Drive, conditioned on the following:

1. execution and delivery of drainage easements in form acceptable to the Town Engineer and Town Attorney;
2. Execution and delivery of the Declaration of Easements and Agreements in a form acceptable to the Town Engineer and Town Attorney;
3. Submission of a performance bond in the amount of \$75,000 for the construction of the Innsbruck Drive extension and sanitary sewer lines in a form acceptable to the Town Attorney;
4. Proof of Agreement with the Erie County Water Authority for the installation of water lines;
5. Approval of drainage and site plans by the Town Engineer;
6. Proof of adequate sanitary sewer lines or approval of new lines by the Erie County Sewer District;
7. Approval of plans by the Town Building Inspector;
8. Applicant must contact the U.S. Army Corps of Engineers to ensure compliance with any applicable wetlands regulations.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17a Authorize Supervisor to sign/execute contract to Purchase (3) Parcels of Land from Sky Harbor.
This item was withdrawn.

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

BE IT RESOLVED, that the Supervisor be and hereby is authorized to sign the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

* SEE NEXT PAGE FOR AGREEMENT

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

It is hereby agreed by and between the parties hereto that the collective bargaining agreement now in effect and to expire on December 31, 1992 be amended as follows:


(a) The title "Zoning Inspector" be added to the current contract and that the appropriate salary appendices be amended to reflect this change.

(b) The salary for such position shall be:

	(1) START	(2) 12 MO.	(3) 18 MO.	(4) 2 YRS.
1991	27,480.81(13.139)	28,447.67(13.629)	29,414.55(14.090)	30,447.42(14.579)
1992	28,854.85(13.819)	29,870.05(14.305)	30,885.27(14.791)	31,969.79(15.311)

TOWN OF CHEEKTOWAGA

TOWN OF CHEEKTOWAGA
EMPLOYEES ASSOCIATION



Dated: 12-18-90

MEETING NO. 28
December 17, 1990

Item No. 17c Motion by Councilman Blachowski Seconded by Councilman Solecki

WHEREAS, the Town of Cheektowaga, on September 1, 1987, gave Mr. & Mrs. Robert Baker a Housing Rehabilitation Community Development loan for property owned by him and located at 31 Basswood Drive, Cheektowaga, New York, and

WHEREAS, Mr. & Mrs. Baker are now applying for a separate mortgage loan through Diversified Capital, and Diversified Capital is requesting the Town to execute a Subordination Agreement relating to the Town's Community Development Loan, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Mr. & Mrs. Baker and the Town's Housing Rehabilitation Community Development loan for 31 Basswood Drive, Cheektowaga, NY and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17d Motion by Supervisor Swiatek Seconded by Councilman Solecki

WHEREAS, the Town Board of the Town of Cheektowaga owns and operates facilities within Sanitary Sewer District No. 3 of the Town, and

WHEREAS, the Village of Sloan is located within the boundaries of said Sanitary Sewer District No. 3, and

WHEREAS, the Town of Cheektowaga has made the facilities within Sanitary Sewer District No. 3 available to the Village of Sloan in the past as per the terms of an agreement, and

WHEREAS, the Town of Cheektowaga and Village of Sloan wish to enter into a new agreement for the use of such Sanitary Sewer District No. 3 facilities, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with the Village of Sloan.

* PLEASE NOTE SIGNED AGREEMENT IS NOT ATTACHED - SEE MEETING #29, ITEM 4.
AGREEMENT WAS AMENDED.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17e Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

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 30 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 advan-

Item No. 17e continued

tageous 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, 1990 to September 30, 1991, AND, BE IT FURTHER

RESOLVED, that the Town's cost of \$4,075.00 is to be charged to Sewer District No. 5 Account #25-8125-0004-4543.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17f Motion by Councilman Gabryszak Seconded by Councilman Blachowski

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 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 Child and Family Services to continue said program for a twelve (12) month period, January 1, 1991 through December 31, 1991 with a total cost not to exceed the sum of \$48,664.00 and BE IT

FURTHER RESOLVED that Child and Family Services will reimburse the Town for us to \$7,299.00 (15%) of the actual costs of operating said program and the New York State Division for Youth will reimburse the Town for up to \$24,332.00 (50%) leaving the actual cost to the Town at \$17,033.00 (35%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-0004-4687

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17g Motion by Councilman Blachowski Seconded by Councilman Kulyk

WHEREAS, the Town desires to retain the services of a planning consultant in relation to its Community Development Block Grant Program, and

WHEREAS, the Town has previously engaged the services of Stuart Alexander and Associates for planning and technical services for the 1989-90 Community Development Program year, and

WHEREAS, the Town's 1990-91 Community Development Block Grant program budget which was approved by the Department of Housing and Urban Development, includes funding for said planning services, NOW, THEREFORE, BE IT

Item No. 17g continued

RESOLVED, that the Agreement between the Town of Cheektowaga and Stuart Alexander and Associates dated November 1, 1989, for planning and technical services for the Town's Community Development Block Grant Program is hereby extended until December 1, 1991, and BE IT

FURTHER RESOLVED, that all terms and conditions of said contract, including services to be provided and the fee basis of \$29.96 per hour for said services, remain in effect during the contract period, and BE IT

FURTHER RESOLVED, that reimbursement under the contract extension shall not exceed the amount of \$28,000, and that said contract costs shall be paid from the Town's Community Development Block Grant budget for the 1990-91 program year, and BE IT

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute any documents necessary to affect said contract extension.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17h Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, the New York State Energy Office offers a grant program to provide 50% of the monies necessary to conduct Technical Assistance Studies, and

WHEREAS, the Town is interested in implementing a variety of energy saving measures at the Alexander Street Community Center, and

WHEREAS, the performance of a Technical Assistance Study will identify energy saving measures which may be implemented at the Alexander Street Community Center to reduce energy costs, and

WHEREAS, additional monies will be available to implement energy conservation measures detailed in the completed Technical Assistance Study; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Energy Office in an amount not to exceed \$7,000.00 for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that should the grant application be awarded, the Town's share of required matching funds, not to exceed \$7,000.00, is available from the Facilities Department Energy Conservation Projects budget line #5912-16251100, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17i 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

Item No. 17i continued

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, 1991, through December 31, 1991, with a total cost not to exceed \$1,200.00 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 Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17j Motion by Councilman Gabryszak Seconded by Councilman Rogowski

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, 1991 through December 31, 1991 with a total cost not to exceed the sum of \$31,250.00 and BE IT

FURTHER RESOLVED, that the Youth Department - Diocese of Buffalo will reimburse the Town for up to \$6,250.00 (20%) of the actual costs of operating said program and the New York State Division for Youth will reimburse the Town up to \$16,303.00 (50%) leaving the actual cost to the Town at \$8,697.00 (30%). CONTRACT # (BUDGET LINE ITEM) 01-7310-0004-4685.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17k Authorize Supervisor to sign/execute contract to purchase parcel of land from Samuel Tadio.
This item was withdrawn.

Item No. 17l Motion by Councilman Gabryszak Seconded by Councilman Rogowski

WHEREAS, BH Refrigeration, Inc. has submitted application for final payment in the amount of \$4,543.00 for Heating and Ventilating Work at the Alexander Community Center, AND

WHEREAS, BH Refrigeration, Inc. has submitted Affidavit of Payment of Debts and Claims, Affidavit of Release of Liens and Consent of Surety Company to Final Payment, AND

WHEREAS, the firm of Scaffidi & Moore Architects has submitted a Certificate of Substantial Completion with the date to start all warranties, as required by the Contract Documents effective November 6, 1990, NOW, THEREFORE, BE IT

Item No. 171 continued

RESOLVED, that the Cheektowaga Town Board hereby authorizes Supervisor Frank E. Swiatek to sign said Certificate of Substantial Completion as submitted, AND BE IT FURTHER

RESOLVED, that the Cheektowaga Town Board hereby approves final payment of \$4,543.00 to BH Refrigeration, 818 Elmwood Avenue, Buffalo, New York, 14222-1499 for Heating and Ventilating Work at the Alexander Community Center.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Swiatek Seconded by Councilman Solecki

WHEREAS, by resolution dated August 15, 1988, the Cheektowaga Town Board established guidelines which cultural and public benefit agencies must comply with prior to receiving any Town funds, and

WHEREAS, the Town has not decided to enter into individual contracts with all such agencies and groups and such contracts would contain the terms and conditions of such funding, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolutions and guidelines be and hereby are rescinded, and BE IT FURTHER

RESOLVED, that, before any cultural or public benefit group or agency receives any of the funds earmarked for it in the 1991 Town budget, it must have executed an agreement approved as to form by the Town Attorney and the Chief Accountant and authorized by this Town Board.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Swiatek Seconded by Councilman Solecki

WHEREAS, by resolution dated November 19, 1990, this Town Board voted to terminate its agreement dated November 1, 1989 with the County of Erie for snow and ice removal, effective January 1, 1991, unless the County of Erie approved a rate of reimbursement to the Town in an amount of not less than \$1, 500 per lane mile, and

WHEREAS, the Erie County Legislature has offered to pay the Town of Cheektowaga \$1,300 per lane mile as part of its 1991 budget, and

WHEREAS, this Board has reviewed this matter with the Town Highway Superintendent and feels that the County's offer of \$1,300 per lane mile is acceptable, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution dated November 19, 1990 be and hereby is rescinded, and BE IT FURTHER

RESOLVED, that this Town Board hereby agrees to continue its agreement for snow and ice removal with the County of Erie based on a rate of reimbursement of \$1,300 per lane mile from the County of Erie.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, it is the intention of the Cheektowaga Youth Bureau to enter into an agreement 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 Service; and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, or creed, BE IT

RESOLVED, that until an interdepartmental budget transfer can be affected into the appropriate line item in the 1991 budget, the Youth Bureau is authorized to send a Letter of Intent to Catholic Charities Metropolitan Services Department, to continue said program for a twelve (12) month period, January 1, 1991 through December 31, 1991.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Blachowski Seconded by Councilman Rogowski

BE IT RESOLVED, that the Niagara Mohawk Power Corporation is hereby authorized to install one (1) 9500 lumen high pressure sodium luminaire on Alpine Place, on wood pole Number 30, at an annual increase to the General Lighting District of \$121.75, in accordance with the attached Niagara Mohawk Power Corporation proposal which is hereby made a part of this resolution.

* SEE NEXT PAGE

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

TOWN OF CHEEKTOWAGA

STREET LIGHT PROPOSAL

ALPINE PLACE

LOCATION: Alpine Place (See attached sketch)

*GENERAL DESCRIPTION: Provide lighting in the area of number
25 to 30 Alpine Place*

*DETAILS: Install one (1) 100 watt high pressure sodium street
light on NMP Corp. wood pole Number 30*

*COST: Annual cost for new street light is \$121.75**

NEW LUMENS: 9,500 Lumens

** This includes gross revenue tax. Prices quoted are in effect
on date of proposal and are subject to increase from time to
time with NMPC's general rate change.*

Item No. 22 Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, this Town Board, by resolution dated September 4, 1990, approved of the concept of Wegmans Food Markets, Inc. (the "Applicant") for the proposed construction of a food store of approximately 100,000 square feet, a retail area to the west thereof with an area of approximately 82,500 square feet, a bank with approximately 3,600 square feet, a restaurant of approximately 9,100 square feet and leasehold retail areas of 10,000 square and 17,000 square feet, respectively, together with parking areas and ancillary service areas and facilities (the "Project") on a parcel of land located at 2001 Walden Avenue comprising approximately 24.5 acres, AND

WHEREAS, this Town Board rendered said approval after a careful and thorough review of the Project, which includes a commitment on the part of the Applicant to perform various traffic improvements, AND

WHEREAS, the reconstruction of Duke Road in its entirety from Walden Avenue to Old Duke Road at Buffalo Forge, in accordance with the Town Highway Department specifications, is an important traffic improvement which the Applicant has committed to construct and complete prior to the receipt of a Certificate of Occupancy for the food market, AND

WHEREAS, the reconstruction of Duke Road, a Town highway, is a public improvement, which in accordance with the provisions of the Public Improvement Permit Ordinance, is subject to the issuance of a Public Improvement Permit by this Town Board, AND

WHEREAS, the Applicant has submitted a Public Improvement Permit Application, plans and specifications and permit fee for the reconstruction of Duke Road from Walden Avenue to Old Duke Road, AND

WHEREAS, the Town Engineer, Town Highway Superintendent and Town Traffic Safety Commission have reviewed the plans and specifications for the reconstruction of Duke Road and have requested minor modifications to the design of the Duke Road/Old Duke Road intersection and to the storm drainage system which the Applicant has agreed to institute, and has committed to by letter dated December 12, 1990, NOW, THEREFORE, BE IT

RESOLVED, that the Public Improvement Permit be and hereby is approved for the reconstruction of Duke Road by the Applicant, AND, BE IT FURTHER

RESOLVED, that the permit fee in the amount of \$11,400 be deposited in the Public Improvement Permit Account that was established for receipt and disbursement of such fees.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, drainage easements are needed on properties located on the south side of Bennett Road (S.B.L. Nos. 114.09-4-4.1 and 114.09-4-4.2) between Homewood Avenue and Center Avenue in order to divert storm waters into Cayuga Creek, and

WHEREAS, the owners of these properties have agreed to convey drainage easement to the Town provided the Town places the required pipes underground on their properties, and

WHEREAS, the Town Highway Superintendent has agreed, at Town expense, to place such pipes underground in the proposed easement are, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned drainage easements from Thaddeus L. Skowron and Mark D. and Christine M. Wegner on the terms listed in such easements.

Item No. 23 continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 24 Direct SEIS be submitted for 2911 William Street.
This item was withdrawn.

Item No. 25 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 November 29, 1990, rendered the determinations shown on the attached memo dated November 29, 1990, 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 29, 1990 memo attached hereto:

Item III

Harlem Road/Lyman

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGE

Applicant: Robert Campo

Determination: Non-Significant.

The applicant returned to the committee with a revised site plan which showed better delineation of the driveways as well as additional curbing and landscaping. The use is consistent with existing uses in the area and has proper zoning along this stretch of Harlem Road. The applicant was informed that solid screening would be needed along the east property line to screen the parking areas from the residents. He indicated that these homes have high bushes at the present time and the owners of these homes had indicated that they would prefer bushes only. The applicant was informed that if this is the case he will have to apply to the Zoning Board of Appeals for a variance on solid screening.

Applicant: Pyramid Company of Buffalo

Determination: Tabled.
The Pyramid Company of Buffalo has found an increased need for parking areas for the Walden Galleria Mall. The need is a result of proposed expansion of the mall for additional anchor stores as well as the need for additional parking, especially at holiday time, due to the popularity of the mall.

The parking areas will be located at the northeast end of the mall. One will be located on south side of Galleria Drive adjacent, to and east of the existing Post Office. The second parking area will be located in the vicinity of McKesson Parkway, Scajaquada Creek and the "Ring" Road around the mall. The third parking area, not subject to environmental review, is on the north side of Galleria Drive west of the Westco facility. This third area was originally part of the mall review.

RE: EQR - November 29, 1990
November 30, 1990
Page: 2

The applicant presented the updated site plans to the committee and they were found acceptable. The additions to the facility will be for storage, offices and manufacturing purposes and is consistent with the zoning as well as the actual development that has occurred in the area.

ITEM III Harlem Road/Lyman - Proposed Professional
Office Building

Applicant: Robert Campo

Determination: Non-Significant.

The applicant returned to the committee with a revised site plan which showed better delineation of the driveways as well as additional curbing and landscaping. The use is consistent with existing uses in the area and has proper zoning along this stretch of Harlem Road. The applicant was informed that solid screening would be needed along the east property line to screen the parking areas from the residents. He indicated that these homes have high bushes at the present time and the owners of these homes had indicated that they would prefer bushes only. The applicant was informed that if this is the case he will have to apply to the Zoning Board of Appeals for a variance on solid screening.

ITEM IV Galleria Drive - Proposed Parking Areas For
The Walden Galleria Mall

Applicant: Pyramid Company of Buffalo

Determination: Tabled.

The Pyramid Company of Buffalo has found an increased need for parking areas for the Walden Galleria Mall. The need is a result of proposed expansion of the mall for additional anchor stores as well as the need for additional parking, especially at holiday time, due to the popularity of the mall.

The parking areas will be located at the northeast end of the mall. One will be located on south side of Galleria Drive adjacent, to and east of the existing Post Office. The second parking area will be located in the vicinity of McKesson Parkway, Scjaquada Creek and the "Ring" Road around the mall. The third parking area, not subject to environmental review, is on the north side of Galleria Drive west of the Westco facility. This third area was originally part of the mall review.

Item No. 26 Motion by Supervisor Swiatek Seconded by Councilman Solecki

WHEREAS, by Chapter 813 of the Laws of 1987, the New York State Legislature enacted the 1987 Ethics in Government Act, and

WHEREAS, said 1987 Ethics in Government Act amended and supplemented the then-existing Article 18 of the General Municipal Law entitled "Conflicts of Interest of Municipal Officers and Employees" by requiring the annual financial disclosure by certain public officers, and

WHEREAS, although the Town of Cheektowaga has previously adopted rules of conduct and financial disclosure by certain Town officers (Chapter 24 of the Town Code), this Board feels that the 1987 Ethics in Government Act is more stringent and defined than the existing Town rules and thus Town officers should comply with such Act, and

WHEREAS, Section 812 (5) of the General Municipal Law, effective January 1, 1991, contains the form for the State sanctioned Annual Statement of Financial Disclosure, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby states its position that Section 812 of the General Municipal Law shall apply to the Town of Cheektowaga and its public officers; and that elected Town officials, department heads and other Town employees who are policy makers and negotiators shall file the Annual Statement of Financial Disclosure codified under Section 812 (5) of the General Municipal Law, and BE IT FURTHER

RESOLVED, that Town officers required to file such Annual Statement of Financial Disclosure shall file such form with the Temporary State Commission on Local Government Ethics on or before May 15th of each year, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the State Comptroller's Office and the Temporary State Commission on Local Government Ethics, along with the attached form.

* SEE ATTACHED FORM

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

NAME OF MUNICIPALITY:

TOWN OF CHEEKTOWAGA

ADDRESS OF MUNICIPALITY:

BROADWAY & UNION RD., CHEEKTOWAGA, NY 14227

TELEPHONE NUMBER OF MUNICIPALITY: (716) 686-3457

Strike out the provisions that do not apply:

I. Applicable Annual Financial Disclosure Form

~~This municipality adopted (resolved to continue) on
XXXXXXXXXXXX, 1990, its own form for annual financial disclosure.
A copy of that form and of the local law, ordinance, or
resolution adopting (continuing) the form is attached.~~

OR

This municipality has not adopted or continued its own form for annual financial disclosure and is thus subject to the provisions of section 812 of the General Municipal Law, which means that this municipality's covered officers and employees will file the State form.

OR

~~This municipality believes that its population is less than
50,000~~

II. Place of Filing

The officers and employees of this municipality who are required to file annual financial disclosure statements will file them with the Temporary State Commission on Local Government Ethics. A copy of the local law, ordinance, or resolution electing that option is attached.

OR

~~The officers and employees of this municipality who are
required to file their annual financial disclosure statements
will file them with this municipality's own local ethics board.
A copy of the local law, ordinance, or resolution establishing
that board and granting it the powers and duties specified in
section 80(1)(a) of the General Municipal Law is attached.~~

Signed:

Richard M. Moleski

Richard M. Moleski

Print Name

Town Clerk

Title

Item No. 27 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, by resolution dated October 15, 1990, this Town Board authorized the continuation of the retainage of William R. Brennan and Mark R. McNamara (law firms of Moot & Sprague and Hiscock & Barclay) with respect to the Town's condemnation proceedings for land for the proposed golf course, and

WHEREAS, previously approved payments to such legal counsel have been spent and this Town Board wishes to continue such legal services, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to continue to retain the services of William R. Brennan and Mark R. McNamara on the above referenced condemnation proceeding for an additional amount not to exceed \$10,000 without further Town Board approval, and BE IT FURTHER

RESOLVED, that such moneys shall be appropriated from budget line item number 05-7140-8817-1100.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: Councilman Rogowski
ABSENT: 0

Item No. 28 Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

WHEREAS, the Town Board has an interest in constant review and re-evaluation of services and how those services are provided, AND

WHEREAS, upon examination of the 1991 budget, the Board recommends that a consolidation of the Recreation Department into the Youth Bureau would provide services at a greater economy, AND

WHEREAS, in that consolidation, a reorganization would occur, causing elimination of a department head position, NOW, THEREFORE, BE IT

RESOLVED, that the position of Director of Recreation is hereby abolished effective January 1, 1991.

* * * * *

MOTION BY COUNCILMAN GABRYSZAK AND SECONDED BY COUNCILMAN KULYK TO TABLE THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Solecki Seconded by Councilman Rogowski

WHEREAS, the Town has determined that a need exists to create the position of Administrative Container Specialist, AND

WHEREAS, said position is subject to review and approval by the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED, that the position of Administrative Container Specialist be and hereby is established, subject to review and approval by the Erie County Department of Personnel, and that the Employee Relations Department process the necessary paperwork with the Department of Personnel.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MEETING NO. 28
December 17, 1990

Item No. 30 Appointment of Chairman and Ex-Officio members of the Cheektowaga Conservation Advisory Council
This item was withdrawn.

Item No. 31 Motion by Councilman Kulyk Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be and hereby are terminated as listed:

FACILITIES DEPARTMENT

EFFECTIVE

David Klosko	12/3/90
Dennis Piekarski	12/3/90
Frank LaSota	12/3/90
Robert Lee	12/3/90
Stanley Siejak	12/3/90

POLICE DEPARTMENT

Maureen Malark	Immediately
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SANITATION DEPARTMENT

Paul Czelusta	Immediately
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Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

Item No. 32 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals are hired as part-time employees, not to exceed 19 hours on an annual basis, in the various department listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT - \$5.00 per hour

EFFECTIVE

Kimbertly Poitras S.S.	12/26/90
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Nancy Rogers S.S.	12/26/90
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Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

* * * * *

MOTION BY COUNCILMAN KULYK AND SECONDED BY COUNCILMAN GABRYSZAK TO DISPENSE WITH READING OF FIGURES IN ITEM NO. 33 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

* * * * *

MEETING NO. 28
December 17, 1990

Item No. 33 continued

TO:	0100-1410-1155 (2nd Deputy Clerk)	95.00
	0100-1420-1151 (Deputy Attorney)	1,000.00
	0100-1440-1105 (Town Engineer)	1,653.00
	0100-1440-1402 (Principal Eng. Assistants)	2,100.00
	0100-1440-1405 (Engineering Assistants)	14,995.00
	0100-1440-1406 (Asst. Town Engineer)	307.00
	0100-1440-4001 (Office Supplies Engineering)	450.00
	0100-1440-4001 (Office Supplies Engineering)	100.00
	0100-1440-4191 (Misc. Expenses Engineering)	500.00
	0100-1220-1305 (Supervisor's Secretary)	180.00
	0100-1220-1308 (Chief Accountant)	439.00
	0100-1110-1303 (Justice Court Clerk)	629.00
	0100-1220-4701 (Coupon Expense)	300.00
	0100-1220-4011 (Printed Forms-Checks)	1,500.00
	0100-1220-1391 (PT Clerical - Supervisor)	1,465.00
	0100-1220-1351 (Sr. Clerk-Payroll)	500.00
	0100-1410-2201 (Office Equipment-Town Clerk)	2,500.00
	0100-1640-4441 (Equip. Repair & Maint. -Police)	12,000.00
	0100-5010-1171 (Deputy Highway Superintendent)	1,179.00
	0100-3120-2303 (Police Vehicles)	15,400.00
	0100-3120-4001 (Office Supplies-Police)	2,000.00
	0100-3120-4073 (Uniform Allowance-Police)	2,600.00
	0100-3120-4003 (Traffic Safety Supplies)	2,500.00
	0100-3120-4007 (Scientific Unit Supplies)	2,000.00
	0100-3120-1511 (Police Lieutenant)	14,000.00
	0100-3510-1413 (Dog Control Officer)	6,000.00
	0100-7110-1201 (Gen. Crew Chief-Facilities)	10,200.00
	0100-7110-4451 (Bldg. & Grounds-Repair & Maint)	7,000.00
	0100-7110-1491 (PT Laborer-Facilities)	4,589.00
	0100-7140-1622 (Rec. Attendants)	5,626.00
	0100-7140-1622 (Rec. Attendants)	892.00
	0100-7140-4025 (Athletic Supplies)	2,500.00
	0100-7140-1361 (Clerk-Steno-Recreation)	400.00
	0100-7140-1601 (Sr. Rec. Supervisor)	700.00
	0100-7140-1611 (Rink Personnel)	1,000.00
	0100-7140-1611 (Rink Personnel)	3,400.00
	0100-7140-1612 (Rec. Attendants C.C.)	2,500.00
	0100-7140-1612 (Rec. Attendants C.C.)	1,300.00
	0100-7140-1615 (Rec. Aid to Youth)	600.00
	0100-7140-1615 (Rec. Aid to Youth)	400.00
	0100-7140-1601 (Sr. Rec. Supervisor)	655.00
	0100-7310-4431 (Equip. Repair & Maint. - Youth)	110.71
	0100-7310-1804 (Admin. Intern-Youth)	114.29
	0100-7620-1121 (Sr. Citizens Director)	1,133.00
	0100-7310-1114 (Youth Exec. Director)	1,011.00
	0100-3310-4185 (Traffic-Flashers, Barricades)	190.75
	0100-1910-4261 (Postage-Town Hall)	5,000.00
	0100-9010-8143 (Retiree's Medical Ins.)	3,000.00

HIGHWAY FUND

FROM:	0300-5142-1701 (Ice & Snow Payroll-Highway)	\$125,000.00
	0300-1910-2799 (Highway Fund Balance)	4,312.83
	0300-5141-1931 (Labor Allocation-Gen. Labor)	82,760.00
	0300-5141-1931 (Labor Allocation-Gen. Labor)	125,000.00
	0300-5150-1701 (Hgw. Improv. Labor)	82,760.00
	0300-5110-4173 (General-Stone)	20,000.00
TO:	0300-5110-1701 (General Payroll)	\$125,000.00
	0300-5142-4029 (Salt)	4,312.83
	0300-5141-1937 (Labor Allocation-Imp. Labor)	82,760.00
	0300-5141-1935 (Labor Allocation-Ice & Snow)	125,000.00

MEETING NO. 28
December 17, 1990

Item No. 33 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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

GENERAL FUND

FROM:	0100-1010-4100 (Copier Maintenance-Council)	\$ 300.00
	0100-1010-2201 (Office Equip.-Council)	90.00
	0100-1010-1301 (Council Secretary)	1,300.00
	0100-1010-1361 (Clerk Steno-Council)	1,300.00
	0100-1410-1154 (First Deputy Clerk)	95.00
	0100-9010-8101 (NYS Retirement)	2,080.00
	0100-1420-4501 (Contracted Legal Services)	1,000.00
	0100-1440-1361 (Clerk Steno)	1,500.00
	0100-1440-1401 (Engineering Aide)	11,098.00
	0100-1440-1404 (Sr. Engineer Asst.)	290.00
	0100-1440-4538 (Rodent Control)	1,200.00
	0100-9010-8101 (NYS Retirement)	5,417.00
	0100-1440-4325 (Copy Machine Supplies-Eng.)	100.00
	0100-1440-4325 (Copy Machine Supplies-Eng.)	500.00
	0100-9010-8151 (Group Life Insurance)	1,248.00
	0100-1220-1340 (Accountant-Supervisor)	300.00
	0100-1220-4321 (Computer Exp.)	1,500.00
	0100-9010-8151 (Group Life Insurance)	1,965.00
	0100-1450-4594 (Election Inspectors)	2,500.00
	0100-9010-8101 (Employee's Retirement)	12,000.00
	0100-9010-8101 (NYS Employee's Retirement)	1,179.00
	0100-3120-1531 (Police Detective)	7,000.00
	0100-3120-1581 (Police Matron)	4,200.00
	0100-3120-1391 (PT Clerk-Police)	4,900.00
	0100-3120-1541 (Police Patrolman)	8,400.00
	0100-3120-1501 (Police Captain)	18,000.00
	0100-3120-1605 (Graphic Artist)	1,000.00
	0100-3120-1153 (Assistant Chief)	1,000.00
	0100-7110-4454 (Portable Toilets)	3,500.00
	0100-7110-4491 (Special Events-Facilities)	6,700.00
	0100-7110-4458 (Imp. Projects-Facilities)	2,000.00
	0100-7110-4162 (Gas & Oil Facilities)	2,000.00
	0100-7110-4022 (Supplies-Facilities)	3,000.00
	0100-7110-4141 (Chemical-Facilities)	800.00
	0100-1625-4489 (Maint. & Tool Replacement)	1,289.00
	0100-1625-4432 (Repair & Maintenance-Facilities)	2,500.00
	0100-7140-1614 (Rec. Playground Attendants)	5,626.00
	0100-7140-1613 (Rec. Playground Supervisors)	892.00
	0100-7140-4191 (Miscellaneous-Recreation)	2,500.00
	0100-7180-1902 (Supervisor-Pool-Recreation)	400.00
	0100-7180-1902 (Supervisor-Pool-Recreation)	700.00
	0100-7140-1603 (Recreation Instruction)	1,000.00
	0100-7180-1903 (Life Guards)	3,400.00
	0100-7140-1621 (Umpires & Referees)	2,500.00
	0100-7140-1603 (Rec. Instructor)	1,300.00
	0100-7140-1603 (Rec. Instructor)	600.00
	0100-7180-1902 (Supervisor/Pool)	400.00
	0100-7140-1113 (Dir. of Recreation)	300.00
	0100-7140-1603 (Rec. Attendent FT)	355.00
	0100-7310-4681 (In-Service Training-Youth)	110.71
	0100-7310-4681 (In-Service Training-Youth)	114.29
	0100-9910-8101 (Employee's Retirement)	2,144.00
	0100-9010-8101 (Employee's Retirement)	190.75
	0100-9010-8141 (Medical Insurance)	3,000.00
	0100-9010-8151 (Group Life Insurance)	5,000.00
TO:	0100-1010-4001 (Office Supplies-Council)	300.00
	0100-1010-4001 (Office Supplies-Council)	90.00
	0100-1010-4201 (Office Furnishings-Council)	1,300.00
	0100-1010-2101 (Office Furnishings-Council)	1,300.00
	0100-1410-1154 (1st Deputy Clerk)	1,070.00
	0100-1410-1155 (2nd Deputy Clerk)	1,010.00

Item No. 33 continued

PART TOWN FUND

FROM:	0800-3620-1376 (Sr. Clerk Typist)	\$ 400.00
	0800-3620-1391 (PT Clerical)	250.00
	0800-3620-1400 (Bldg. Inspector)	1,700.00
	0800-3620-1420 (Asst. Bldg. Inspt.)	1,100.00
	0800-8010-4683 (Zoning Master Plan)	3,484.00
	0800-9010-8101 (Employee's Retirement)	6,281.00
	0800-9010-8151 (Life Insurance)	375.00
	0800-9010-8101 (Employees' Retirement)	1,475.00
TO:	0800-3620-1100 (Supervising Building Insp.)	1,320.00
	0800-3620-1165 (Fire Inspectors)	400.00
	0800-3620-1600 (Asst. Building Insp.-P.T.)	5,010.00
	0800-3620-1500 (Zoning Enforcement-P.T.)	5,885.00
	0800-3620-1700 (Housing Inspector-Shared)	600.00
	0800-9010-8121 (Social Security)	1,850.00

CONSOLIDATED GARBAGE DISTRICT

FROM:	1500-8173-4597 (N.E. Board Recycling)	\$8,100.00
	1500-8160-4021 (Maintenance Supplies)	1,000.00
	1500-8160-8101 (Employees' Retirement)	30,000.00
TO:	1500-8160-4061 (Gasoline)	7,000.00
	1500-8173-4194 (Recycling Advertising)	2,100.00
	1500-8160-8121 (Social Security)	10,000.00
	1500-8160-8905 (Allocated Fringes)	20,000.00

SPECIAL DISTRICT FUND

FROM:	2300-8123-2799 (SD 3-Appropriated Fund Bal)	\$16,000.00
	2500-8125-4545 (SD 5-Telemetry)	94,000.00
	2500-8125-4955 (SD 5-Harlem Pump Station)	115,000.00
	2500-8125-1492 (SD 5-Seasonal Laborers)	13,000.00
	2500-8125-8101 (SD 5-Employees' Retirement)	15,100.00
TO:	2300-8123-8902 (SD 3-Allocated FICA)	\$ 1,000.00
	2300-8123-8905 (SD 5-Allocated Fringes)	15,000.00
	2500-8125-9990 (Transfer to Capital Fund)	209,000.00
	2500-8125-1201 (General Crew Chief-SD 5)	4,000.00
	2500-8125-1203 (Working Crew Chief-SD 5)	9,000.00
	2500-8125-8121 (SD 5-Social Security)	1,000.00
	2500-8125-8902 (SD 5-Allocated FICA)	1,000.00
	2500-8125-8905 (SD 5-Allocated Fringes)	11,000.00
	2500-8135-8141 (Pl 5-Medical Insurance)	2,000.00
	2500-8135-8151 (Pl 5-Life Insurance)	100.00

RISK RETENTION FUND

FROM:	1000-1910-2798 (Appropriated Reserves)	\$50,000.00
TO:	1000-1930-4703 (Workers Compensation Claims)	\$50,000.00

CAPITAL FUND

FROM:	5015-1910-5031 (Interfund Transfer-In)	\$115,000.00
	5016-1910-5031 (Interfund Transfer-In)	94,000.00
	5811-7620-1105 (Sr. Citizens Ctr-Doors)	3,801.44
	5811-1910-5031 (Interfund Transfer-In)	20,918.09
	5011-1910-5031 (Interfund Transfer-In)	13,800.00
TO:	5015-8125-1102 (SD 5-Harlem Rd. Station)	\$115,000.00
	5016-8125-4545 (SD 5-Telemetry)	94,000.00
	5811-7620-1104 (Sr. Citizens Ctr-Heating)	3,801.44
	5811-7620-1104 (Sr. Citizens Ctr-Heating)	20,918.09
	5011-1625-1100 (Alexander Improvements)	13,800.00

Item No. 33 continued

GENERAL FUND

FROM: 0100-9010-8101 (Employee's Retirement) \$34,718.09
TO: 0100-9950-8002 (Transfer to Capital-Sr. Citizens
Heating) 20,918.09
0100-9950-8001 (Transfer to Capital-Alexander) 13,800.00

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
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 17, 1990 are hereby approved and made a part hereof:

GENERAL FUND	\$125,152.66
HIGHWAY FUND	36,501.38
TRUST & AGENCY FUND	3,306.12
HUD - CDBG FUND	3,087.70
PART TOWN FUND	3,336.37
RISK RETENTION FUND	32,741.08
STATE AHC FUND	382.00
DEBT SERVICE FUND	465.00
HUD REHAB. FUND	3,365.00
SPECIAL DISTRICT FUND	260,523.19
CAPITAL FUND	260,446.76
	<u>\$729,307.26</u>
	=====

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 35 Minutes of Cheektowaga Planning Board/November, 1990
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 36a Notice of Order: Left turns by traffic from south on the Main Thruway Plaza Driveway at Walden Avenue RT 952Q
Copies were sent to: Frank E. Swiatek, Supervisor; All Town Board Members; Christopher Kowal, Highway Department; Bruce Chamberlin, Chief of Police.
Received and Filed.

Item No. 36b Notice of Order: Right lane of westbound RT. 952Q-Walden Avenue, SH 663 for traffic turning into Access Road No. 2 of the Walden Galleria Mall
Copies were sent to: Frank E. Swiatek, Supervisor; All Town Board Members; Christopher Kowal, Highway Department; Bruce Chamberlin, Chief of Police.
Received and Filed.

MEETING NO. 28
December 17, 1990

- Item No. 37a Notice of Claim: Kelly L. Griffin vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Adjustco, Insurance Carriers
Received and Filed
- Item No. 37b Notice of Claim: Robert Avery vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Department; Adjustco, Insurance Carriers
Received and Filed
- Item No. 37c Notice of Claim: Dawn Wasieczko vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher Kowal, Highway Department; Adjustco, Insurance Carriers
Received and Filed
- Item No. 37d Notice of Claim: Dennis W. Wieczorek vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Bruce Chamberlin, Chief of Police; Adjustco, Insurance Carriers
Received and Filed
- Item No. 38 Notice of Petition: Consolidated Rail Corp. vs vs Town Assessor, Board of Assessment Review
Copies were sent to: Assessor's Office
Received and Filed
- Item No. 39 Correspondence from property owner regarding drainage: Strasmer & Transit Road
Copies were sent to: Engineering Dept.
Received and Filed

* * * * *

MOTION BY SUPERVISOR SWIA TEK 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 Jaworowicz, Gabryszak, Kulyk,
Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

SUSPENSION OF RULES

Item No. 40 Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, the need exists in the Cheektowaga Police Department for two (2) new police cars, and

WHEREAS, moneys are available in the 1990 Police Department budget for the purchase of these vehicles, and

WHEREAS, Warnock Fleet and Leasing, 175 Route 10, East Hanover, New Jersey has been awarded a contract by the State of New York for the sale of law enforcement passenger cars, NOW, THEREFORE, BE IT

Item No. 40 continued

RESOLVED that the Chief of the Cheektowaga Police Department be and hereby is authorized to purchase the following referenced vehicles from Warnock Fleet and Leasing as per State Contract #P36829:

Two (2) 1990 Chevrolet Caprice Classic automobiles with Setina Shield Prisoner Partition, Streethawk Light Bar System; including painting of hood and trunk lids Nightwatch blue; at a cost of \$15,690 each, for a total cost of \$31,380.

and, BE IT FURTHER

RESOLVED that moneys for such vehicles shall be appropriated from budget line item number 0100-3120-2303.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 41 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, it is the intention of the Cheektowaga Youth Bureau to enter into an agreement with Catholic Charities Manpower Services Department of 525 Washington Street, Buffalo, New York, 14203, whereby youth, ages 14 through 20, will receive job readiness training and assistance in securing part or full-time employment through the Youth Employment Program; and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, or creed, BE IT

RESOLVED that until an interdepartmental budget transfer can be affected into the appropriate line item in the 1991 budget, the Youth Bureau is authorized to send a Letter of Intent to Catholic Charities Manpower Services Department, to continue said program for a three (3) month period, January 1, 1991 through March 31, 1991.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, Osmose Wood Preserving, Inc. has submitted Change Order GC-1 in the amount of \$250.00 to inspect and in-place preservatively treat the last two feet of the east side exposed beam ends at the Reinstein Memorial Library, AND

WHEREAS, Scaffidi & Moore Architects have previously reviewed and approved Change Order GC-1 as being required and necessary restoration work, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves Change Order GC-1 as submitted by Osmose Wood Preserving, Inc., 4546 Tompkins Drive, Madison, Wisconsin 53708 in the amount of \$250.00, AND BE IT FURTHER

RESOLVED that funds for said improvements are available from Account #5811-7410-1101.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Councilman Rogowski Seconded by Councilman Kulyk

BE IT RESOLVED, that the following individuals be and hereby are re-appointed to serve on the Veterans Affairs Committee:

Kenneth Blum
35 Mafalda Drive
Cheektowaga, NY 14227

Joseph Lipowski
43 Mona Court
Depew, NY 14043

Alexander Burke
92 Claude Drive
Cheektowaga, NY 14206

Sylvia Lipowski
43 Mona Court
Depew, NY 14043

Victor Carlucci
5304 Transit Road
Depew, NY 14043

Earle Rosenthal
19 Leni Lane
Cheektowaga, NY 14225

Wesley Fuqua
98 Satinwood Drive
Cheektowaga, NY 14225

Elaine Rosenthal
19 Leni Lane
Cheektowaga, NY 14225

John Geck
76 Westchester Drive
Cheektowaga, NY 14225

George Ross
190 Patrick Lane
Cheektowaga, NY 14225

Dorothy Kubik
100 Carefree Lane
Cheektowaga, NY 14227

AND, BE IT FURTHER RESOLVED, that the term of such members of the Veterans Affairs Committee shall be for one year expiring on December 31, 1991.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 44 Motion by Supervisor Swiatek Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga owns the Cheektowaga Recreation Center building located at 2600 Harlem Road in the Town, and

WHEREAS, an ice rink is located inside the Cheektowaga Recreation Center, and

WHEREAS, various hockey clubs are interested in renting said ice skating rink for their hockey games, and

WHEREAS, such ice skating rink is available for use by hockey clubs in conjunction with the Cheektowaga Recreation Department's programs, NOW, THEREFORE, BE IT

RESOLVED that the following names hockey club be and hereby is granted a license to use the ice skating rink located in the Cheektowaga Recreation Center as per the terms of the attached License Agreement, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached License Agreement with Western New York High School Club Hockey.

* SEE NEXT PAGES FOR LICENSE AGREEMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

1990 - 1991

LICENSE AGREEMENT

ICE RENTAL

ORGANIZATION Western New York High School Club Hockey

NAME Paul Sellers

CHEEKTOWAGA RECREATION DEPARTMENT

ICE TIME REQUEST

1990 - 1991

NAME OF ORGANIZATION Western New York High School Club Hockey

NAME OF INDIVIDUAL TO CONTACT Paul Sellers

ADDRESS OF ABOVE 667 Fries Road, Tonawanda, NY 14150

HOME PHONE 832-2568 BUSINESS PHONE _____

RENTAL REQUEST

FROM: (DATE) See attached TO: (DATE) See attached

DAY OR DAYS See attached

TIME See attached

TOTAL HOURS PER WEEK See attached

COMMENTS: NOTE: Ice resurfacing included in rental time.

CHEEKTOWAGA CENTRAL CLUB HOCKEYTUESDAYS 9:00 - 10:30 P.M.

NOVEMBER 27

1½ hours

DECEMBER 4, 11, 18

4½ hours

JANUARY 5, 15, 22, 29

6 hours

FEBRUARY 5

1½ hours

12 hours - Total

12 hours x \$90 per hour = \$1,080.00

MARYVALE CLUB HOCKEYTHURSDAYS 9:00 - 10:30 P.M.

NOVEMBER 29

1½ hours

DECEMBER 6, 13, 20 27

6 hours

JANUARY 3, 10, 17, 24, 31

7½ hours

FEBRUARY 14

1½ hours

16½ hours - Total

16½ hours x \$90 per hour = \$1,485.00

TOTAL AMOUNT = \$2,565.00

- Paid
11-26-90

LICENSE AGREEMENT

THIS AGREEMENT, made and entered into the 9th day of October, 19 90, by and between the TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a domestic municipal corporation having its principal place of business at Broadway and Union Road, Cheektowaga, New York, 14227, hereinafter referred to as the "TOWN"

and

Western New York High School Club Hockey (a domestic corporation duly organized under the laws of the State of New York) (a partnership) (an individual) (an unincorporated association) having its principal office for the transaction of business at 667 Fries Road, Tonawanda, NY 14150 New York, hereinafter referred to as the "LICENSEE".

WITNESSETH:

WHEREAS, the Town is the owner of the Cheektowaga Recreation Center located at 2600 Harlem Road in Cheektowaga Town Park, Cheektowaga, New York 14225, and

WHEREAS, the LICENSEE is desirous of renting the ice skating rink located in the Cheektowaga Recreation Center.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES HERETO;

1. PREMISES: The Town hereby grants a license to the LICENSEE to use the ice skating rink, including player and penalty boxes, and a dressing room designated by the Town, located in the Cheektowaga Recreation Center, on an exclusive basis, for each date and time that this license is in effect.

In addition, this license shall include the non-exclusive use of the lobby, vestibule and other public facilities, including parking areas, as any or all of the foregoing are appropriate to the particular use of the said Recreation Center as herein permitted.

2. TERM: The term of this license shall be as specified on the form known as "ICE RENTAL CONTRACT AND RECEIPT FORM" which is attached hereto and made a part hereof as though set forth a length herein.

3. RENT: The LICENSEE agrees to pay to the TOWN a total rental of \$2,565.00

which sum shall be paid as follows:

On or before	November 26, 1990	\$ 855.00	<i>PL</i>	11-26-90
	January 7, 1991	\$ 855.00	<i>PL</i>	11-26-90
	February 4, 1991	\$ 855.00	<i>PL</i>	11-26-90
		\$		
		\$		

In the event that any of the above mentioned rental payments are not made at the time specified for such payment, the TOWN shall have the right to cancel this license without notice to the LICENSEE.

4. USE OF PREMISES:

- a) The LICENSEE's use of the said Recreation Center is limited to hockey and ice skating only.
- b) The LICENSEE shall cause any spectators to sit in such areas as may be designated by the TOWN.
- c) The LICENSEE shall keep the areas used in good and clean condition, and shall not permit the accumulation of rubbish or debris on the premises.
- d) The LICENSEE shall return to premises, at the termination of this license, in the same condition as at the commencement of the term of this license, normal wear and tear expected; and shall be responsible for all damages which are caused by or through the acts or omissions of the LICENSEE, its agents, employees, and/or invitees.
- e) No alcoholic beverages will be allowed in or on the premises.
- f) The LICENSEE shall comply with all laws, rules and regulations of any municipal authority, including police, fire, safety and health regulations and the reasonable requirements of the TOWN.
- g) The LICENSEE shall not assign, convey, transfer, sublet or otherwise dispose of this license to any other person, organization, firm or cooperation without first obtaining the written consent of the TOWN and/or the Recreation and Parks Committee of the Town of Cheektowaga.

5. UTILITIES AND ICE CLEANING SERVICES: The TOWN shall provide all water, heat, gas, oil and electrical current for the usage of the LICENSEE in the areas assigned herein. In addition, the TOWN shall provide for the cleaning of the ice facilities and the rink and for snow removal in the parking areas; however, the TOWN shall not be liable for any interruption or delay in any of the above mentioned services.
6. INSURANCE: The LICENSEE shall procure and pay for General Liability insurance in the amounts of \$500,000 each occurrence and \$1,000,000 aggregate for bodily injury and property damage combined with such insurance to cover participants for any activities performed on TOWN premises. The TOWN, its agents and employees shall be named as additional insureds under such policy or policies, and such insurance shall be primary to any other insurance protecting the TOWN. The LICENSEE shall provide the Town with a Certificate of the Insurance which states the TOWN shall be given at least thirty (30) days advance written notice of cancellation, non-renewal, or material change of the insurance required of the LICENSEE. In the event of cancellation, non-renewal, or material change of such insurance, the TOWN shall have the right to cancel this license.
7. NONLIABILITY OF OWNER: This license is made upon the express condition that the TOWN shall be free from all liabilities in claims for damages and/or lawsuits for or by reason of any injury or injuries to any person or property of any kind whatsoever, from any cause or causes whatsoever while in or upon said premises during the term of this license or occasioned by any occupancy or use of said premises or any activity carried on by LICENSEE in connection herewith, and LICENSEE hereby covenants and agrees to indemnify and hold harmless the TOWN from all liabilities, charges, claims, expenses (including attorney fees) and costs on account of or by reason of such injuries, liabilities, claims, lawsuits or losses however occurring and damages arising from same.

8. FORCE MAJEURE: In the event of total or partial destruction of the Recreation Center by fire or other peril, or by any act of nature, during the term of this license or subsequent to its execution, the TOWN shall have the option of terminating this license by giving the LICENSEE written notice to that effect or by repairing the premises with due diligence and continuing this license in effect. Should the TOWN decide to repair the damage with due diligence, the rent for the period required for such repair shall be equitably reduced in proportion to the reduction, if any, in usable space of the premises.

Other peril, as above mentioned, shall be interpreted to include power failure, compressor failure and Zamboni failure.

In addition, no claim shall be made by the LICENSEE against the TOWN based upon any shutdown of the Recreation Center caused by inclement weather, faulty construction or equipment, or for any other reason whatsoever other than the gross negligence of the TOWN.

9. MISCELLANEOUS PROVISIONS: This license agreement contains the entire agreement between the parties hereto, and there are no understandings, agreements or representations, express or implied, not specified herein respecting this license.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this license agreement as of the day and first written above.

X Paul L. Sellers Jr
Licensee

By: Trent E. Smith
Town of Cheektowaga Supervisor

By: Michael J. Micznickowski
Director of Recreation

STATE OF NEW YORK)
) SS:
COUNTY OF ERIE)

On this 21st day of November 1990, before me, the
subscriber, personally appeared Paul T. Sellers Sr.
to me personally known and known to me to be the same person described in
and who executed the within instrument, and (he, she, they) acknowledged to
me that (he, she, they) executed the same.

Leraoine L. Tillman
Notary Public

GERALDINE L. TILLMAN
Notary Public, State of New York
Qualified in Erie
My Commission Expires April 30, 1991

MEETING NO. 28
December 17, 1990

Item No. 45

Motion by Supervisor Swiatek and seconded by Councilman Kulyk to adjourn the meeting to December 27, 1990 at 6:00 p.m. Meeting was also adjourned in memory of Richard Jezioro and Charles Miecznikowski

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 27th day of December, 1990 at 6:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT:

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney.

I. FROM THE TABLE

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

WHEREAS, the Town Board has an interest in constant review and re-evaluation of services and how those services are provided, AND

WHEREAS, upon examination of the 1991 budget, the Board recommends that a consolidation of the Recreation Department into the Youth Bureau would provide services at a greater economy, AND

WHEREAS, in that consolidation, a reorganization would occur, causing elimination of a department head position, NOW, THEREFORE, BE IT

RESOLVED, that the position of Director of Recreation is hereby abolished effective January 1, 1991.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

II. RESOLUTIONS

Item No. 3 Motion by Councilman Rogowski Seconded by Councilman Blachowski

WHEREAS, this Town Board held a public hearing on November 19, 1990 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:

Item No. 3 continued

ARTICLE X

Parking, Standing and Stopping

Section 76-101 All-night parking

Add between the words "Marne Road" and "Preston Place" the following wording:

"Peachtree 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 Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf, 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 January 3, 1991;
last publication January 3, 1991;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
Sworn to before me this 3rd
day of January, 1991
Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICES

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 27th day of December, 1990 at 6:00 o'clock p.m. Standard Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by: Councilman Rogowski
Seconded by Councilman Blachowski

WHEREAS, this Town Board held a public hearing on November 19, 1990 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 X

Parking, Standing and Stopping

Section 76-101 All-night parking
Add between the words "Marne Road" and "Preston Place" the following wording:

"Peachtree 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 Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE
Councilman Blachowski 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-adjourned 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 27, 1990, 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 27TH day of December, 1990.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: January 3, 1990

ADJOURNED MEETING NO. 29
December 27, 1990

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

WHEREAS, by resolution dated December 17, 1990, this Town Board approved the execution of an agreement with the Village of Sloan for the use of facilities within Sanitary Sewer District No. 3, and

WHEREAS, the term of such proposed agreement was to be for five years, and

WHEREAS, the Village of Sloan has indicated that it only wants a two year agreement with the Town at this Time, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolution dated December 17, 1990 be and hereby is rescinded, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached two year agreement with the Village of Sloan for the use of facilities within Sanitary Sewer District No. 3.

* SEE NEXT PAGES FOR AGREEMENT

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AGREEMENT

THIS AGREEMENT made and entered into as of the 27th day of December, 1970 by and between the TOWN OF CHEEKTOWAGA, a municipal corporation organized under the laws of the State of New York, having its office and principal place of business at Town Hall, Broadway and Union Road, Cheektowaga, New York (hereinafter referred to as "Town"); and the VILLAGE OF SLOAN, a municipal corporation having its office and principal place of business at 425 Reiman Street, Sloan, New York (hereinafter referred to as "Village").

WITNESSETH:

WHEREAS, the Town Board of the Town of Cheektowaga act as the Commissioners of Sanitary Sewer District No. 3 of the Town of Cheektowaga, and

WHEREAS, a portion of the Village of Sloan is located within the boundaries of Sanitary Sewer District No. 3, and

WHEREAS, the Town accepts wastewaters from the Village and conveys same for treatment at the Buffalo Sewer Authority Wastewater Treatment Plant through facilities of Sanitary Sewer District No. 3, and

WHEREAS, the parties wish to enter into an agreement for the continuation of the collection and treatment of the wastewater generated within the Village

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged and of the mutual covenants herein contained, the parties hereto hereby agree as follows:

1. Services Provided.

The Town, on behalf of Sanitary Sewer District No. 3 of the Town shall allow the Village to tie into and use the sewer lines and other facilities of Sanitary Sewer District No. 3.

2. Wastewater Discharge Regulations.

The Village acknowledges that wastewaters discharged into Town Sanitary Sewer District No. 3 facilities discharges into Erie County Sewer District No. 4 and Buffalo Sewer Authority facilities, and herein agrees to comply with rules and regulations applicable to discharges into such systems.

3. Compensation

The Village shall make annual payments to the Town in an amount equivalent to 4.5% of the annual treatment budget of Sanitary Sewer District No. 3, said amount being the proportionate value of the total assessed value of properties located within Sanitary Sewer District No. 3. Payment is to be made on or before March 31st of the subsequent year.

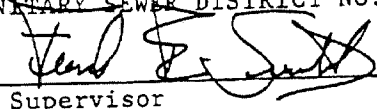
4. Term

The term of this agreement shall be two (2) years, commencing January 1, 1990 and terminating December 31, 1991.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

TOWN OF CHEEKTOWAGA
(SANITARY SEWER DISTRICT NO. 3)

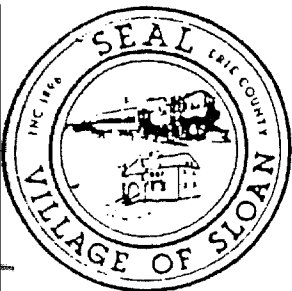
By


Supervisor

VILLAGE OF SLOAN

By


Mayor



Village of Sloan

425 Reiman Street
Sloan, New York 14212
716-897-1560

Village Board
Mayor
Adeline Sicignano
Trustees
Stanley Sikora
Florence Pajak
Diane Nawotka
Frank Marczak

Patrica J. Krzemien
Village Clerk / Treasurer

January 9, 1991

At a regular meeting of the Village Board of the Village of Sloan, Erie County, New York held at the Sloan Municipal Building, 425 Reiman Street, on the 8th day of January, 1991 at 7:00 PM local time there were:

PRESENT: Mayor Adeline Sicignano
Trustee Stanley Sikora
Trustee Florence Pajak
Trustee Diane Nawotka
ABSENT: Trustee Frank Marczak

Motion by Trustee Pajak

Second by Trustee Sikora

Authorization is hereby given for the Mayor to sign a two (2) year agreement with the Town of Cheektowaga for the use of facilities within the Town Sanitary Sewer District # 3.

AYES: 5

NAYES: 0

State of New York)
County of Erie)
Village of Sloan)

This is to certify that Patricia J. Krzemien
clerk of the Village of Sloan, in the said county
of Erie, have compared the fore-going copy of

Resolution
with the original thereof filed in my office at
425 Reiman St., Sloan, New York on the 8th day
of January, 1991 and that the same is a true
and correct copy of said original, and of the
whole thereof.

seal

IN WITNESS WHEREOF, I have set my hand and affixed
the seal of said Village this 9th day of

January, 1991.

Patricia J. Krzemien
Village Clerk
Village of Sloan
Erie County, New York

Item No. 5a Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated February 5, 1990, this Town Board entered into a contract with Bella Vista Group, Inc. to purchase land for the proposed Cheektowaga Municipal Golf Course, and

WHEREAS, such contract also required the Town to grant Bella Vista Group, Inc., its successors and assigns, certain easements and licenses over Town land, and

WHEREAS, Bella Vista Group, Inc. has assigned some of its easement rights under such contract to Industrial V of Western New York, Inc., and

WHEREAS, the various easement and license documents have now been prepared and have been approved as to form by the Town Engineer and the Town Attorney, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the following referenced easement and license agreements which are attached hereto:

1. 60-foot-wide easement granting Industrial V of Western New York, Inc. the right to install a roadway for emergency vehicle use from the end of Lewan Drive westerly 748+ feet.

2. 60-foot-wide easement granting Industrial V of Western New York, Inc. the right to install utilities from the end of Lewan Drive Westerly 748+ feet.

3. 60-foot-wide easement granting Bella Vista Group, Inc. the right to install utilities from the end of Rehm Road westerly 1,248+ feet.

4. 60-foot-wide easement and license granting Industrial V of Western New York, Inc. the right to install a roadway from the end of Sonwil Drive (presently a private roadway) southwesterly a distance of 257+ feet.

5. 60-foot-wide easement and license granting Bella Vista Group, Inc. the right to install a roadway from the end of Rehm Road southwesterly a distance of 356.5+ feet.

and, BE IT FURTHER

RESOLVED, that these easement and licenses are subject to the permissive referendum requirements of the Town Law of the State of New York, and 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.

5. 60-foot-wide easement and license granting Bella Vista Group, Inc. the right to install a roadway from the end of Rehm Road southwesterly a distance of 356.5+ feet.

and, BE IT FURTHER

RESOLVED, that these easement and licenses are subject to the permissive referendum requirements of the Town Law of the State of New York, and 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 December 27, 1990, adopted a resolution authorizing the granting of the following referenced easements and licenses over Town-owned land located in the Rehm Road/Sonwil Drive area of Town:

ADJOURNED MEETING NO. 29
December 27, 1990

Item No. 5a continued

1. 60-foot-easement granting Industrial V of Western New York, Inc. the right to install a roadway for emergency vehicle use from the end of Lewan Drive westerly 748+ feet.

2. 60-foot-wide easement granting Industrial V of Western New York, Inc. the right to install utilities from the end of Lewan Drive westerly 748+ feet.

3. 60-foot-wide easement granting Bella Vista Group, Inc. the right to install utilities from the end of Rehm Road westerly 1,248+ feet.

4. 60-foot-wide easement and license granting Industrial V of Western New York, Inc. the right to install a roadway from the end of Sonwil Drive (presently a private roadway) southwesterly a distance of 257+ feet.

5. 60-foot-wide easement and license granting Bella Vista Group, Inc. the right to install a roadway from the end of Rehm Road southwesterly a distance of 356.5+ feet.

A copy of the easements and license agreements for such properties is available in the Town Clerk's Office at the Town Hall, Broadway and Union Road, Cheektowaga, New York, where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permission referendum under Article 7 of the Town Law of the State of New York.

Dated: December 27, 1990

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

Richard M. Moleski
Town Clerk

* * * * *

MOTION BY COUNCILMAN GABRYSZAK AND SECONDED BY COUNCILMAN SOLECKI TO TABLE THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5b Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

WHEREAS, the Cheektowaga Youth Bureau is desirous of sponsoring two weekend camp experiences for developmentally disabled youngsters, from February 1st through February 3, 1991 and from February 22nd through February 24th, 1991, 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 \$500 per weekend, 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.
(01-7310-0004-4693)

ADJOURNED MEETING NO. 29
December 27, 1990

Item No. 5b continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6 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 December 12, 1990, rendered the determinations shown on the attached memo dated December 13, 1990, with respect to proposed additional parking areas for the Walden Galleria Mall, and

WHEREAS, this Town Board has reviewed the applications submitted and recommendations made by the Environmental Advisory Committee for said parking areas NOW, THEREFORE, BE IT

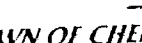
RESOLVED that this Town Board hereby determines that the construction of the proposed additional parking areas for the Walden Galleria Mall will not have a significant effect on the environment provided the following conditions are adhered to:

1. Sidewalks be installed by the applicant at its expense along those portions of Galleria Drive upon which the parking areas front.
2. Final drainage approvals of the Town Engineer and Highway Engineer for such parking areas must be received.
3. Realignment of the driveway in the area north of Galleria Drive to form a four-way intersection with the existing exit from the mall and Galleria Drive.
4. The applicant is to ensure that the sites are investigated as to the possible existence of wetlands and compliance with applicable regulations.

* SEE NEXT PAGES

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0



TOWN OF CHEEKTOWAGA
Cheektowaga, New York

TOWN OF CHEEKTOWAGA
Erie County, New York

For example, let $\mathbf{A} = \begin{bmatrix} 1 & 2 \\ 3 & 4 \end{bmatrix}$ and $\mathbf{B} = \begin{bmatrix} 4 & 3 \\ 2 & 1 \end{bmatrix}$. Then

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: December 13, 1990

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, 1990, in the Town Hall Council Chambers.

ITEM I	Walden Galleria	- Proposed Additional Parking Areas
--------	-----------------	--

Applicant: Pyramind Company of Buffalo

Determination: Non-Significant With Conditions. The applicant proposes to construct parking areas to provide additional parking for employees and patrons of the Walden Galleria Mall. The project consists of three areas to be paved but only two areas are subject to environmental review. The area north of Galleria Drive adjacent to the end of Fath Drive was originally part of the overall plan for the mall. This area will now be paved to provide parking. The other areas are located on the south side of Galleria Drive, Area B located directly to the east of the U.S. Post Office facility and Area C at the juncture of the "Mall Ring" Road, McKesson Parkway and Scajacquada Creek.

The Town Engineer has reviewed the plans for the parking areas and has given preliminary approval to them. Some details must be worked out and approved by the Town Engineer and Highway Engineer.

The applicant has met with members of the Traffic Safety Commission and the results of the meeting have caused the realignment of the driveway in the area north of Galleria Drive. This will form a four-way intersection with the existing exit from the Mall and Galleria Drive.

RE: EQR - December 12, 1990
December 13, 1990
Page: 2

Data is still being gathered so that a determination in the future may be made on the need for a signal at that intersection.

The conditions are as follows:

- ° Final drainage approval from the Town Engineer and Highway Engineer.
- ° The applicant is to ensure that the sites are investigated as to the possible existence of wetlands and compliance with applicable regulations.
- ° Should there be a need for sidewalks in the future, they will be installed at the expense of the developer.

ITEM II Union Road Near Floral - Proposed Rick's Hardware

Applicant: Richard Laspisa

Determination: Non-Significant.

The applicant has submitted a new site plan which will eliminate the need for rezoning the lot along Floral Place. The new store will be approximately 8,700 square feet. Parking will be in the front of the building and to the north. Parking at the north will be shared with C.J.'s Midtown Grill. A legal agreement approved by the Town Attorney will be drawn up to allow for shared parking.

The applicant has applied for a number of variances from the Zoning Board of Appeals. Specifically he will need a variance for construction of the building closer to Union Road than now allowed and for construction closer to the rear lot lines. Also a variance must be obtained to place the dumpster in the proposed location next to the loading dock. The store will be one story in height, and although architectural renderings are not available, will be designed similar to new buildings in the area. The applicant was informed that these architectural renderings must be submitted to the committee for their review due to the location of this property across from a National Landmark, the Chapel of Our Lady Help of Christians.

The applicant was also informed that a final drainage plan must be submitted to the Town Engineer prior to approval of a building permit and that the dumpster, if approved for that location, must be screened from view of Union Road traffic preferably by an architectural extension of the building.

ADJOURNED MEETING NO. 29
December 27, 1990

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

WHEREAS, as part of the Town's personnel reorganization, the Town has determined that a need exists to establish (2) positions of Traffic Maintenance Worker, NOW, THEREFORE, BE IT

RESOLVED that (2) positions of Traffic Maintenance Worker be and hereby are established, pending jurisdictional classification pursuant to the rules of the Erie County Department of Personnel, AND, BE IT FURTHER

RESOLVED that the Employee Relations Department be and hereby is directed to process the necessary paperwork to obtain such jurisdictional classification, AND BE IT FURTHER

RESOLVED that the salary for said position is to be negotiated between the Town and the Town of Cheektowaga Employees Association.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

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

GENERAL FUND

FROM:	9010-8101 (Employee's Retirement)	\$ 400.00
	1220-4321 (Supervisor-Computer Expense)	1,500.00
	1330-4431 (Tax-Equipment Repairs and Maint)	450.00
	3120-4007 (Police-Emergency Response Team)	2,000.00
	3120-1541 (Police-Patrolmen)	7,450.00
	3310-4478 (Traffic Signal Upgrade)	7,600.00
	3120-4085 (Police-Education Expense)	1,100.00
	3120-1531 (Police-Detective)	3,450.00
	3310-4476 (Traffic Signal Repairs)	2,250.00
TO:	6410-4194 (Publicity)	400.00
	1220-4011 (Supervisor-Printed Forms-Checks)	1,500.00
	1330-4001 (Tax-Office Supplies)	450.00
	1430-1391 (Personnel-Part Time Clerical)	200.00
	3120-4009 (Scientific Investigation Supplies)	2,000.00
	3120-1374 (Police-Clerk Typist)	5,400.00
	3120-2501 (Police-Operations Equipment)	9,700.00
	3020-2513 (Police Communications Equipment)	4,500.00
	3310-4217 (Traffic Signal Utility Costs)	2,250.00

HIGHWAY FUND

FROM:	Approved at 12/17 Meeting	\$102,760.00
	5110-4178 (General Improve.-Blacktop)	5,000.00
	5150-4178 (Improvement Fund-Blacktop)	82,000.00
	5141-1202 (Auto Mechanic Crew Chief)	15,000.00
	5141-1491 (Part Time Laborer)	2,000.00
TO:	5110-4162 (Gasoline and Oil)	20,000.00
	5110-1701 (General Highway Labor)	82,760.00
	5130-4462 (Machinery-Parts and Supplies)	5,000.00
	5142-4029 (Snow Removal-Salt)	82,000.00
	5141-1203 (Working Foreman)	15,000.00
	5141-1391 (Part Time Clerical)	2,000.00

ADJOURNED MEETING NO. 29
December 27, 1990

Item No. 8 continued

CAPITAL FUND

FROM: 5802-1910-2401 (Dispatch Remodeling-Interest) \$ 135.64
TO: 5802-3120-0220 (Dispatch Remodeling Construction) 135.64

* * * * *

MOTION BY COUNCILMAN JAWOROWICZ AND SECONDED BY SUPERVISOR SWIATEK TO AMEND THE ABOVE RESOLUTION TO DELETE \$9,700.00 and \$4,500.00 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Solecki
Rogowski and Blachowski
NAYES: Councilman Solecki
ABSENT: 0

* * * * *

Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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

GENERAL FUND

FROM: 9010-8101 (Employee's Retirement) \$ 400.00
1220-4321 (Supervisor-Computer Expense) 1,500.00
1330-4431 (Tax-Equipment Repairs and Maint) 450.00
3120-4007 (Police-Emergency Response Team) 2,000.00
3310-4478 (Traffic Signal Upgrade) 7,600.00
3310-4476 (Traffic Signal Repairs) 50.00
TO: 6410-4194 (Publicity) 200.00
1220-4011 (Supervisor-Printed Forms-Checks) 1,500.00
1330-4001 (Tax-Office Supplies) 450.00
1430-1391 (Personnel-Part Time Clerical) 200.00
3120-4009 (Scientific Investigation Supplies) 2,000.00
3120-1374 (Police-Clerk typist) 5,400.00
3310-4217 (Traffic Signal Utility Costs) 2,250.00

HIGHWAY FUND

FROM: Approved at 12/17 Meeting \$102,760.00
5110-4178 (General Improve.-Blacktop) 5,000.00
5150-4178 (Improvement Fund-Blacktop) 82,000.00
5141-1202 (Auto Mechanic Crew Chief) 15,000.00
5141-1491 (Part Time Laborer) 2,000.00
TO: 5110-4162 (Gasoline and Oil) 20,000.00
5110-1701 (General Highway Labor) 82,760.00
5130-4462 (Machinery-Parts and Supplies) 5,000.00
5142-4029 (Snow Removal-Salt) 82,000.00
5141-1203 (Working Foreman) 15,000.00
5141-1391 (Part Time Clerical) 2,000.00

CAPITAL FUND

FROM: 5802-1910-2401 (Dispatch Remodeling-Interest) \$ 135.64
TO: 5802-3120-0220 (Dispatch Remodeling Construction) 135.64

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

ADJOURNED MEETING NO. 29
December 27, 1990

Item No. 9 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 27, 1990 are hereby approved and made a part hereof:

GENERAL FUND	\$1,423,449.18
HIGHWAY FUND	335,205.55
TRUST & AGENCY FUND	17,915.57
PART TOWN FUND	38,426.41
RISK RETENTION FUND	110,493.48
DEBT SERVICE FUND	11,952.50
HUD REHAB. FUND	11,737.80
CAPITAL FUND	928,680.26
SPECIAL DISTRICT FUND	1,232,369.42
	<u>\$4,110,230.17</u>
	=====

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Kulyk and seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI,
Town Clerk