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

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2	Rezoning of property at 5114 Transit Road from C-Retail Business to CM-General Commercial District and Special Use Permit for retail & gasoline sales
3	Rezoning of property at 2463 Union Road from RC-Restricted Business to C-Retail Business District
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Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of January, 1991 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; 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; John Schaller, Assistant Chief of Police; John Howlett, Captain; Christopher J. Kowal, Highway Superintendent; James Kirisits, Town Attorney; Kenneth Kopacz, Director of Youth & Recreational Services; Donald Wegner, Zoning Inspector; Leonard Szymanski, Foreman of Facilities Dept.; Lawrence Brownell; Patricia Staniaszek; and Patricia Wojcik.

I. FROM THE TABLE

Item No. 2 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.

Item No. 2 continued

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 easements 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:

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 permissive 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

* *

Item No. 2 continued

*SEE NEXT PAGE FOR ATTACHMENTS

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

AFFADAVIT - NEXT PAGE

EASEMENT (i)

THIS INDENTURE, made and entered into as of the 11th day of February, 1991, by and between **TOWN OF CHEEKTOWAGA, NEW YORK**, a domestic municipal corporation having its principal office and place of business located at Town Hall, Broadway and Union Road, Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the "Town" and/or "Owner", and **INDUSTRIAL V OF WESTERN NEW YORK, INC.**, a domestic corporation organized under the laws of the State of New York, with its principal office and place of business located at 65 Meadow Run, Hamburg, New York, hereinafter referred to as the "Grantee".

WITNESSETH

THAT the Town, in consideration of the sum of One and No/100 ($1.00 & NO MORE) Dollars, and other good and valuable consideration as more specifically set forth in an Agreement between the Town and Bella Vista Group, Inc., (who assigned its rights to certain easements as set forth in the Agreement, to the extent they benefit and/or affect premises as described in "Schedule B" hereto, said premises being referred to in the Contract as "BVG Exception II", to Industrial V of Western New York, Inc., the Grantee herein) for the sale of certain lands dated the 8th day of February, 1990, does hereby grant and release unto the Grantee, its lessees, licensees, successors and assigns (the term "Grantee" as used herein shall include and refers to any or all of the aforementioned) forever, a permanent non-exclusive right-of-way and easement, with the right, privilege and authority to install, construct, lay, relay, reconstruct, operate, maintain, repair, replace, extend, inspect, change the size of or remove a roadway, which shall provide a second means of ingress and egress to and from the Development Parcel from and to Lewan Drive only for emergency use by emergency vehicles (i.e. - fire, ambulance, police, etc.) in, upon, under, through and across that portion of the real property of the Town described in "Schedule A" and as shown on a sketch of the property attached hereto as "Schedule A-1", annexed hereto and made a part hereof; standards for the improvements covered by this Easement shall be as necessary to provide for its intended purpose.

TOGETHER, with the temporary right of reasonable ingress and egress over, and entry upon the adjacent real property of the Town, for construction purposes.

RESERVING, to the Town, its successors and assigns, licensees and lessees, the right of reasonable ingress and egress over the Easement herein unto the Town. Subject to:

(a) the Grantee's successors and assigns, licensees and lessees maintenance of said roadway for which this Easement was granted in good and proper condition, and

(b) the Grantee's successors and assigns, licensees and lessees causing any work performed in the exercise of the rights and privileges granted herein to be properly completed, and causing all property of the Town to be restored as nearly as possibly to the condition the same was in immediately before the commencement of any such work, and in the case of any repair and maintenance which are not an emergency, said work is to be done at such time so as to least interfere with the use of the improvement as a municipal golf course; the time and conditions of said repair and maintenance to be mutually agreed upon by the parties hereto and/or their successors and assigns with said approval not to be unreasonably withheld, and

(c) the Grantee's requiring any contract for the performance of any such work to include a requirement that the party doing the work maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD, the rights and Easements herein granted unto the Grantee, its successors, assigns, licensees and lessees forever. All improvements laid or to be laid by or for the Grantee, its successors or assigns and/or its contractors in relation to any of the aforementioned rights set forth herein shall be and remain the property of the Grantee, its successors or assigns, forever.

AND, the Town covenants as follows:

FIRST: that the Town is seized of the said premises in fee simple, and has good right to convey the same, subject to any presently pending litigation pertaining to condemnation of the property covered by this Easement;

SECOND: that the Grantee shall quietly enjoy the said rights and Easements;

THIRD: that said premises are free and clear from encumbrances;

FOURTH: that the Town will execute or procure any further necessary assurances of the title of said rights and Easements;

FIFTH: that the Town will forever warrant the title to the said rights and easements; and

SIXTH: that this Easement shall run with the land.

THE TOWN hereby agrees that no permanent structures may be built within the Easement, which structure(s) would interfere with the use and rights as set forth herein, except if the said Easement is within a dedicated right-of-way and said structure is necessary for the construction, operation and/or maintenance thereof; and except where prior written permission is obtained from the Grantee, which permission shall not be unreasonably withheld.

THIS EASEMENT shall apply to all interest now owned or hereafter acquired by the Town in the above-described property.

THE PARTIES hereto agree to indemnify each other and save each other harmless, their respective officers, employees, agents, successors and assigns from all claims, liability(s), cost and expenses for loss or damage to property and for injuries to or death of persons arising out of either party improperly exercising or not exercising its rights as set forth hereunder.

THE TOWN agrees with the Grantee, on its behalf and/or on behalf of its successors and assigns that this is a covenant running with the land, and that the existing grade following the installation of the roadway which the Grantee is allowed to install as set forth herein, will remain undisturbed and unchanged.

THE TOWN acknowledges that the Grantee has the right to assign its rights under this Right-of-Way and Easement to any subsequent purchaser of the property as described in "Schedule B".

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and these presents to be signed by its duly authorized officers the day and year first above written.

TOWN OF CHEEKTOWAGA

BY: _____
Frank E. Swiatek, Supervisor

INDUSTRIAL V OF WESTERN NEW YORK, INC.

BY: _____
Russell Gugino, President

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

On this 11th day of February, 1991, before me personally came FRANK E. SWIATEK, to me personally 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, the corporation described in and who executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board; and that he signed his name thereto by like order.

Kevin G. Schenk
Notary Public

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 1993

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

On this _____ day of , 199 , before me appeared the above named RUSSELL GUGINO, to me personally known, who, being by me duly sworn, did say that he resides at Hamburg, New York 14075, that he is PRESIDENT of INDUSTRIAL V OF WESTERN NEW YORK, INC., and he acknowledged that he executed this instrument at the direction of the Board of Directors.

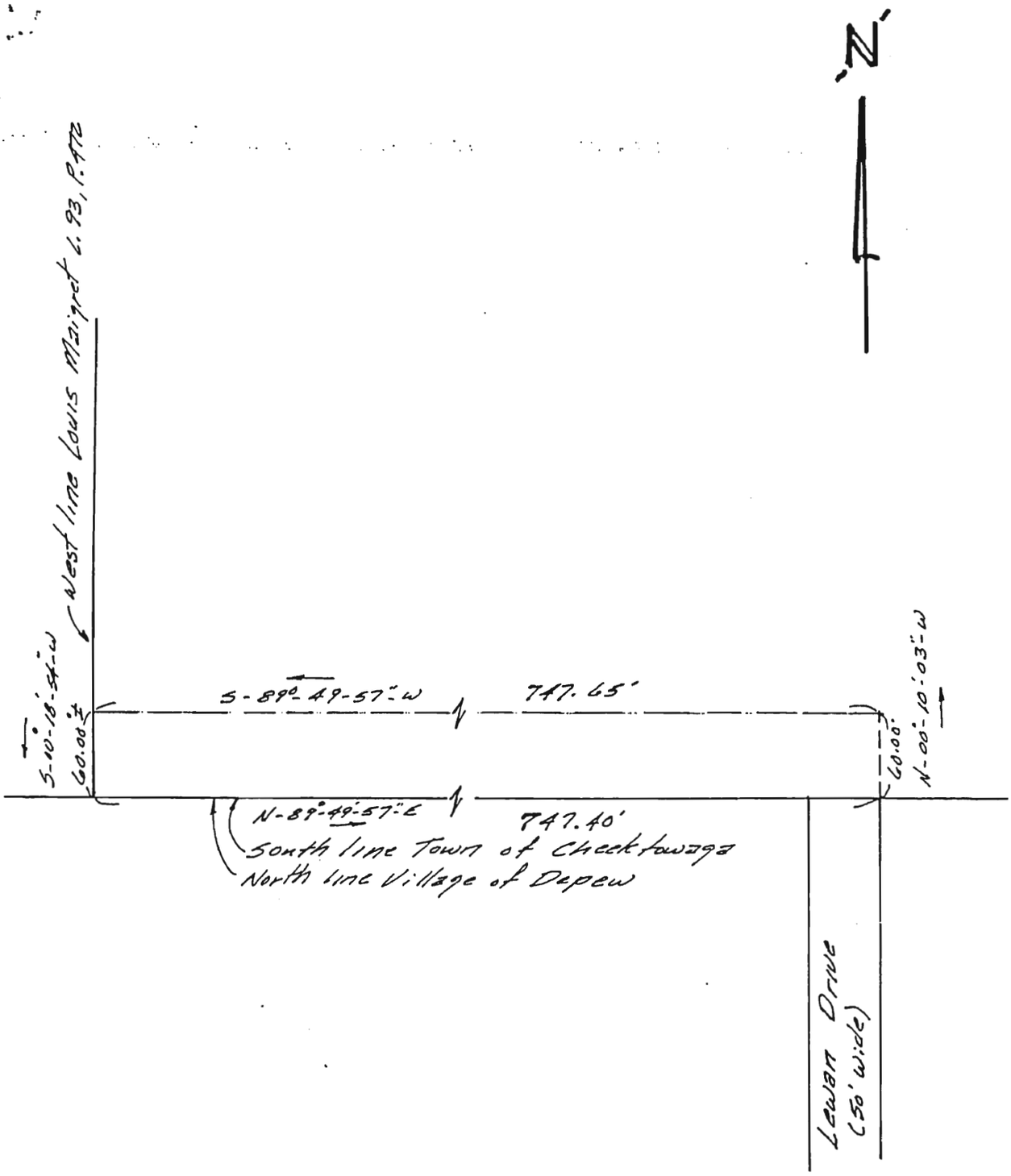
_____
Notary Public

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the point of intersection of the east line of Lewan Drive (50' wide) and the south line of the Town of Cheektowaga, thence N 00°10'03 " W, 60.00 feet to a point; thence S 89°49'57" W, 747.65 feet to a point on the west line of lands conveyed to Louis Maigret by Liber 93 of Deeds at Page 472; thence S 00°18'54" W along the last mentioned line 60.00 feet, more or less, to a point on the south line of the Town of Cheektowaga; thence N 89°49'57" E, along the south line of the Town of Cheektowaga, 747.40 ft. to the POINT OF BEGINNING.

Containing 1.03 more or less acres.



SKETCH OF
INGRESS, EGRESS & UTILITY EASEMENT

Part of Lot 74, T-11, R-7
Town of Checktowaga
Erie County -New York

EASEMENT (i) AND (ii)

SCHEDULE A-1

Scale : 1" = 100'
Date : 1-17-90

SCHEDULE B

ALL THAT CERTAIN PIECE OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 74, Township 11, and Range 7 of the Holland Land Company's survey, bounded and described as follows:

COMMENCING at a point in the southerly line of said Lot 74, where the same is intersected by the easterly line of that parcel of land described and designated Parcel No. 3 in Deed from New York State Realty and Terminal Company; Predecessor of the Grantor, to the New York Central Railroad Company, dated December 24, 1927, recorded in the Office of the Clerk of said County of Erie in Liber 1970 of Deeds, at page 156; and running thence northerly, along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid, said line also being the westerly line of lands described in a Deed to Lawrence Reger et al recorded in the Erie County Clerk's office in Liber 7438 of Deeds at page 233, 1184.47 feet to the north west corner of said land conveyed to Reger pursuant to the aforesaid Deed to the principal point of beginning thence 1370.43 feet along the east line of Parcel 3 in the aforesaid Deed to New york Central Railroad Company to a jog or offset therein; thence easterlyand at right angles to the last course along said jog or offset, 30 feet; thence northerly, continuing along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid 844.82 feet to the northeasterly corner thereof; thence easterly along the northerly line of Lot 74, 344.16 feet, more or less, to the easterly line of that parcel of land described in Deed from Catherine Gangloff (also known as Katharina Gangloff) to New York State Realty and Terminal Company, dated July 1, 1925, recorded in the Office of the Clerk of said County of Erie in Liber 1691 of Deeds, at page 244; said line also being the west line of lands conveyed by dead from Ross Wagner to Conthru, Inc. dated December 15, 1986 recorded in the Office of the Erie County Clerk in Liber 9688 of Deeds at page 474 on December 31, 1986; thence southerly along the easterly line of that parcel of land described in Deed from Catherine Gangloff to New York State Realty and Terminal Company dated and recorded as aforesaid, 2213.67 feet to a point in the north line of the Deed to Lawrence Reger et al recorded as aforesaid, thence westerly along the aforesaid northerly line of Reger's land 159.42 to the principal point and place of beginning.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 74, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the south line of the Town of Cheektowaga with the east line of lands conveyed to Edward Mader, Jr. by dead recorded in Erie County Clerk's Office in Liber 6965 of Deeds at page 349; thence northerly along the east line of said lands 2207.88 feet to the north line of said Lot Number 74; thence easterly along the north line of said lot, 196.68 feet to the east line of lands conveyed to Louis Maigret by dead recorded in Erie County Clerk's Office in Liber 93 of Deeds at page 472 thence southerly along the east line of said lands 2210.71 feet to the south line of the Town of Cheektowaga; thence westerly along the south line of said Town 196.68 feet to the point or place of beginning, containing 9.974 acres more or less.

Being the same parcel as described in a Deed recorded in the Erie County Clerk's Office in Liber 10236 of Deeds at Page 419.

EASEMENT (ii)

THIS INDENTURE, made and entered into as of the 11th day of February, 1991, by and between **TOWN OF CHEEKTOWAGA, NEW YORK,** a domestic municipal corporation having its principal office and place of business located at Town Hall, Broadway and Union Road, Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the "Town" and/or "Owner", and **INDUSTRIAL V OF WESTERN NEW YORK, INC.**, a domestic corporation organized under the laws of the State of New York, with its principal office and place of business located at 65 Meadow Run, Hamburg, New York, hereinafter referred to as the "Grantee".

WITNESSETH

THAT the Town, in consideration of the sum of One and No/100 ($1.00 & NO MORE) Dollars, and other good and valuable consideration as more specifically set forth in an Agreement between the Town and Bella Vista Group, Inc., (who assigned its rights to certain easements as set forth in the Agreement, to the extent they benefit and/or affect premises as described in "Schedule B" hereto, said premises being referred to in the Contract as "BVG Exception II", to Industrial V of Western New York, Inc., the Grantee herein) for the sale of certain lands dated the 8th day of February, 1990, does hereby grant and release unto the Grantee, its lessees, licensees, successors and assigns (the term "Grantee" as used herein shall include and refers to any or all of the aforementioned) forever, a permanent, non-exclusive, right-of-way and easement, with the right, privilege and authority to install, construct, lay, relay, reconstruct, operate, maintain, repair, replace, extend, inspect, change the size of or remove the following utilities and systems:

- Underground electric, gas, communication and television cable systems, including, but not limited to: cables, conduits, wires, pedestals, closures, hand/manholes, gas pipe and pipelines with such other supporting apparatus, structures, markers and necessary fixtures or appurtenances thereto, which the Grantee successors and assigns shall require now and from time to time; and

- Underground sanitary sewer pipeline and appurtenances thereto, including, but not limited to pumping stations and valves; and

- Water main or mains, both supply and distribution, and appurtenances, including, but not limited to domestic services and fire hydrants; and

- All piping and appurtenances for storm drainage system(s),

in, upon, under, through and across that portion of the real property of the Town described in "Schedule A" and as shown on a sketch of the property entitled "Schedule A-1", annexed hereto

and made a part hereof.

NOTWITHSTANDING anything herein, all improvements, which the Grantee is entitled to install pursuant to the terms herein, must receive the prior written approval of the Town Engineer, which will not be unreasonably withheld.

TOGETHER, with the temporary right of reasonable ingress and egress over, and entry upon the adjacent real property of the Town, for construction purposes.

RESERVING, to the Town, its successors and assigns, licensees and lessees, the right of reasonable ingress and egress over the Easement herein unto the Town for use as a municipal golf course. Subject to:

(a) the Grantee's successors and assigns, licensees and lessees maintenance of such various systems for which this Easement was granted in good and proper condition, and

(b) the Grantee's successors and assigns, licensees and lessees causing any work performed in the exercise of the rights and privileges granted herein to be properly completed, and causing all property of the Town to be restored as nearly as possibly to the condition the same was in immediately before the commencement of any such work, and in the case of any repair and maintenance which are not an emergency, said work is to be done at such time so as to least interfere with the use of the improvement as a municipal golf course; the time and conditions of said repair and maintenance to be mutually agreed upon by the parties hereto and/or their successors and assigns with said approval not to be unreasonably withheld, and

(c) the Grantee's requiring any contract for the performance of any such work to include a requirement that the party doing the work maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD, the rights and Easements herein granted unto the Grantee, its successors, assigns, licensees and lessees forever. All improvements laid or to be laid by or for the Grantee, its successors or assigns and/or its contractors in relation to any of the aforementioned rights set forth herein shall be and remain the property of the Grantee, its successors or assigns, forever.

AND, the Town covenants as follows:

FIRST: that the Town is seized of the said premises in fee simple, and has good right to convey the same, subject to any presently pending litigation pertaining to condemnation of the property covered by this Easement;

SECOND: that the Grantee shall quietly enjoy the said rights and Easements;

THIRD: that said premises are free and clear from encumbrances;

FOURTH: that the Town will execute or procure any further necessary assurances of the title of said rights and Easements;

FIFTH: that the Town will forever warrant the title to the said rights and easements; and

SIXTH: that this Easement shall run with the land.

THE TOWN hereby agrees that no permanent structures may be built within the Easement, which structure(s) would interfere with the use and rights as set forth herein, except the aforementioned golf course, and/or if the said Easement is within a dedicated right-of-way and said structure is necessary for the construction, operation and/or maintenance thereof; and except where prior written permission is obtained from the Grantee, which permission shall not be unreasonably withheld.

THIS EASEMENT shall apply to all interest now owned or hereafter acquired by the Town in the above-described property.

THE PARTIES hereto agree to indemnify each other and save each other harmless, their respective officers, employees, agents, successors and assigns from all claims, liability(s), cost and expenses for loss or damage to property and for injuries to or death of persons arising out of either party improperly exercising or not exercising its rights as set forth hereunder.

THE TOWN agrees with the Grantee, on its behalf and/or on behalf of its successors and assigns that this is a covenant running with the land, and that the existing grade following the installation of the facilities which the Grantee is allowed to install as set forth herein, will remain undisturbed and unchanged.

THE TOWN acknowledges that the Grantee has the right to assign its rights under this Right-of-Way and Easement to the various utility companies and/or municipalities and/or authority(s) having the franchise and/or control of said utility for the property which shall benefit from said Easement, said property being more specifically described in "Schedule B", attached hereto and made a part hereof, said utility companies and/or municipalities and/or authorities to include, but not be limited to National Fuel Gas Corporation, New York State Electric and Gas Corporation, New York Telephone Company, Erie County

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the point of intersection of the east line of Lewan Drive (50' wide) and the south line of the Town of Cheektowaga, thence N 00°10'03 " W, 60.00 feet to a point; thence S 89°49'57" W, 747.65 feet to a point on the west line of lands conveyed to Louis Maigret by Liber 93 of Deeds at Page 472; thence S 00°18'54" W along the last mentioned line 60.00 feet, more or less, to a point on the south line of the Town of Cheektowaga; thence N 89°49'57" E, along the south line of the Town of Cheektowaga, 747.40 ft. to the POINT OF BEGINNING.

Containing 1.03 more or less acres.

Water Authority, Town of Cheektowaga Sewer District, as well as any subsequent purchaser of the property as described in "Schedule B".

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and these presents to be signed by its duly authorized officers the day and year first above written.

TOWN OF CHEEKTOWAGA

BY: _____
Frank E. Swiatek, Supervisor

INDUSTRIAL V OF WESTERN NEW YORK, INC.

BY: _____
Russell Gugino, President

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

On this 11th day of February, 1991, before me personally came FRANK E. SWIATEK, to me personally 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, the corporation described in and who executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board; and that he signed his name thereto by like order.

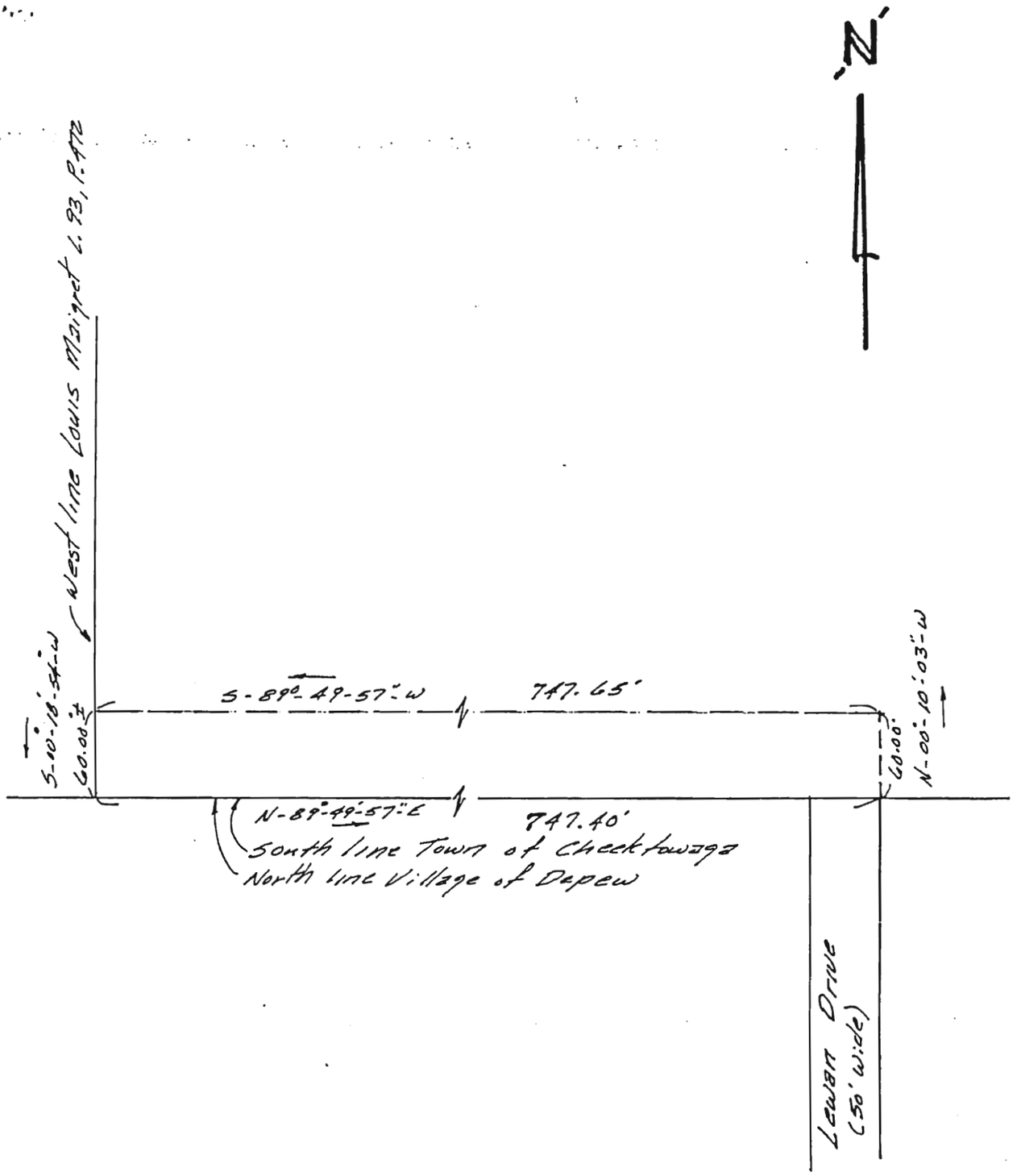
_____
Notary Public

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 1993

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

On this _____ day of _____, 199 , before me appeared the above named RUSSELL GUGINO, to me personally known, who, being by me duly sworn, did say that he resides at 65 Meadow Run, Hamburg, New York 14075, that he is PRESIDENT of INDUSTRIAL V OF WESTERN NEW YORK, INC., and he acknowledged that he executed this instrument at the direction of the Board of Directors.

_____
Notary Public



SKETCH OF
INGRESS, EGRESS & UTILITY EASEMENT

Part of Lot 74, T-11, R-7
Town of Cheektowaga
Erie County - New York

EASEMENT (i) AND (ii)

SCHEDULE A'-1

Scale : 1" = 100'
Date : 1-17-90

ALL THAT CERTAIN PIECE OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 74, Township 11, and Range 7 of the Holland Land Company's survey, bounded and described as follows:

COMMENCING at a point in the southerly line of said Lot 74, where the same is intersected by the easterly line of that parcel of land described and designated Parcel No. 3 in Deed from New York State Realty and Terminal Company; Predecessor of the Grantor, to the New York Central Railroad Company, dated December 24, 1927, recorded in the office of the Clerk of said County of Erie in Liber 1970 of Deeds, at page 156; and running thence northerly, along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid, said line also being the westerly line of lands described in a Deed to Lawrence Reger et al recorded in the Erie County Clerk's office in Liber 7438 of Deeds at page 233, 1184.47 feet to the north west corner of said land conveyed to Reger pursuant to the aforesaid Deed to the principal point of beginning thence 1370.43 feet along the east line of Parcel 3 in the aforesaid Deed to New york Central Railroad Company to a jog or offset therein; thence easterlyand at right angles to the last course along said jog or offset, 30 feet; thence northerly, continuing along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid 844.82 feet to the northeasterly corner thereof; thence easterly along the northerly line of Lot 74, 344.16 feet, more or less, to the easterly line of that parcel of land described in Deed from Catherine Gangloff (also known as Katharina Gangloff) to New York State Realty and Terminal Company, dated July 1, 1925, recorded in the office of the Clerk of said County of Erie in Liber 1691 of Deeds, at page 244; said line also being the west line of lands conveyed by deed from Ross Wagner to Conthru, Inc. dated December 15, 1986 recorded in the Office of the Erie County Clerk in Liber 9688 of Deeds at page 474 on December 31, 1986; thence southerly along the easterly line of that parcel of land described in Deed from Catherine Gangloff to New York State Realty and Terminal Company dated and recorded as aforesaid, 2213.67 feet to a point in the north line of the Deed to Lawrence Reger et al recorded as aforesaid, thence westerly along the aforesaid northerly line of Reger's land 159.42 to the principal point and place of beginning.

ALL that certain plot, piece or parcel of land, ~~with the buildings and improvements thereon erected, situate,~~ lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 74, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the south line of the Town of Cheektowaga with the east line of lands conveyed to Edward Mader, Jr. by deed recorded in Erie County Clerk's Office in Liber 6965 of Deeds at page 349; thence northerly along the east line of said lands 2207.88 feet to the north line of said Lot Number 74; thence easterly along the north line of said lot, 196.68 feet to the east line of lands conveyed to Louis Maigret by deed recorded in Erie County Clerk's Office in Liber 93 of Deeds at page 472 thence southerly along the east line of said lands 2210.71 feet to the south line of the Town of Cheektowaga; thence westerly along the south line of said Town 196.68 feet to the point or place of beginning, containing 9.974 acres more or less.

Being the same parcel as described in a Deed recorded in the Erie County Clerk's Office in Liber 10236 of Deeds at Page 419.

EASEMENT (iv)

THIS INDENTURE, made and entered into as of the 11th day of February, 1991, by and between **TOWN OF CHEEKTOWAGA, NEW YORK**, a domestic municipal corporation having its principal office and place of business located at Town Hall, Broadway and Union Road, Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the "Town" and/or "Owner", and **BELLA VISTA GROUP, INC.**, a domestic corporation organized under the laws of the State of New York, with its principal office and place of business located at 6495 Transit Road, Bowmansville, New York, hereinafter referred to as the "Grantee".

WITNESSETH

THAT the Town, in consideration of the sum of One and No/100 ($1.00 & NO MORE) Dollars, and other good and valuable consideration as more specifically set forth in an Agreement between the parties hereto for the sale of certain lands dated the 8th day of February, 1990, does hereby grant and release unto the Grantee, its lessees, licensees, successors and assigns (the term "Grantee" as used herein shall include and refers to any or all of the aforementioned) forever, a permanent, non-exclusive, right-of-way and easement, with the right, privilege and authority to install, construct, lay, relay, reconstruct, operate, maintain, repair, replace, extend, inspect, change the size of or remove the following utilities and systems:

- Underground electric, gas, communication and television cable systems, including, but not limited to: cables, conduits, wires, pedestals, closures, hand/manholes, gas pipe and pipelines with such other supporting apparatus, structures, markers and necessary fixtures or appurtenances thereto, which the Grantee successors and assigns shall require now and from time to time; and

- Underground sanitary sewer pipeline and appurtenances thereto, including, but not limited to pumping stations and valves; and

- Water main or mains, both supply and distribution, and appurtenances, including, but not limited to domestic services and fire hydrants; and

- All piping and appurtenances for storm drainage system(s),

in, upon, under, through and across that portion of the real property of the Town described in "Schedule A" and as set forth on a sketch of the property entitled "Schedule A-1" both being annexed hereto and made a part hereof.

NOTWITHSTANDING anything herein, all improvements, which the Grantee is entitled to install pursuant to the terms herein, must receive the prior written approval of the Town Engineer, which will not be unreasonably withheld.

TOGETHER, with the temporary right of reasonable ingress and egress over, and entry upon the adjacent real property of the Town, for construction purposes.

RESERVING, to the Town, its successors and assigns, licensees and lessees, the right of reasonable ingress and egress over the Easement herein unto the Town for use as a municipal golf course. Subject to:

(a) the Grantee's successors and assigns, licensees and lessees maintenance of such various systems for which this Easement was granted in good and proper condition, and

(b) the Grantee's successors and assigns, licensees and lessees causing any work performed in the exercise of the rights and privileges granted herein to be properly completed, and causing all property of the Town to be restored as nearly as possibly to the condition the same was in immediately before the commencement of any such work, and in the case of any repair and maintenance which are not an emergency, said work is to be done at such time so as to least interfere with the use of the improvement as a municipal golf course; the time and conditions of said repair and maintenance to be mutually agreed upon by the parties hereto and/or their successors and assigns with said approval not to be unreasonably withheld, and

(c) the Grantee's requiring any contract for the performance of any such work to include a requirement that the party doing the work maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD, the rights and Easements herein granted unto the Grantee, its successors, assigns, licensees and lessees forever. All improvements laid or to be laid by or for the Grantee, its successors or assigns and/or its contractors in relation to any of the aforementioned rights set forth herein shall be and remain the property of the Grantee, its successors or assigns, forever.

AND, the Town covenants as follows:

FIRST: that the Town is seized of the said premises in fee simple, and has good right to convey the same, subject to any presently pending litigation pertaining to condemnation of the property covered by this Easement;

SECOND: that the Grantee shall quietly enjoy the said rights and Easements;

THIRD: that said premises are free and clear from encumbrances;

FOURTH: that the Town will execute or procure any further necessary assurances of the title of said rights and Easements;

FIFTH: that the Town will forever warrant the title to the said rights and easements; and

SIXTH: that this Easement shall run with the land.

THE TOWN hereby agrees that no permanent structures may be built within the Easement, which structure(s) would interfere with the use and rights as set forth herein, except the aforementioned golf course, and/or if the said Easement is within a dedicated right-of-way and said structure is necessary for the construction, operation and/or maintenance thereof; and except where prior written permission is obtained from the Grantee, which permission shall not be unreasonably withheld.

THIS EASEMENT shall apply to all interest now owned or hereafter acquired by the Town in the above-described property.

THE PARTIES hereto agree to indemnify each other and save each other harmless, their respective officers, employees, agents, successors and assigns from all claims, liability(s), cost and expenses for loss or damage to property and for injuries to or death of persons arising out of either party improperly exercising or not exercising its rights as set forth hereunder.

THE TOWN agrees with the Grantee, on its behalf and/or on behalf of its successors and assigns that this is a covenant running with the land and that the existing grade following the installation of the facilities which the Grantee is allowed to install as set forth herein, will remain undisturbed and unchanged.

THE TOWN acknowledges that the Grantee has the right to assign its rights under this Right-of-Way and Easement to the various utility companies and/or municipalities and/or authority(s) having the franchise and/or control of said utility for the property which shall benefit from said Easement, said property being more specifically described in "Schedule B", attached hereto and made a part hereof, said utility companies and/or municipalities and/or authorities to include, but not be limited to National Fuel Gas Corporation, New York State Electric and Gas Corporation, New York Telephone Company, Erie County

Water Authority, Town of Cheektowaga Sewer District, as well as any subsequent purchaser of the property as described in "Schedule B".

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and these presents to be signed by its duly authorized officers the day and year first above written.

TOWN OF CHEEKTOWAGA

BY: _____
Frank E. Swiatek, Supervisor

BELLA VISTA GROUP, INC.

BY: _____
Joseph A. Cipolla, President

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

On this 11th day of February, 1991, before me personally came FRANK E. SWIATEK, to me personally 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, the corporation described in and who executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board; and that he signed his name thereto by like order.

KEVIN G. SCHENK
Notary Public, State of New York
Qualified In Erie County
My Commission Expires Feb. 28, 1993

_____
Notary Public

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

On this _____ day of _____, 199 , before me appeared the above named JOSEPH A. CIPOLLA, to me personally known, who, being by me duly sworn, did say that he resides at 24 Patsy Lane, Depew, New York 14043, that he is PRESIDENT of BELLA VISTA GROUP, INC., and he acknowledged that he executed this instrument at the direction of the Board of Directors.

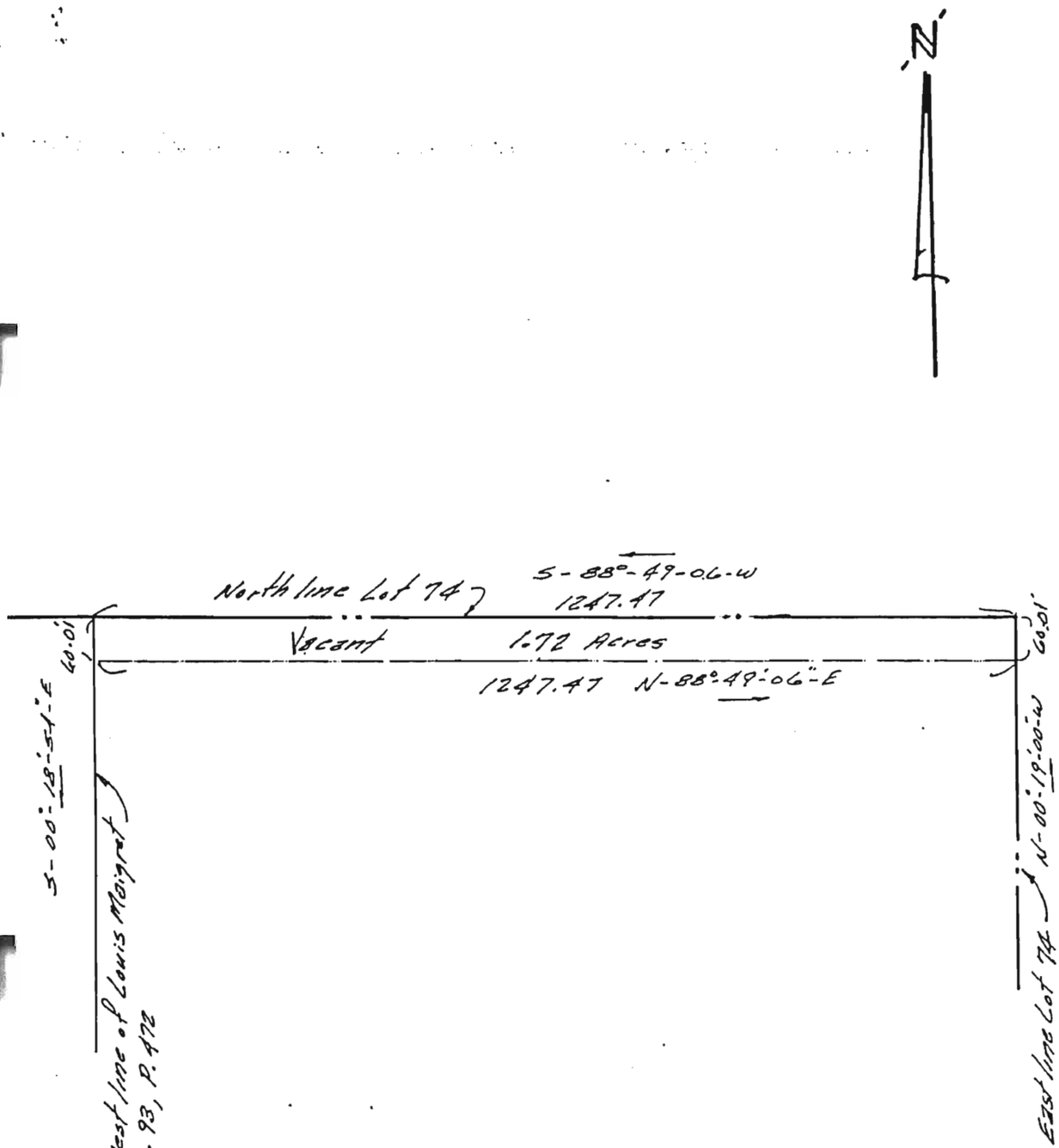
_____
Notary Public

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the northeast corner of Lot 74; thence S 88 degrees 49 minutes 06 seconds W along the north line of Lot 74, 1247.47' to a point on the west line of lands conveyed to Louis Maigret by Liber 93 of Deeds at Page 472, thence S 00 degrees 18 minutes 54 seconds E along the west line of Louis Maigret, 60.01 ft. to a point; thence N 88 degrees 49 minutes 6 seconds E, 1247.47 ft. to a point on the east line of Lot 74; thence N 00 degrees 19 minutes 00 seconds W, along the east line of Lot 74, 60.01 ft. to the POINT OF BEGINNING.

Containing 1.72 more or less acres.



EASEMENT SKETCH

Part of Lot 74, T-11, R-7
Town of Cheektowaga
Erie County New York

EASEMENT (iV)

SCHEDULE A-1

Scale: 1" = 200'
Date: 1-17-90

SCHEDULE B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and being more particularly described as follows:

Commencing at the northeast corner of Lot 74; thence southerly along the east line of Lot 74, 30.48 feet; thence S79°33'02"W, 118.37 feet to the point of beginning; thence S01°10'54"E, 1163.29 feet; thence S08°53'44"W, 131.70 feet; thence S60°10'07"W, 230.12 feet; thence N62°32'12"W, 230.12 feet; thence N12°23'13"W, 175.94 feet; thence N26°50'31"E, 215.26 feet; thence N01°10'54"W, 900.00 feet; thence N88°49'06"E, 226.12 feet to a point on a curve having a radius of 50.0 feet; thence along said curve to the right 29.14 feet to a point of tangency; thence N79°33'02"W, 109.40 feet to the point of beginning, being 11.52 acres, more or less.

2. Upon completion of the roadway, the parties hereto agree that the roadway shall be dedicated to and accepted by the Town of Cheektowaga as a public right-of-way and/or street, provided either terminus of the Easement Parcel is contiguous to a dedicated Town Highway and except as herein provided, the Developer shall upon said dedication taking place have no right, title or interest in the right-of-way. Further, upon the Town accepting the street as a public right-of-way, this Agreement shall terminate.

3. This License shall run with the land, and shall be for the benefit of the owners of the property within the aforesaid Development Parcel and the Town covenants that it will do nothing that will deprive said owners of the benefits derived from said License. This Agreement shall permit the Developer, its contractors, its agents and employees to enter the Right-of-Way Parcel (and any adjacent lands for ingress and egress) and store equipment and materials as necessary to exercise the rights granted by this Agreement. The Town by this Agreement, grants and conveys to said Developer a license in and to said Right-of-Way Parcel for any all purposes necessary in connection with the development of it as a public street, which public street shall provide access both to and from the Development Parcel, including, but not limited to, the purpose described in Paragraph 1 above.

4. The rights granted herein to the Developer shall take effect as of the date of this Agreement and continue thereafter until:

(a) The roadway has been completed and all necessary approvals and certifications obtained, and the roadway has been formally dedicated to and accepted by the Town and its Town Board.

5. During the period of this Agreement, the rights granted by this Agreement are irrevocable.

6. That as a further consideration of the grant of the rights to the Right-of-Way Parcel by the Town to the Developer, the Developer is to carry, during the term of this Agreement or any renewal thereof, a comprehensive public bodily injury insurance policy with limits of at least Two Hundred and Fifty Thousand ($250,000.00) Dollars for any one person and Five Hundred Thousand ($500,000.00) Dollars for more than one person for any one occurrence, and comprehensive public property damage lability insurance with a limit of at least Two Hundred and Fifty Thousand ($250,000.00) Dollars for any one occurrence or in such lesser amount or limits as may be acceptable to the insurance consultant for the Town of Cheektowaga, and as to further furnish the Town, prior to taking possession of the above described Right-of-Way Premises, with a Certificate of Insurance signed by insurers acceptable by the Town indicating that the aforementioned insurance is of full force and effect and that the

Town is named as an additional insured and that the Town will, at the Supervisor's Office, Insurance Department, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, receive at least Ten (10) days prior notice to the cancellation of any modification to the insurance as herein required. The Developer shall indemnify, hold harmless and defend the Town, its agents and employees, from and against any and all lability for losses, damages or expenses which the Town may suffer or for which the Town may be held liable by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including loss of use thereof arising out of or in any manner connected with the use of said Right-of-Way Premises by the Developer, directly or indirectly, whether or not such injury or damage be attributed or claimed to be attributed to the negligence of the Town, its agents, servants or employees or otherwise.

7. Developer shall give the Town written notice before commencing any field work hereunder, whether in the initial construction or subsequent. Any request, notice, demand or other communication made hereunder from Developer to Town shall be addressed as follows:

Town Hall
Town of Cheektowaga
Broadway and Union Roads
Cheektowaga, New York 14227
ATTN: Town Engineer
Copy To: Town Attorney

Any request, notice, demand or other communication made hereunder from Town to Developer shall be addressed as follows:

Industrial V of Western New York, Inc.
65 Meadow Run
Hamburg, New York 14075
ATTN: Mr. Russell Gugino

The parties hereto, respectively, reserve the right to designate other or different addresses on notice to the other.

8. Developer shall comply with all applicable laws, ordinances, orders, rules and regulations of the United States, The State of New York, The County of Erie and The Town of Cheektowaga, in so far as the same relate to the exercise of any privilege or the performance of any duty under this Agreement and whether same are obligatory under this Agreement or upon the Town.

9. No provision of this Agreement shall be deemed to have been waived by either party unless such waiver be in writing signed by the party against whom waiver is alleged. This Agreement contains the entire agreement between the parties and any executory agreement hereafter made shall be ineffective to

change, modify or discharge it in whole or in part, unless such executory agreement is in writing and signed by the parties.

10. This Agreement shall be governed by and construed in accordance with the Laws of The State of New York.

11. This Agreement may be assigned, in whole or in part, by Developer.

IN WITNESS WHEREOF, the parties hereto have caused this Instrument to be exercised by their proper representatives there and to duly authorized.

TOWN OF CHEEKTOWAGA

BY: _____
Frank E. Swiatek, Supervisor

INDUSTRIAL V OF WESTERN NEW YORK, INC.

BY: _____
Russell Gugino, President

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

On this 11th day of February, 1991, before me personally came FRANK E. SWIATEK, to me personally 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, the corporation described in and who executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board; and that he signed his name thereto by like order.

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 19 93

_____
Notary Public

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

On this _____ day of _____, 19__, before me appeared the above named RUSSELL GUGINO, to me personally known, who, being by me duly sworn, did say that he resides at 65 Meadow Run, Hamburg, New York 14075, that he is PRESIDENT of INDUSTRIAL V OF WESTERN NEW YORK, INC., and he acknowledged that he executed this instrument at the direction of the Board of Directors.

_____
Notary Public

SCHEDULE A

ALL THAT CERTAIN PIECE OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 74, Township 11, and Range 7 of the Holland Land Company's survey, bounded and described as follows:

COMMENCING at a point in the southerly line of said Lot 74, where the same is intersected by the easterly line of that parcel of land described and designated Parcel No. 3 in Deed from New York State Realty and Terminal Company; Predecessor of the Grantor, to the New York Central Railroad Company, dated December 24, 1927, recorded in the Office of the Clerk of said County of Erie in Liber 1970 of Deeds, at page 156; and running thence northerly, along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid, said line also being the westerly line of lands described in a Deed to Lawrence Reger et al recorded in the Erie County Clerk's office in Liber 7438 of Deeds at page 233, 1184.47 feet to the north west corner of said land conveyed to Reger pursuant to the aforesaid Deed to the principal point of beginning thence 1370.43 feet along the east line of Parcel 3 in the aforesaid Deed to New york Central Railroad Company to a jog or offset therein; thence easterlyand at right angles to the last course along said jog or offset, 30 feet; thence northerly, continuing along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid 844.82 feet to the northeasterly corner thereof; thence easterly along the northerly line of Lot 74, 344.16 feet, more or less, to the easterly line of that parcel of land described in Deed from Catherina Gangloff (also known as Katharina Gangloff) to New York State Realty and Terminal Company, dated July 1, 1925, recorded in the Office of the Clerk of said County of Erie in Liber 1691 of Deeds, at page 244; said line also being the west line of lands conveyed by dead from Ross Wagner to Conthru, Inc. dated December 15, 1986 recorded in the Office of the Erie County Clerk in Liber 9688 of Deeds at page 474 on December 31, 1986; thence southerly along the easterly line of that parcel of land described in Deed from Catherina Gangloff to New York State Realty and Terminal Company dated and recorded as aforesaid, 2213.67 feet to a point in the north line of the Deed to Lawrence Regar et al recordad as aforesaid, thence westerly along the aforesaid northerly line of Reger's land 159.42 to the principal point and place of beginning.

ALL that certain plot, piece or parcel of land, ~~with the buildings and improvements thereon erected, situate,~~ lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 74, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the south line of the Town of Cheektowaga with the east line of lands conveyed to Edward Mader, Jr. by deed recorded in Erie County Clerk's Office in Liber 6965 of Deeds at page 349; thence northerly along the east line of said lands 2207.88 feet to the north line of said Lot Number 74; thence easterly along the north line of said lot, 196.68 feet to the east line of lands conveyed to Louis Maigret by deed recorded in Erie County Clerk's Office in Liber 93 of Deeds at page 472 thence southerly along the east line of said lands 2210.71 feet to the south line of the Town of Cheektowaga; thence westerly along the south line of said Town 196.68 feet to the point or place of beginning, containing 9.974 acres more or less.

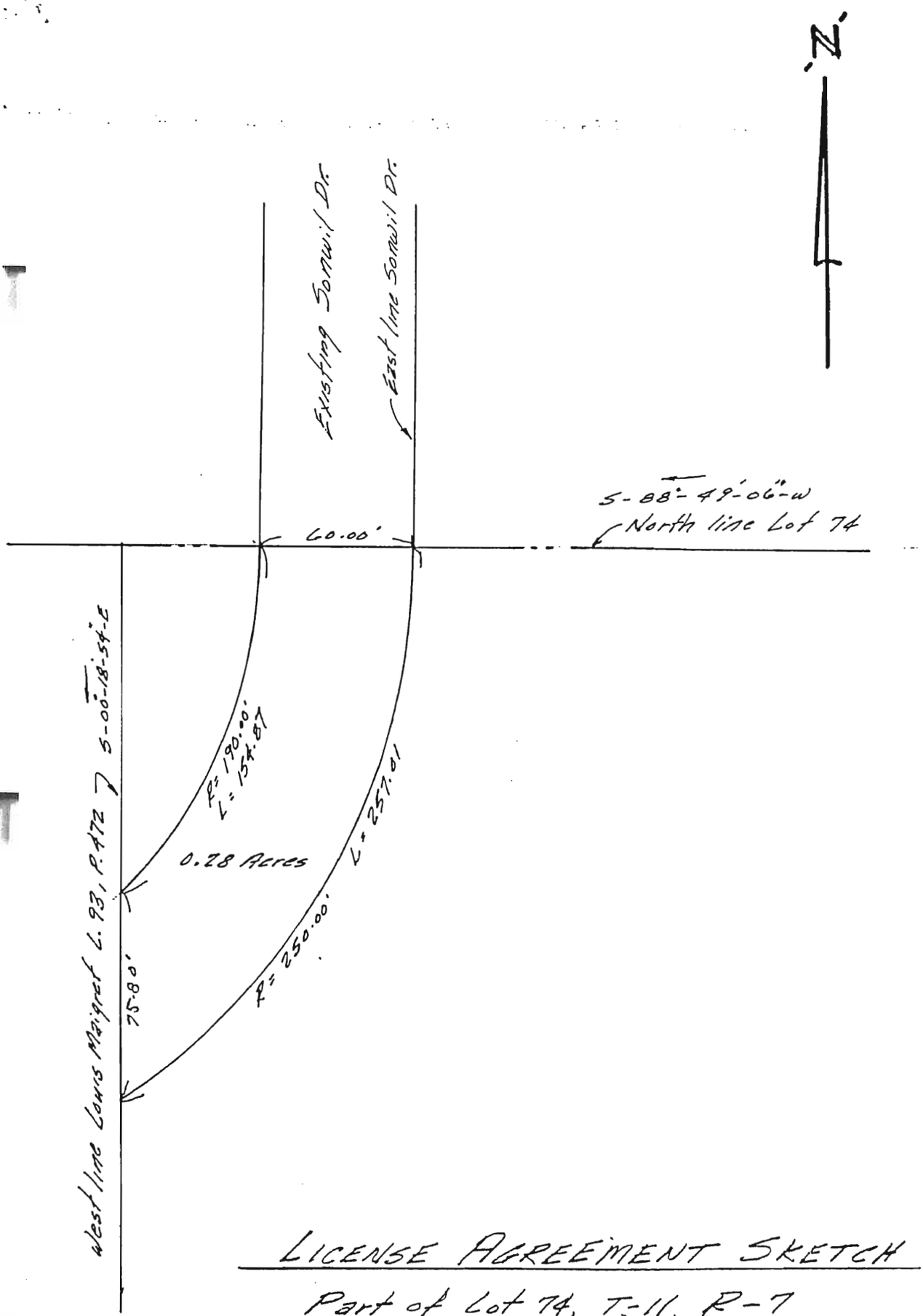
Being the same parcel as described in a Deed recorded in the Erie County Clerk's Office in Liber 10236 of Deeds at Page 419.

SCHEDULE B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the point of intersection of the east line of Sonwil Drive and the north line of Lot 74, said point being 1132± ft. west of the north east corner of Lot 74; thence south westerly along a curve to the right having a radius of 250.00 ft. an arc length of 257.01 ft. to a point on the west lien of lands conveyed to Louis Maigret by liber 93 of Deeds at Page 472; thence N 00 degrees 18 minutes 54 seconds W along the west line of Louis Maigret, 75.80 ft. to a point; thence northeasterly along a curve to the left having a radius of 190.00 ft., an arc length of 154.87 ft. to a point on the north line of Lot 74; thence N 88 degrees 49 minutes 06 seconds E along the north line of Lot 74, 60.00 ft. to the POINT OF BEGINNING.

Containing 0.28 more or less acres.



LICENSE AGREEMENT SKETCH

Part of Lot 74, T-11, R-7
Town of Cheektowaga
Erie County New York

EASEMENT (V)

SCHEDULE B'-1

Scale: 1" = 50'
Date: 1-17-90

EASEMENT AND LICENSE AGREEMENT (vii)

THIS AGREEMENT made this 11th day of February, 1991, by and between **BELLA VISTA GROUP, INC.**, a New York corporation having offices for the conducting of business at 6495 Transit Road, Bowmansville, New York 14026, hereinafter called "Developer" and **THE TOWN OF CHEEKTOWAGA**, a municipal corporation having its principal office and place of business at Broadway and Union Roads, Cheektowaga, New York 14227, hereinafter called "Town".

WITNESSETH:

WHEREAS, Developer is the developer of a certain parcel of land more specifically described in "Schedule A", attached hereto and made a part hereof, hereinafter the "Development Parcel"; and

WHEREAS, the Developer is desirous of obtaining a temporary easement, right-of-way and license over property owned by the Town and being more specifically described in "Schedule B" and as shown on "Schedule B-1", attached hereto and made a part hereof, hereinafter the "Right-of-Way Parcel", said easement, right-of-way and license to provide for access to and from the Development Parcel, said access and the development of the Right-of-Way Parcel being more particularly set forth in this Agreement; and

WHEREAS, the Town entered into a Contract with Bella Vista Group, Inc. for the sale of certain lands by Bella Vista Group, Inc. to the Town the consideration for said sale includes the right of Bella Vista Group, Inc. to be able to develop the Development Parcel, said Contract, hereinafter set forth as the "Contract", provided for this Easement and License.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, Town and Developer agree as follows:

1. The Town hereby authorizes and grants to the Developer, its successors and assigns as provided below, a temporary Easement, Right-of-Way and License (the "License") to enter upon the Right-of-Way Parcel to install and construct a road to provide for ingress and egress to and from the Development Parcel in accordance with the Town's specification for Town roads as approved by the Town Engineer and Town Highway Superintendent (or the modification of the construction documents agreed to and approved by the Town Engineer and Town Highway Superintendent), together with the right of ingress and egress over the Town's adjacent lands to the extent necessary to exercise the rights granted by this Agreement.

2. Upon completion of the roadway, the parties hereto agree that the roadway shall be dedicated to and accepted by the Town of Cheektowaga as a public right-of-way and/or street, and except as herein provided, the Developer upon said dedication taking

place shall thereafter have no right, title or interest in the right-of-way. Further, upon the Town accepting the street as a public right-of-way, this Agreement shall terminate.

3. This License shall run with the land, and shall be for the benefit of the owners of the property within the aforesaid Development Parcel and the Town covenants that it will do nothing that will deprive said owners of the benefits derived from said License. This Agreement shall permit the Developer, its contractors, its agents and employees to enter the Right-of-Way Parcel (and any adjacent lands for ingress and egress) and store equipment and materials as necessary to exercise the rights granted by this Agreement. The Town by this Agreement, grants and conveys to said Developer a license in and to said Right-of-Way Parcel for any all purposes necessary in connection with the development of it as a public street, which public street shall provide access both to and from the Development Parcel, including, but not limited to, the purpose described in Paragraph 1 above.

4. The rights granted herein to the Developer shall take effect as of the date of this Agreement and continue thereafter until:

(a) The roadway has been completed and all necessary approvals and certifications obtained, and the roadway has been formally dedicated to and accepted by the Town and its Town Board.

5. During the period of this Agreement, the rights granted by this Agreement are irrevocable.

6. That as a further consideration of the grant of the rights to the Right-of-Way Parcel by the Town to the Developer, the Developer is to carry, during the term of this Agreement or any renewal thereof, a comprehensive public bodily injury insurance policy with limits of at least Two Hundred and Fifty Thousand ($250,000.00) Dollars for any one person and Five Hundred Thousand ($500,000.00) Dollars for more than one person for any one occurrence, and comprehensive public property damage lability insurance with a limit of at least Two Hundred and Fifty Thousand ($250,000.00) Dollars for any one occurrence or in such lesser amount or limits as may be acceptable to the insurance consultant for the Town of Cheektowaga, and as to further furnish the Town, prior to taking possession of the above described Right-of-Way Premises, with a Certificate of Insurance signed by insurers acceptable by the Town indicating that the aforementioned insurance is of full force and effect and that the Town is named as an additional insured and that the Town will, at the Supervisor's Office, Insurance Department, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, receive at least Ten (10) days prior notice to the cancellation of any modification to the insurance as herein required. The Developer shall indemnify, hold harmless and defend the Town, its agents

and employees, from and against any and all lability for losses, damages or expenses which the Town may suffer or for which the Town may be held liable by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including loss of use thereof arising out of or in any manner connected with the use of said Right-of-Way Premises by the Developer, directly or indirectly, whether or not such injury or damage be attributed or claimed to be attributed to the negligence of the Town, its agents, servants or employees or otherwise.

7. Developer shall give the Town written notice before commencing any field work hereunder, whether in the initial construction or subsequent. Any request, notice, demand or other communication made hereunder from Developer to Town shall be addressed as follows:

Town Hall
Town of Cheektowaga
Broadway and Union Roads
Cheektowaga, New York 14227
ATTN: Town Engineer
Copy To: Town Attorney

Any request, notice, demand or other communication made hereunder from Town to Developer shall be addressed as follows:

Bella Vista Group, Inc.
6495 Transit Road
Bowmansville, New York 14026
ATTN: Mr. Joseph A. Cipolla

The parties hereto, respectively, reserve the right to designate other or different addresses on notice to the other.

8. Developer shall comply with all applicable laws, ordinances, orders, rules and regulations of the United States, The State of New York, The County of Erie and The Town of Cheektowaga, in so far as the same relate to the exercise of any privilege or the performance of any duty under this Agreement and whether same are obligatory under this Agreement or upon the Town.

9. No provision of this Agreement shall be deemed to have been waived by either party unless such waiver be in writing signed by the party against whom waiver is alleged. This Agreement contains the entire agreement between the parties and any executory agreement hereafter made shall be ineffective to change, modify or discharge it in whole or in part, unless such executory agreement is in writing and signed by the parties.

10. This Agreement shall be governed by and construed in accordance with the Laws of The State of New York.

11. This Agreement may be assigned, in whole or in part, by Developer.

IN WITNESS WHEREOF, the parties hereto have caused this Instrument to be exercised by their proper representatives there and to duly authorized.

TOWN OF CHEEKTOWAGA

BY: _____
Frank E. Swiatek, Supervisor

BELLA VISTA GROUP, INC.

BY: _____
Joseph A. Cipolla, President

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

On this 11th day of February, 1991, before me personally came FRANK E. SWIATEK, to me personally 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, the corporation described in and who executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board; and that he signed his name thereto by like order.

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 19 93

_____
Notary Public

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

On this _____ day of _____, 199 , before me appeared the above named JOSEPH A. CIPOLLA, to me personally known, who, being by me duly sworn, did say that he resides at 24 Patsy Lane, Depew, New York 14043, that he is PRESIDENT of BELLA VISTA GROUP, INC., and he acknowledged that he executed this instrument at the direction of the Board of Directors.

_____
Notary Public

SCHEDULE A

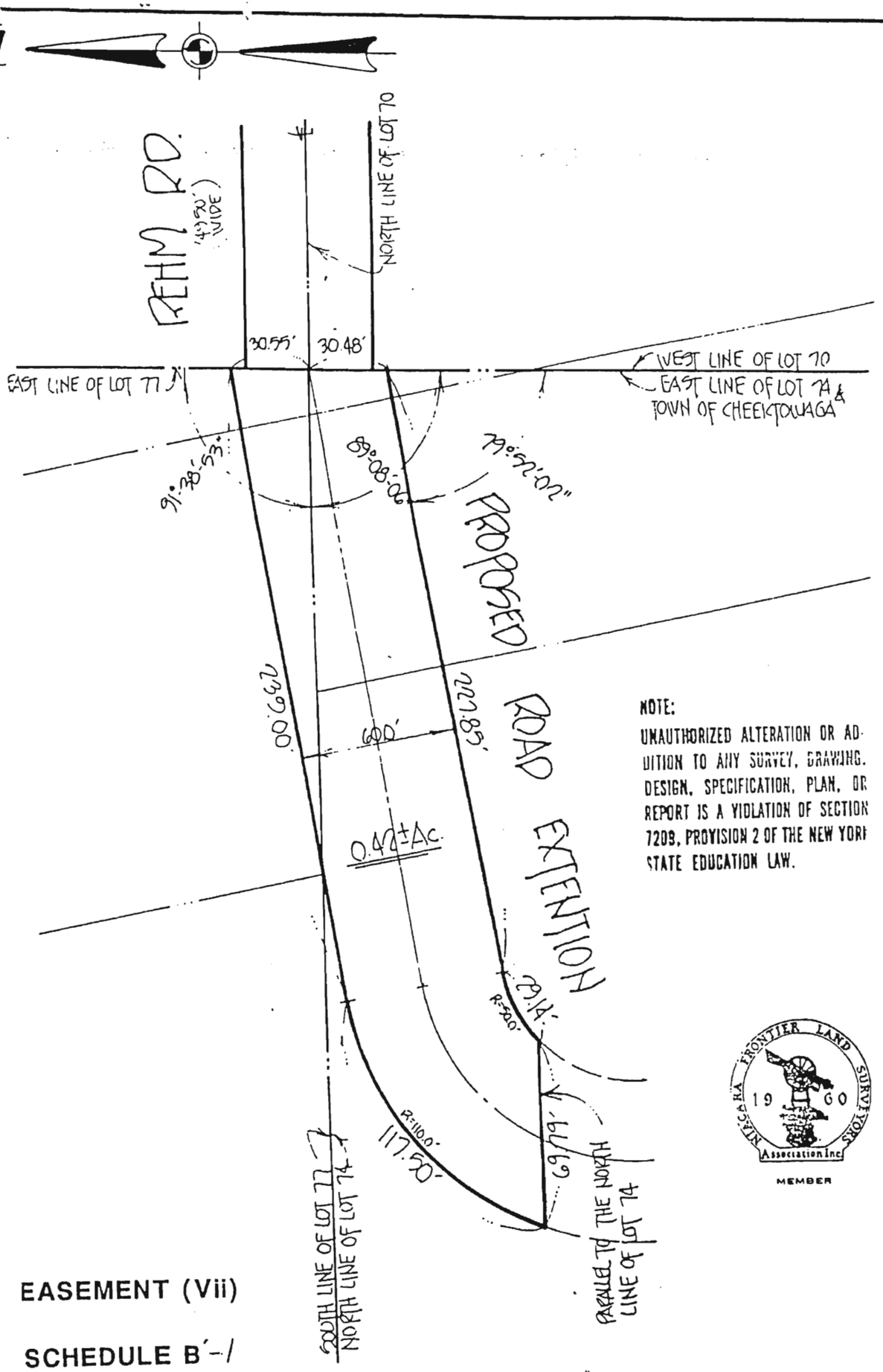
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and being more particularly described as follows:

Commencing at the northeast corner of Lot 74; thence southerly along the east line of Lot 74, 30.48 feet; thence S79°33'02"W, 118.37 feet to the point of beginning; thence S01°10'54"E, 1163.29 feet; thence S08°53'44"W, 131.70 feet; thence S60°10'07"W, 230.12 feet; thence N62°32'12"W, 230.12 feet; thence N12°23'13"W, 175.94 feet; thence N26°50'31"E, 215.26 feet; thence N01°10'54"W, 900.00 feet; thence N88°49'06"E, 226.12 feet to a point on a curve having a radius of 50.0 feet; thence along said curve to the right 29.14 feet to a point of tangency; thence N79°33'02"W, 109.40 feet to the point of beginning, being 11.52 acres, more or less.

SCHEDULE B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lots 74 and 77, Township 11, Range 7 of the Holland Land Company's survey and being more particularly described as follows:

Beginning at the northeast corner of Lot 74, said point being in the centerline of Rehm Road; thence southerly along the east line of Lot 74, 30.48 feet; thence southwesterly forming an exterior angle of 79°52'02", 227.85 feet to a point of curvature; thence continuing southwesterly along a curve to the left having a radius of 50.0 feet, 29.14 feet to a point on said curve; thence westerly parallel to the north line of Lot 74, 69.79 feet to a point on a curve having a radius of 110.0 feet; thence northeasterly along said curve to the right 117.50 feet to a point of tangency; thence northeasterly 239.00 feet to a point on the east line of Lot 77; thence southerly along the east line of Lot 77, 30.55 feet to the point of beginning, being 0.42 acre, more or less.



NOTE:
UNAUTHORIZED ALTERATION OR AD-DITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

NEW YORK FRONTIER LAND SURVEYORS 19 60 Association Inc.
MEMBER

EASEMENT (Vii)

SCHEDULE B'-1

NOTE - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH

Michael J. Stenton

: PART OF LOTS 74 & 77, TOWNSHIP 11, RANGE 7.
LOCATION : TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK — SCALE: 1 IN. = 50 FT

NUSSBAUMER & CLARKE, INC.
ENGINEERS
AND
SURVEYORS
310 DELAWARE AVENUE
BUFFALO, NY
Phone: 853-7582

KIND	DATE	FOR	JOB NO.
SURVEY	1.18.90	TOWN OF CHEEKTOWAGA - ENGINEERING DEPT	NC-28787
		DRAWING NO.	28787

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 10, 1991; last publication January 10, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 10th 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 NOTICE
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:

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-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-feet-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 & Union Road, Cheektowaga, New York, where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: December 27, 1990

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 10, 1991

II. RESOLUTIONS

Item No. 3a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED, that the regular Town Board meetings of the Town of Cheektowaga for the calendar year 1991 shall be held at 7:30 P.M. in the Council Chamber of the Town Hall, at Broadway and Union Road, Cheektowaga, New York, on the following referenced dates:

First and Third Monday of January, March, April, May, June, July, August, October, November and December,

February 4th and 19th
September 3rd and 16th

AND BE IT FURTHER RESOLVED, that such meetings shall begin with the public comment period at 7:15 P.M. and the meetings proper will begin immediately thereafter.

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

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

BE IT RESOLVED, that the Town Board shall hold work sessions in the calendar year 1991 at 5:30 P.M. on Thursdays preceeding the regularly scheduled Town Board meetings, except for the months of July, August and September, and

BE IT FURTHER RESOLVED, that the work sessions for July, August and September shall be at 6:00 P.M. the day of the Town Board meeting, and

BE IT FURTHER RESOLVED, that said work sessions shall be held in the Council Office, Town Hall, Cheektowaga, New York.

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

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

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

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

Item No. 4 continued

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Kulyk, Solecki, Rogowski, Blachowski
NAYES: 0
ABSENT: 0
ABSTAINED: Gabryszak

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

BE IT RESOLVED that the following banking institutions be named official Town Depositors for the year 1991:

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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0
ABSTAINED: Gabryszak

Item No. 6a Motion by Councilman Blachowski, Seconded by Supervisor Swiatek

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 1991:

New Year's Day	January 1, 1991	(Wednesday)
Day After New Year's Day	January 2, 1991	(Thursday)
Washington's Birthday	February 18, 1991	(Monday)
Good Friday	March 29, 1991	(Friday)
Memorial Day	May 27, 1991	(Monday)
Independence Day	July 4, 1991	(Thursday)
Labor Day	September 2, 1991	(Monday)
Columbus Day	October 14, 199	(Monday)
Election Day	November 5, 1991	(Tuesday)
Veteran's Day	November 11, 1991	(Monday)
Thanksgiving Day	November 28, 1991	(Thursday)
Day After Thanksgiving Day	November 29, 1991	(Friday)
Christmas Eve	December 24, 1991	(Tuesday)
Christmas Day	December 25, 1991	(Wednesday)

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

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

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

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

Item No. 6b continued

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

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

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

Item No. 7a Motion by Councilman Blachowski, Seconded by Supervisor Swiatek

BE IT RESOLVED, that the salaries of the following Town Officials be and hereby are established and set forth as follows, effective January 1, 1991:

Supervisor	$53,174.28
Councilman (6)	17,251.21
Tax Receiver	37,821.58
Town Clerk	42,123.35
Highway Superintendent	48,449.55
Town Justice (2)	38,260.69
Budget Director	5,000.00
Registrar for Vital Statistics	4,000.00

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

Item No. 7b Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

RESOLVED, that the salaries of the following Town Officials and employees are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1991:

Town Attorney	$41,665.68
Deputy Attorney	28,357.40
Prosecuting Attorney	23,640.91
Town Engineer	56,955.15
Assistant Town Engineer	46,015.35
Chief Accountant	40,241.25
Accountant	33,521.51
Supervising Building Inspector	45,510.10
Assessor	42,905.99
Real Property Appraiser	37,631.63
Executive Director Youth	39,371.38
Program Coordinator	27,562.50
Senior Recreation Supervisor	27,463.28
Clerk to Justice Court	27,680.47
Director to Community Development	37,359.32
Council Secretary	27,692.60
Secretary to Supervisor	27,692.60
Deputy Tax Receiver	26,398.26
1st Deputy Town Clerk	29,344.14
2nd Deputy Town Clerk	27,655.11
Working Crew Chief-Sanitation	39,564.32
Senior Citizens Director	37,206.07
Deputy Highway Superintendent	43,972.11
Employment & Training director	45,931.25
Coordinator of Employee Relations	39,900.00
Secretary to Coordinator of Employee Relations	25,271.40
Council Clerk/Stenographer	22,198.31

Item No. 7b continued

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

Item No. 7c Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the Department of Senior Services wishes to establish the salary of the Nutrition Site managers and the Ceramic teacher,

BE IT RESOLVED, that the salary of the Nutrition Site managers is $4.75 an hour per 19 hour work week retroactive to January 1st. The Ceramic Teachers salary is $4.90 an hour per 19 hour work week retroactive to January 1.

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. 8 Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are reappointed as Town Bingo Inspectors, effective January 1, 1991 for a term of one year:

Kenneth Jeffords	Cheektowaga, NY
Joanne Burst	Depew, NY
Longin M. Olech	Cheektowaga, NY
Stanley Sliwinski, Jr.	Cheektowaga, NY
Ruth Casacci	Cheektowaga, NY

AND BE IT FURTHER RESOLVED, that Alexander Mazgajewski of Cheektowaga, New York be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 1991, for a term of one year. The cost shall be charged to Account #01.3120.0001.1571.

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

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

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

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

B. Consultive Service - Periodic consultation will be provided to the Supervisor, and the Town Accountant on areas such as: Federal Revenue Sharing, State Revenue Sharing, Borrowings, Legislative Developments and other areas as requested.

Item No. 9a continued

C. Benefit Basis Budget Preparation - Assistance will be provided to the Supervisor, Town Board and the Town Accountant in various phases of the preparation of the 1992 benefit basis budget.

D. Mid-Year Review and Forecast - The firm will provide reviewed financial statements of the Town operating funds as of June 30, 1991 and also a compilation forecast for those funds through December 31, 1991.

E. Ad Valorem Budget Consultation - Additionally, the firm will review the 1992 tentative Ad Valorem Budget and meet with the Town Board to report as to our observations and recommendations on that document. They will provide any additional budgetary consulting services as requested at that time.

F. Audit of Town Clerk, Tax Receiver and Town Justice Budgets.

G. Preparation of the Comprehensive Annual Financial Report to be Submitted to the Government Finance Officer's Association.

H. Preparation of Budget Presentation Document to be Submitted to the Government Finance Officer's Association,

and

WHEREAS, the Town Board desires to retain the services of Deloitte & Touche, CPAs for those services, NOW, THEREFORE, BE IT

RESOLVED THAT Deloitte & Touche be retained to perform the services listed above for the year 1991 according to the following fee schedule:

$35,125.00	General Fund	Acct. #01-1320-0004-4506
16,750.00	Sanitary Sewer District #3	Acct. #23-8123-0004-4506
27,825.00	Sanitary Sewer District #5	Acct. #25-8125-0004-4506

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

Item No. 9b Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, Holforth Risk Management, Inc. has submitted a proposal to the Town for the provision of risk management and insurance-related services for 1991 for $21,000.00, and

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

WHEREAS, this Board desires to continue to retain Mr. Holforth's services in 1991, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Consulting Agreement with Holforth Risk Management, Inc. for the calendar year 1991. The cost shall be charged to Account #1001-1710-4521.

*SEE NEXT PAGE FOR ATTACHMENT

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

ERNEST A. HOLFOTH RISK MANAGEMENT

General Insurance Consultant
Practical Risk Management

HOLFOTH RISK MANAGEMENT INC.
4947 Lakeshore Road, Hamburg, N.Y. 14075
Telephone (716) 627-5828 - Call for Fax No.

Ernest A. Holfoth, CPCU, ARM, Pres.
Linda M. Potwora, Consultant, Secy.

CONSULTING AGREEMENT

CLIENT: Town of Cheektowaga

ADDRESS: Broadway & Union Roads, Cheektowaga, New York 14227

Holfoth Risk Management Inc., CONSULTANT, agrees to provide to CLIENT the Risk Management and General Insurance Consulting Services described below:

Effective from: January 1, 1991 to December 31, 1991

For a fee of: $21,000 payable $1,750 monthly plus actual expenses incurred at the request of the CLIENT. Travel is chargeable time.

SPECIFIED SERVICES: General Supervision of CLIENT's Risk management and General Insurance Program including remarketing of insurance and self-insurance services, if desired, and counsel on insurance and risk management related activities.

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

This Agreement may be ended by either party by giving at least 30 days written notice to the other.

Ernest A. Holfoth, CPCU, ARM, President
Holfoth Risk Management Inc.

Accepted by:

Name | Title | Date

ch110126

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

WHEREAS, the Town and its consultant have reviewed and evaluated proposals for renewal of its Excess Workers Compensation insurance to be effective from 1/1/91 to 1/1/92, and

WHEREAS, the lowest cost proposal of Transamerica Insurance Company from Arthur J. Gallagher & Co., is recommended by the Town's consultant, NOW, THEREFORE, BE IT

RESOLVED, that the Town accepts the proposed Transamerica Excess Workers Compensation insurance with limits of $5,000,000 Workers Compensation; $1,000,000 Employers Liability and $5,000,000 combined total subject to a $350,000 combined self-insured retention at a rate of $1,615 per $100 of payroll and estimated annual premium of $30,500. The cost shall be charged to Account #1000-1722-4519 (Excess Workers Compensation Insurance), and, BE IT FURTHER

RESOLVED, that the $19,500 excess of the $50,000 Excess Workers Compensation budgeted amount shall be put into Account #1000-1930-4703 (Workers Compensation Claims & Judgments) to fund future losses.

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

Item No. 11a Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, the Town and its consultant have reviewed and evaluated several proposals for Self-Insured Liability Claims Administration Services, and

WHEREAS, Allied Claim Services, Inc. has proposed professional quality service at reasonable cost, and

WHEREAS, the Town's consultant recommends accepting the proposal, NOW, THEREFORE, BE IT

RESOLVED, that the Town accepts the Allied Claim Services, Inc. proposal for Self-Insured Liability Claims Administration Services for the three year period 1/1/91 to 12/31/93, at a first year estimated annual cost of $27,915, second year estimated annual cost of $18,483 and third year estimated annual cost of $20,519, based on an average of 70 claims per year, and BE IT FURTHER

RESOLVED, that the Town will provide $15,000 to Allied Claim Services, Inc. to establish a separately designated escrow account from which Allied will prepare and issue drafts for payment of claims, and BE IT FURTHER

RESOLVED, that the Town will replenish the designated escrow account monthly based on the actual amount of payments processed by Allied Claim Services, Inc., and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to execute an Agreement with Allied Claim Services, Inc. for the above-approved services subject to approval of contract terms of the Town Attorney and Town's Consultant, and BE IT FURTHER

RESOLVED, that monies for such services shall be appropriated from budget line item number 1000-1710-4527.

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

Item No. 11b Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, the Town and its consultant have reviewed and evaluated several proposals for Risk Control Services, and

WHEREAS, Marsh and McLennan (Dan Powers) has proposed professional quality service at reasonable cost, and

WHEREAS, the Town's consultant recommends accepting the proposal, NOW, THEREFORE, BE IT

RESOLVED, that the Town accepts the Marsh and McLennan proposal for Risk Control Services for the period 1/1/91 to 12/31/91, for 100 hours of service for an annual cost of $5,200, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to execute an Agreement with Marsh and McLennan for the above-approved services subject to approval of contract terms of the Town Attorney and Town's consultant, and, BE IT FURTHER

RESOLVED, that monies for such services shall be appropriated from budget line item numbers 1000-1710-4528 and 1000-1710-4529.

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

Item No. 11c Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the Town of Cheektowaga is operating a nutrition program for the elderly at the facilities of: St. John Gualbert Parish, located at 83 Gualbert Avenue, Cheektowaga; Maryvale Presbyterian Church, located at 425 Maryvale Drive, Cheektowaga; Infant of Prague Parish, located at 91 Cleveland Drive, Cheektowaga; Cayuga Village Community Center, located at 100 Hutchens Drive, Cheektowaga and Maryvale East Apartments, 100 Moorman Drive, Cheektowaga, and

WHEREAS, an agreement between the Town of Cheektowaga and the above facilities has been drafted relative to the operation of the said nutrition program for the year 1991, and

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for the year 1991, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all the said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1991.

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

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

WHEREAS, Vastola Heating & Air Conditioning Corporation has submitted Application and Certification for final payment for Mechanical Work at the Alexander Community Center, AND

WHEREAS, Certificate of Substantial Completion for Mechanical Work establishes December 13, 1990 as the date all warranties start, as required by the contract documents, AND

Item No. 11d continued

WHEREAS, Scaffidi & Moore Architects have reviewed and approved the Contractors Affidavit of Payment of Debts & Claims, Contractor's Affidavit of Release of Liens, Wage and Supplement Affidavit, Statement indicating no asbestos-containing materials were used on the project and Consent of Surety Company to Final Payment, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Final Payment No. 5 in the amount of $2,122.00 to Vastola Heating & Air Conditioning, 65 Riley Street, Buffalo, New York 14209, AND BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes Supervisor Frank E. Swiatek to sign the Certificates of Substantial Completion establishing December 13, 1990 as the start date for all warranties related to said contract.

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

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

WHEREAS, the Town is required to comply with federal regulations governing environmental reviews of projects and activities funded with Community Development Block Grant Funds, and

WHEREAS, the Town has previously executed a Programmatic Agreement formalizing a historic preservation review procedure with the New York State Historic Preservation Officer and the Advisory Council on Historic Preservation, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to execute a renewal of said Programmatic Agreement.

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

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

WHEREAS, the New York State Department of Labor Occupational Safety and Health Training and Education Program offers a grant program to provide 100% of the monies necessary for local governments to train and educate employees; and

WHEREAS, the Town is self-insured and the availability of employee safety training programs may reduce future claims; and

WHEREAS, the Town of Cheektowaga is in need of financial assistance to enhance safety training for programs for employees; 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 Department of Labor Occupational Safety and Health Training and Education Program in an amount not to exceed $30,000.00 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.

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

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

WHEREAS, the Town has previously received approval of a grant from the New York State Affordable Housing Corporation for the rehabilitation of homes owned by low-income homeowners in the Walden Avenue and Cedargrove Heights target areas, and

WHEREAS, the Supervisor has executed a contract with the New York State Affordable Housing Corporation for said grant funds, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to approve Grant Authorizations for low-income homeowners in the Walden Avenue and Cedargrove Heights target areas who meet program eligibility requirements in conformance with the Grant Agreement between the Town and the New York State Affordable Housing Corporation in order to continue implementation of said program during 1991.

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

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

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

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

WHEREAS, the Community Development Director has recommended that the Town Board approve additional deferred loan funds to the owner of the property referred to below in the amount of not to exceed $5,200.00 due to the extent of required additional work needed in order to bring the property into compliance with the Town housing codes, NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes additional deferred loan funds in the amount of not to exceed $5,200.00 to the owner of 37 Willowlawn Parkway, Cheektowaga, New York, and authorizes the Supervisor to execute all necessary loan 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. 11i Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

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

WHEREAS, the Town has previously established loan limits of $10,000 for deferred loans and $12,000 for payback loans, and

WHEREAS, the Community Development Director has requested the Town Board to consider authorizing a deferred loan to the owner of the property listed below in the amount of not to exceed $14,750.00, which is over the established limits, due to the extent of the work required to bring the property into compliance with the Town's codes, NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes a deferred loan in an amount not to exceed $14,750.00 to the owner of 72E Windwood Court, Cheektowaga, New York, and authorizes the Supervisor to execute loan documents with said property owner.

Item No. 11i continued

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

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

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

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

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

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

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

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

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

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

Item No. 13 Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated December 17th, 1990, this Town Board directed that a Notice to Bidders be published advertising for labor and equipment necessary to remove snow during a snow emergency, and

WHEREAS, such bids were duly received and opened on December 28, 1990, and

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

RESOLVED, that the bid for labor and material necessary for the removal of snow during a snow emergency on an as-needed basis be awarded to Custom Topsoil Inc., 320 Crabapple Lane, Cheektowaga, New York 14227 being the lowest bidder. (Attached and made part of this resolution are bids submitted for review.)

RESOLVED, that line item to be used in case of emergency is 0300-5142-4029.

*SEE NEXT PAGE FOR ATTACHMENTS

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

FORMAL BID PROPOSAL ON

EMERGENCY SNOW REMOVAL

FOR THE TOWN OF CHEEKTOWAGA 1989-90 WINTER SEASON

Covered by Specifications ADVERTISED ON: 11/06/90 This bid must be returned to the Town Clerk's Office, Cheektowaga Town Hall, Broadway & Union Rd., Cheektowaga, NY 14227 on or before 11:00 A.M., December 28, 1990. At which time all bids will be publicly opened.

THE UNDERSIGNED SUBMITS THE FOLLOWING BID WHICH IS IN COMPLETE CONFORMITY WITH THE INTENT OF THE SPECIFICATIONS:

SUPERVISOR WITH PICK-UP TRUCK

	BASE HOURLY RATE	PREMIUM TIME 1/2 Time	DBL Time
3 C.Y. Loaders	75/hr.	95/hr.	115/hr.
4 C.Y. Loaders	75/hr.	95/hr.	115/hr.
5 C.Y. Loaders	75/hr.	95/hr.	115/hr.
Road Graders	55/hr.	75/hr.	95/hr.
Tandem Axle Dump Trucks	42/hr.	57/hr.	72/hr.

CONTRACTOR ABC Paving. Co., Inc.

ADDRESS 2544 Clinton St. P.O. Box 350, W. Seneca, N.Y. 14224

PHONE NO. (716) 826-7310

FORMAL BID PROPOSAL ON

EMERGENCY SNOW REMOVAL

FOR THE TOWN OF CHEEKTOWAGA 1989-90 WINTER SEASON

Covered by Specifications ADVERTISED ON: 11/06/90 This bid must be returned to the Town Clerk's Office, Cheektowaga Town Hall, Broadway & Union Rd., Cheektowaga, NY 14227 on or before 11:00 A.M., December ~~14~~ 28, 1990. At which time all bids will be publicly opened.

THE UNDERSIGNED SUBMITS THE FOLLOWING BID WHICH IS IN COMPLETE CONFORMITY WITH THE INTENT OF THE SPECIFICATIONS:

SUPERVISOR WITH PICK-UP TRUCK $ 32.00/HR.

	BASE HOURLY RATE	PREMIUM TIME
3 C.Y. Loaders	$ 65.00	None
4 C.Y. Loaders	$ 85.00	None
5 C.Y. Loaders	$ 98.00	None
Road Graders	$ 80.00	None
Tandem Axle Dump Trucks	$ 48.00	None

CONTRACTOR CUSTOM TOPSOIL, INC.

ADDRESS 320 Crabapple Lane Cheektowaga, NY 14227

PHONE NO. 668-4444

NO. 2

NO. 3

NO. 4

Item No. 14a Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, an ordinance (Chapter 69 of the Code of the Town of Cheektowaga) granting property tax exemptions to eligible senior citizens was previously adopted by the Cheektowaga Town Board, and

WHEREAS, various amendments to such ordinance have been adopted to increase income eligibility for senior citizens, and

WHEREAS, by Chapter 198 of the Laws of 1990, the State Legislature authorized municipalities to further increase income eligibility under such an ordinance, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 21st day of January, 1991 at 7:30 P.M. to consider the advisability of amending Chapter 69 of the Town Code to increase income eligibility for senior citizens under such ordinance, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the Cheektowaga Times, the official Town newspaper.

* *

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 7th day of January, 1991, a public hearing will be held on the 21st day of January, 1991 at 7:30 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the Tax Exemption for Senior Citizens Ordinance (Chapter 69 of the Town Code) shall be amended and changed as follows:

RESOLVED, that Subsection B (1) of Section 69-2. Conditions for exemption, shall be amended to read as follows:

§69-2. Conditions for exemption.
B. Income range; applicability
(1) The percentage of exemption from town taxes shall be based on the maximum annual income range specified herein as follows:

Income Range	Percentage of Exemption
$15,000.00 or Under	50%
$15,000.01 - $15,599.99	45%
$15,600.00 - $16,199.99	40%
$16,200.00 - $16,799.99	35%
$16,800.00 - $17,399.99	30%
$17,400.00 - $17,999.99	25%
$18,000.00 - $18,599.99	20%
$18,600.00 or Over	0%

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
Dated: January 7, 1991

Richard M. Moleski
Town Clerk

* *

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks;

first publication January 10, 1991;

last publication January 10, 1991;

and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 10th

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 NOTICE
NOTICE OF HEARING

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 7th day of January, 1991, a public hearing will be held on the 21st day of January, 1991 at 7:30 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the Tax Exemption for Senior Citizens Ordinance (Chapter 69 of the Town Code) shall be amended and changed as follows:

RESOLVED, that Subsection B (1) of Section 69–2. Conditions for exemption, shall be amended to read as follows:

§69–2. Conditions for exemption.

B. Income range; applicability

(1) The percentage of exemption from town taxes shall be based on the maximum annual income range specified herein as follows:

Income Range	Percentage of Exemption
$15,000.00 or under	50%
$15,000.01–$15,599.99	45%
$15,600.00–$16,199.99	40%
$16,200.00–$16,799.99	35%
$16,800.00–$17,399.99	30%
$17,400.00–$17,999.99	25%
$18,000.00–$18,599.99	20%
$18,600.00 or Over	0%

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

Dated: January 7, 1991
Richard M. Moleski
Town Clerk

PUBLISH: January 10, 1991

Item No. 14b 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 January 21, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 10th day of January, 1991, said amendments being set forth in the Notice of Hearing

* *

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on January 21, 1991 at 7:30 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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
Bert Road	North-south	Ellen Drive	Eastbound	S.W. Corner
Bert Road	North-south	Ellen Drive	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

BUELL AVENUE	West side	from the north curbline of West Sobieski Avenue to a point two hundred (200) feet north of the north of the north property line of 114 Buell Avenue

B. No parking anytime

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

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

B. No parking anytime

BUELL AVENUE	East side	from the south curbline of Genesee Street to the terminus
BUELL AVENUE	West side	from the south curbline of Genesee Street to the terminus

Item No. 14b continued

D. No standing here to corner

FRANTZEN TERR.	South side	from the east curbline of Zeller Lane easterly 50 feet to a point

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

Dated: January 7, 1991

Richard M. Moleski
Town Clerk

* *

Upon Roll Call....

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

AFFADAVIT - 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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 10, 1991; last publication January 10, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 10th 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 NOTICE
NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on January 21, 1991 at 7:30 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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
Bert Road	North–south	Ellen Drive	Eastbound	S.W. Corner
Bert Road	North–south	Ellen Drive	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76–102. Parking prohibited in designated locations.

Section 76–102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

BUELL AVENUE	West side	from the north curbline of West Sobieski Avenue to a point two hundred (200) feet north of the north property line of 114 Buell Avenue

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 76–102 of the traffic ordinance shall b amended by adding thereto the following:

B. No parking anytime

BUELL AVENUE	East side	from the south curbline of Genesee Street to the terminus
BUELL AVENUE	West side	from the south curbline of Genesee Street to the terminus

D. No standing here to corner

FRANTZEN TERR.	South side	from the east curbline of Zeller Lane easterly 50 feet to a point

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

Dated: January 7, 1991
RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 10, 1991

Item No. 15 Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, Louis Marini has petitioned for the rezoning from M2-General Manufacturing District to C-Retail Business District of property owned by Marini Industries, Inc. and located at 3700 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 3rd day of December, 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 condition:

1. Petitioner install fencing separating the apartment complex from the surrounding residential development
2. Compliance with §82-71 of the Town Zoning Ordinance

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Advisory 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 condition:

1. The drainage plan be further detailed to the Town Engineer's satisfaction

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 Louis Marini for the rezoning from M-2 General Manufacturing 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 recommendations made by the Cheektowaga Planning Board and the Town Environmental Advisory Committee and, BE IT FURTHER

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

* *

MOTION BY COUNCILMAN SOLECKI, SECONDED BY COUNCILMAN BLACHOWSKI 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 Kulyk, Seconded by Councilman Blachowski

WHEREAS, Louis Marini has petitioned for the rezoning from M2-General Manufacturing District to C-Retail Business District of property owned by Marini Industries, Inc. and located at 3700 Broadway, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

Item No. 15 continued

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of December, 1990 at 7:00 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 condition:

1. Petitioner install fencing separating the apartment complex from the surrounding residential development
2. Compliance with §82-71 of the Town Zoning Ordinance

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordiance 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 condition:

1. The drainage plan be further detailed to the Town Engineer's satisfaction

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 Louis Marini for the rezoning from M-2 General Manufacturing District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby approved subject to:

1. The aforementioned recommendations made by the Cheektowaga Planning Board and the Town Environmental Advisory Committee
2. That a yard hydrant be placed at the direction of the Building Inspector, 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 Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFADAVIT - NEXT PAGE

L E G A L D E S C R I P T I O N

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 east of the east line of 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.

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

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for** 1 **weeks: first publication** January 10, 1991 **; last publication** January 10, 1991 **; and that no more than six days intervened between publications.**

Melanie Wolf

Sworn to before me this 10th

day of January, **19**91

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 7th day of January, 1991 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 Blachowski

WHEREAS, Louis Marini has petitioned for the rezoning from M2–General Manufacturing District to C–Retail Business District of property owned by Marini Industries, Inc. and located at 3700 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 3rd day of December, 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 condition:

1. Petitioner install fencing separating the apartment complex from the surrounding residential development
2. Compliance with §82-71 of the Town Zoning Ordinance and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Advisory 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 condition:

1. The drainage plan be further detailed to the Town Engineer's satisfaction

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 Louis Marini for the rezoning from M–2 General Manufacturing District to C–Retail Business District of the property specified in the attached legal description be and the same is hereby approved subject to:

1. The aforementioned recommendations made by the Cheektowaga Planning Board and the Town Environmental Advisory Committee
2. That a yard hydrant be placed at the direction of the Building Inspector

and, BE IT FURTHER

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 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 east of the east line of 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.

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 January 7, 1991, 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 15, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 7TH day of January, 1991.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: January 10, 1991

Item No. 16a Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Cheektowaga Facilities Department, Parks Division requires Softball and Hardball Diamond Supplies, AND

WHEREAS, said supplies are required for the various Town sponsored Youth and Adult Programs, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice To Bidders for Softball and Hardball Diamond Supplies, AND BE IT FURTHER

RESOLVED, that specifications for said supplies may be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 21st day of January, 1991 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on January 21, 1991 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Road for Softball and Hardball Diamond Supplies for the year, 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 or all bids.

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

Richard M. Moleski
Town Clerk

DATED: January 7, 1991

* *

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

AFFADAVIT - NEXT PAGE

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LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town lerk on January 21, 1991 at 11:00 am, Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads for Softball and Hardball Diamond Supplies for the year, 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 and award to other than the low bidder should it be in the best interest of the Town, or reject any or all bids.

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

Richard M. Moleski
Town Clerk
Dated: January 7, 1991
PUBLISH: January 10, 1991

Item No. 16b Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, requires Athletic White Stripe for the purpose of lining athletic fields, NOW BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice To Bidders for the purchase of Athletic White Stripe, AND BE IT FURTHER

RESOLVED, that the specifications for said Athletic White Stripe may be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 21st day of January, 1991 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on January 21, 1991 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Road, for the supplying of Athletic White Stripe for the year 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 offer to other than the low bidder should it be in the best interest of the Town, or reject any or all bids.

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

Richard M. Moleski
Town Clerk

Dated: January 7, 1991

* *

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 } **ss.**
TOWN OF CHEEKTOWAGA

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for** 1 **weeks; first publication** January 10, 1991 **; last publication** January 10, 1991 **; and that no more than six days intervened between publications.**

Melanie Wolf

Sworn to before me this 10th

day of January, **19**91

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
NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on January 21, 1991 at 11:00 am, Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year 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 and award to other than the low bidder should it be in the best interest of the Town, or reject any or all bids.

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

Richard M. Moleski
Town Clerk
Dated: January 7, 1991
PUBLISH: January 10, 1991

Item No. 16c Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, annually requires Pool Maintenance Chemicals for the year, NOW BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of Pool Maintenance Chemicals, AND BE IT FURTHER

RESOLVED, that the specifications for said Pool Maintenance Chemicals be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 21st day of January, 1991 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on January 21, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of Pool Maintenance Chemicals for the year, 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 or all bids.

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

Richard M. Moleski
Town Clerk

Dated: January 7, 1991

* *

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 10, 1991; last publication January 10, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 10th 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

31
1225

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on January 21, 1991 at 11:00 am, Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of Pool Maintenance Chemicals for the year, 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 or all bids.

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

Richard M. Moleski
Town Clerk
Dated: January 7, 1991
PUBLISH: January 10, 1991

Item No. 16d Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, utilizes Portable Chemical Toilets at various locations to service Recreation Department activities and Special Events, NOW BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Leasing and Servicing of Portable Chemical Toilets, AND BE IT FURTHER

RESOLVED, that Specifications for said Leasing and Servicing of Portable Chemical Toilets be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 21st day of January, 1991 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on January 21, 1991 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Road, for the Leasing and Servicing of Portable Chemical Toilets for the year, 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 or all bids.

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

Richard M. Moleski
Town Clerk

Dated: January 7, 1991

* *

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 10, 1990; last publication January 10, 1990; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 10th 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

30.
11.85

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Clerk on January 21, 1991 at 11:00 am, Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road for the Leasing and Servicing of Portable Chemical Toilets for the year, 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 and award to other than the low bidder should it be in the best interest of the Town, or reject any or all bids.

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

Richard M. Moleski
Town Clerk
Dated: January 7, 1991
PUBLISH: January 10, 1991

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

WHEREAS, the Cheektowaga Senior Citizen Travel Club donated $5,500.00 to be used for the Senior Center only.

AND WHEREAS, the Bellevue Seniors donated $2,254.78 to be used for the Senior Center only,

BE IT RESOLVED, that the Town of Cheektowaga accepts these donations.

Account #06-0892-0100-40

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

Item No. 18 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

NAME	ADDRESS	COMPANY	EMT EXPIRES
Christian Walters	Hamburg, N.Y. 14075	Town's	5/31/91
Peace Kullerkupp	Derby, N.Y. 14047	Town's	2/28/93
[redacted] Cheryl S. Rokutanda	Amherst, N.Y. 14228	Town's	12/31/91
Bradley R. Frens	Batavia, New York 14020	Town's	5/31/93

Item No. 19 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, All-Weather Contractors, Inc., has submitted a proposal to furnish and install a lightning protection system at the Reinstein Memorial Library in the amount of $3,605.00, AND

WHEREAS, the firm of Scaffidi & Moore Architects has received the proposal submitted by All-Weather Contractors, Inc., and has recommended approval of same, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves said Change Order as submitted by All-Weather Contractors, Inc., 510 Ellicott Road, Cheektowaga, New York 14227, in the amount of $3,605.00, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5811-7410-1103.

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 Councilman Rogowski

WHEREAS, the Cheektowaga Youth Engaged in Service (Y.E.S.) Program has requested permission to conduct an overnight on January 26th and 27th, 1991 at Alexander Community Center, and

RESOLVED that the Cheektowaga Town Board permit the Cheektowaga Youth Engaged in Service (Y.E.S.) Program use of Alexander Community Center on January 26th and 27th, 1991, and BE IT FURTHER

RESOLVED that a copy of said resolution be forwarded to the Chief of Police, and Facilities Department Director.

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

Item No. 21a Motion by Councilman Gabryszak, Seconded by Councilman Kulyk

WHEREAS, by resolution, the position of Director of Recreation has been abolished, in an effort to consolidate services for greater economy, AND

WHEREAS, the current Director of Recreation, Michael Miecznikowski, has, by communication dated December 31, 1990, refused his option of bumping into another position, as allowed by New York State Civil Service Law, NOW, THEREFORE, BE IT

RESOLVED, that Michael Miecznikowski has hereby terminated his employment with the Town of Cheektowaga as of the end of work day December 31, 1990.

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 NAMES IN ITEM NO. 21B

* *

Item No. 21b Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following seasonal employees be and hereby are terminated in the various departments as listed, effective December 31, 1991:

TAX OFFICE
Arlene Jankowski
Patricia Jaroszewski
Suzanne O'Neill
Waltraud Piffl
Sandra Rakowski
Margaret Trautmann
Rita Trzaska
Ann MCGuire
Susan Melber
Emily Miklas
Patricia Miller
Denise Myers
June Peterson
Emilie Ring
Rita Wick
Joan Wojkowski
Pamela Ruday
Arlene Mueller
Eleanor Budzinski
Patricia Cosimano
Linda Dietl
Geraldine Glascott
Eleanor Kantowski
Ruth Kulyk
Marie Kwiek
Carol Malkiewicz

FACILITIES DEPARTMENT
Joseph Coffta
James Demler
Francis Strong
Steven Dunkowski
John Bratek
Gordon Hagmeier
John Kochel
Jeffrey Koscielny
Felix Lampke
Cam Viverto
Edward Stangret
Andrew Sciandra
John Rogowski, Jr.
James Rogowski
Harry Rogalski
Joseph Dolecki
Joseph Dietl

MAIN PUMP STATION
Chester Kensy
John Johnson
Leroy Linkner
Conrad Scharmack

SEWER DEPARTMENT
John Bobeck
Stephen Fialkowski
Don Nowakowski
David Surdej
Timothy Danner
Kimberly Burst
Scott Schneider

TOWN CLERK'S OFFICE
Kelly Jeffords

Item No. 21b continued

SANITATION DEPARTMENT
Dale Galley
Kevin Knaus
Mark Meszkotowicz
Richard Ostrowski
Dale Ruthenberg
Brian Kazmierczak
Stephen Mika
Christine Penner
Michael Ryan
Laurence Doughtery
Paul Kozlowski
Ann Czechowski

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

Item No. 22 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

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, NOW, THEREFORE, BE IT

RESOLVED, that the Youth and Recreation Departments are hereby combined into one new department to be known as Youth and Recreational Services, AND, BE IT FURTHER

RESOLVED, that the consolidation of these departments has created a need for reassignment of personnel and changes in titles, NOW, THEREFORE, BE IT

RESOLVED, that the Youth Bureau Director, Kenneth Kopacz, be appointed to the position of Director of Youth and Recreational Services, pending classification from the Erie County Department of Personnel, for a 90-day probationary period, AND BE IT FURTHER

RESOLVED, that Linda Porter, Clerk-Stenographer in the Youth Bureau, be reassigned as Clerk-Stenographer, Youth and Recreational Services, AND, BE IT FURTHER

RESOLVED, that Barbara Kornecki, Senior Clerk in the Recreation Department, be assigned as Senior Clerk, Senior Services, AND, BE IT FURTHER

RESOLVED, that Bernadette Platt, Recreation Instructor in the Recreation Department, be reassigned to Recreation Instructor Youth and Recreational Services, AND, BE IT FURTHER

RESOLVED, that Lawrence Brownell, Senior Recreation Supervisor in the Recreation Department, be reassigned to Senior Recreation Supervisor, Youth and Recreational Services, with assigned supervisory responsibilities, for a 90-day probationary period, AND, BE IT FURTHER

RESOLVED, that Patricia Staniaszek, Program Coordinator in the Youth Bureau, be reassigned to Senior Youth Board Supervisor, Youth and Recreational Services, pending jurisdictional classification from Erie County Department of Personnel, assigned supervisory responsibilities, for a 90-day probationary period AND, BE IT FURTHER

RESOLVED, that the position of Account-Clerk Typist, Youth Bureau, presently vacant, be reassigned to Account-Clerk Typist, Youth and Recreational Services, AND, BE IT FURTHER

Item No. 22 continued

RESOLVED, that the position of Recreation Supervisor, Recreation Department, currently vacant, be and hereby is abolished.

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 Rogowski

WHEREAS, a vacancy exists in the position of Assistant Building Inspector, AND

WHEREAS, said position has been posted in accordance with the terms of the collective bargaining agreement between the Town and the Town of Cheektowaga Employees Association, AND

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

WHEREAS, Gary Parks, currently a part-time Assistant Building Inspector for the Town, has applied for said position, is familiar with the duties of such position and meets the necessary requirements, NOW, THEREFORE, BE IT

RESOLVED, that Gary Parks, , Cheektowaga, New York 14225, be and hereby is appointed to the position of Assistant Building Inspector, on a provisional basis, pending the results of a competitive Civil Service exam to be held for the position, AND, BE IT FURTHER

RESOLVED, that said appointment is made effective immediately and the salary will be in accordance with the terms and conditions of the collective bargaining agreement 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. 23b Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, vacancies exist in the position of Police Officer in the Town of Cheektowaga, AND

WHEREAS, this Board is interested in filling three (3) positions at this time, AND

WHEREAS, the Civil Service eligible list for Police Officer has been canvassed and candidates were interviewed, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are appointed to the position of Police Officer at a salary in accordance with the collective bargaining agreement between the Town and the Town of Cheektowaga Police Club, Inc.,

Paul R. Delano, Jr.
Michael P. McDonough
Karen L. Healy

AND, BE IT FURTHER

RESOLVED, that said appointments shall become effective January 24, 1991 and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

Item No. 23b continued

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

Item No. 23c Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, by resolution, this Town Board created the position of Zoning Inspector, AND

WHEREAS, the Town is interested in filling this position, AND

WHEREAS, said position has been posted in accordance with the terms of the collective bargaining agreement between the Town and Town of Cheektowaga Employees Association, AND

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

WHEREAS, Donald J. Wegner has applied for the position of Zoning Inspector and has been interviewed and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Donald J. Wegner, , Cheektowaga, New York 14227, be and hereby is appointed to the position of Zoning Inspector, on a provisional basis, pending the results of a competitive Civil Service exam to be held for the position, AND, BE IT FURTHER

RESOLVED, that said appointment is made effective immediately and the salary will be as set forth in the Memorandum of Agreement made between the Town and the Town of Cheektowaga Employees Association, dated December 18, 1990.

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

Item No. 23d Appointment of Assistant Director of Youth & Recreational Services
This item has been withdrawn.

* *

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY COUNCILMAN KULYK TO DISPENSE WITH READING THE NAMES IN ITEM NO. 24A.

* *

Item No. 24a Motion by Councilman Blachowski, Seconded by Councilman Rogowski

BE IT RESOLVED, that the following individuals are hired as seasonal employees in the various departments listed, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

	EFFECTIVE
TAX OFFICE - Day Shift - $4.75 per hour	
Arlene Jankowski	Immediately
Patricia Jaroszewski	"
Suzanne O'Neill	"
Waltraud Piffl	"
Sandra Rakowski	"
Margaret Trautmann	"
Rita Trzaska	"

Item No. 24a continued

TAX OFFICE - Night Shift - $4.25 per hour

Emily Miklas	Immediately
Patricia Miller	"
Denise Myers	"
Emilie Ring	"
Rita Wick	"
Joan Wojtkowski	"
Pamela Ruday	"
Arlene Mueller	"
Eleanor Budzinski	"
Patricia Cosimano	"
Geraldine Glascott	"
Eleanor Kantowski	"
Marie Kwiek	"
Carol Malkiewicz	"

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 READING OF THE NAMES IN ITEM NO. 24B.

* *

Item No. 24b Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are hired as seasonal employees in the various departments listed, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 1, 1991:

FACILITIES DEPARTMENT - $4.65 per hour

James Demler
Francis Strong
Steven Dunkowski
Gordon Hagmeier
John Kochel
Jeffrey Koscielny
Felix Lampke
Cam Viverto
Edward Stangret
Andrew Sciandra
John Rogowski, Jr.
James Rogowski
Harry Rogalski

MAIN PUMP STATION - $4.65 per hour

Chester Kensy
John Johnson
Leroy Linkner
Conrad Scharmack

SEWER DEPARTMENT - $4.65 per hour

John Bobeck
Stephen Fialkowski
Donald Nowakowski
David Surdej
Timothy Danner

Item No. 24b continued

TOWN CLERK'S OFFICE - $5.00 per hour

Kelly Jeffords

SANITATION DEPARTMENT - $5.00 per hour

Brian Kazmierczak

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

Item No. 25a Authorization to Attend Association of Town's Convention
This item has been withdrawn.

Item No. 25b Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and inspections from February 3-6, 1991 at the Buffalo Hyatt Regency Hotel, Buffalo, New York, and

WHEREAS, said seminar provides 18 of the 24 mandatory credit hours of New York State in-service training, and

WHEREAS, the Director of Community Development has recommended that the Town's Housing Inspectors be authorized to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED that Lawrence Kensy and Richard J. Willis be and hereby are authorized to attend said educational seminar on February 3, 4, 5, and 6, 1991 at the Buffalo Hyatt Regency Hotel, at a cost of $140.00 per person, said costs to be paid from the Community Development Budget (Account #0700-8664-0750) and the Building Inspection Department Budget (Account #0800-3620-4088), and BE IT

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

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

Item No. 26 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:	0100-1110-2205 (Justice-Copy Machine)	$2,800.00
	0100-1110-4501 (Justice-Microfilming)	1,500.00
	0100-1110-4592 (Justice-Contracted Clerical)	900.00
To:	0100-1110-1391 (Justice-Part Time Clerical)	$5,200.00

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 vouchers and warrants submitted to the Town of Cheektowaga prior to January 7, 1991 are hereby approved and made a part hereof:

General Fund	$144,192.09
Highway Fund	57,275.69
Trust & Agency Fund	4,741.73
HUD - CDBG Fund	55,555.56
Part Town Fund	150.00
Risk Retention Fund	1,916.67
State AHC Fund	3,930.00
HUD Rehab Fund	3,985.00
Capital Fund	145,881.61
Special District Fund	246,371.48
	$663,999.83

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 28 Building Permits.
Received and Filed.

Item No. 29 Annual Report from Receiver of Taxes.
Received and Filed.

IV. GENERAL COMMUNICATION

Item No. 30a Notice of Claim: Eugene P. Dojka vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Dept.; Allied Claims Services, Inc., Insurance Carrier

Item No. 30b Notice of Claim: Jeffrey E. Herkey vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Dept.; Allied Claims Services, Inc., Insurance Carrier

Item No. 30c Notice of Claim: Robert A. Wruck vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Dept.; Allied Claims Services, Inc., Insurance Carrier

Item No. 30d Notice of Claim: Patricia Flaiban vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Sewer Dept.; Allied Claims Services, Inc., Insurance Carrier

Item No. 30E Notice of Claim: Dorene Christopher vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Dept.; Allied Claims Services, Inc., Insurance Carrier

Item No. 31 Petition Regarding Messer Avenue.
Received and Filed.

* *

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN KULYK 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

* *

V. SUSPENSION OF RULES

Item No. 32 Motion by Councilman Blachowski, Seconded by Supervisor Swiatek

WHEREAS, by resolution dated September 4, 1990, this Town Board approved an ambulance service agreement with Town's Ambulance Service, Inc., and

WHEREAS, Schedule C of such agreement contained a listing of rates to be charged by Town's Ambulance Service, Inc., and

WHEREAS, Town's Ambulance Service, Inc. has requested permission to increase their mileage rates from $4.00 per mile to $4.50 per mile; and their oxygen rates from $10.00 to $12.00, and

WHEREAS, the Emergency Medical Services Board of the Town has reviewed this request and has recommended that same be approved, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the request of Town's Ambulance Service, Inc. to increase their mileage rates from $4.00 per mile to $4.50 per mile and their oxygen rates from $10.00 to $12.00, effective immediately.

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

Item No. 33a Motion by Councilman Kulyk, Seconded by Councilman Rogowski

BE IT RESOLVED, that the Supervisor be and hereby authorized to sign the attached Memorandum of Agreement between the Town 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 EMPLOYEE ASSOCIATION

Whereas, the parties are desirous of making a change in the collective bargaining agreement,

It is hereby agreed that the position of "Traffic Maintenance Worker" is created at the following salary and that the appropriate appendixes are amended:

	Start	12mo.	18 mo.	2 yrs.
1991	11.551	12.010	12.506	12.947
1992	12.128	12.610	13.131	13.594

TOWN OF CHEEKTOWAGA

TOWN OF CHEEKTOWAGA
EMPLOYEE ASSOCIATION

1-10-91

Item No. 33b 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 EMPLOYEE ASSOCIATION

Whereas, the parties are desirous of making a change in the collective bargaining agreement,

It is hereby agreed that the position of "Traffic Maintenance Worker" is created at the following salary and that the appropriate appendixes are amended:

	Start	12mo.	18 mo.	2 yrs.
1991	11.551	12.010	12.506	12.947
1992	12.128	12.610	13.131	13.594

TOWN OF CHEEKTOWAGA

TOWN OF CHEEKTOWAGA
EMPLOYEE ASSOCIATION

Robert Kutkowski

Item No. 34 Motion by Councilman Kulyk, Seconded by Councilman Rogowski

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 January 1, 1991:

SANITATION DEPARTMENT - $5.00 per hour

Dale Galley
Kevin Knaus
Mark Meszkotowicz
Richard Ostrowski
Dale Ruthenberg
Gerald Ostrowski, Jr.

FACILITIES DEPARTMENT - $4.65 per hour

Joseph Dolecki
Joseph Dietl

YOUTH & RECREATIONAL SERVICES - RINK GUARD - $3.75 per hour

Renee Barbara Whitehead

YOUTH & RECREATIONAL SERVICES - BASKETBALL SUPERVISOR - $5.00 per hour

Paul Whelan
Anthony Percival

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

Item No. 35 Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

BE IT RESOLVED, that the salaries of the following Town employees not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1991:

Disaster Coordinator		$12,127.26
Mail Clerk Part-Time		6,825.00
Bingo Inspector	(5)	6,063.59
Chairman	(1)	6,348.80
Planning Board	(5)	2,930.63
Secretary	(1)	3,709.83
Chairman	(1)	4,329.75
Zoning Board	(4)	3,454.76
Chairman	(1)	4,796.85
Assessment Review Board	(4)	1,217.24
Chairman	(1)	1,513.21
Police Matrons	(2-1/2)	9,317.23
School Crossing Guards		6.04/hour
Recreation Attendants		8,866.25

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 NAMES IN ITEM NO. 36.

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

* *

Item No. 36 Motion by Councilman Gabryszak, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following part-time employees be and hereby are transfered to the Youth and Recreational Services Department, effective January 1, 1991:

ADMINISTRATIVE INTERN

Jason J. Backes
Joseph L. Favata
Mark T. Kopp
Christopher Krajewski
Amy C. Meyers
Theresa Schneider
Kerry Switalski

PROGRAM COORDINATOR

Ellen Fischer
Deborah Fleetwood

ENVIRONMENTAL EDUCATION COORDINATOR

Roger Newhouse

ASSISTANT PROGRAM COORDINATOR

Paulette Mecca

ACTIVITY DIRECTORS

Bonnie Lynch
David Imiola
Barb Zielinski

SENIOR COUNSELORS

Christy Male
Paul Marchewka
Kathy Miller
Ann Priester

COUNSELOR III

Cindy Printipato
Kelly Goeckel
Elizabeth Gagola

Item No. 36 continued

COUNSELOR II

Denise Bogdan
Colleen Schaub
Laura Mutka
Linda Mutka
Jennifer Stock
Kirsten Weir

COUNSELOR I

Tracy Hoerner
Kristen Loughlin
Karen Noworyta
Amy Wetmore
Jennifer Tobolski
Amy Furminger

RECREATION ATTENDANTS (J.F.K. HIGH SCHOOL)

Jeffrey Bakowski
Kevin Burke
Jason Cwiklinski
Jason Dauscher
Brian Hondzinski
Jason Kenjockety
Mark Ostempowski
Jeffrey Pula
Keith Sokolski
Michael Stachura
Shawn Surdej
Greg Wazny
Jeffrey Wheeler

HOCKEY PROGRAM COORDINATOR

Michael Bogdan

HOCKEY PROGRAM SUPERVISORS

Matthew Bean
Norbert Rzeski

RINK GUARD SUPERVISORS

Paul Dennis
Robert Kowalewski

FIGURE SKATING INSTRUCTOR

Mary Sue Lesniak

RINK GUARD ATTENDANTS

James Dick
Joseph Gajewski
Steven Golovin
Steven Kowalewski, Jr.
Daryl Krakowiak
Eugene Whitehead
David Weber
John Flynn
Todd Meyers

Item No. 36 continued

COMMUNITY CENTER SUPERVISORS

Mary Lou Czajka
Thomas Kazmierczak III
Bernard Ruda
Jill Sam

COMMUNITY CENTER RECREATION LEADERS

Julie Kaczorowski
Sue Ring
Jeffrey Schneider
Jennifer Tonsoline

RECREATION ATTENDANTS

Donna Bartochowski
Joanne Haas
Nick Byrnes

LIFEGUARD - SCHOOL SWIM PROGRAM

Annette Pyszczynski
Douglas Kenjockety
Nadine Verga

SOCCER INSTRUCTOR

Maurice Desjardins
Ben Dennis
Roy Schneiderman

PRE-K INSTRUCTORS

Michelle Kunkel
Mary Beth Seivert

AEROBIC INSTRUCTORS

Laila Desjardins
Beverly Nowicki

VOLLEYBALL INSTRUCTORS

Faye Hertel
Amy Skretny

ATTENDANT - SCHOOL SWIM PROGRAM

Keith Bova

BASKETBALL SUPERVISORS - CLEVELAND HILL H.S.

Paul Whelan
Harace Graham
Anthony Percival

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

Item No. 37 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak 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 21st day of January, 1991 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; Bruce Chamberlin, Chief of Police; Terry Rusin, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Chester L. Bryan, Town Engineer; John Schaller, Assistant Chief of Police; Christopher J. Kowal, Highway Superintendent; James Kirisits, Town Attorney; Kenneth Kopacz, Director of Youth & Recreational Services; Donald Wegner, Zoning Inspector; Leonard Szymanski, Foreman of Facilities Dept.; Robert Kaczmarek, Accounting Dept.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 69 of the Code of the Town of Cheektowaga, Senior Citizens Ordinance, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

RESOLVED, that Subsection B (1) of Section 69-2. Conditions for exemption, shall be amended to read as follows:

§69-2. Conditions for exemption.
B. Income range; applicability
(1) The percentage of exemption from town taxes shall be based on the maximum annual income range specified herein as follows:

Income Range	Percentage of Exemption
$15,000.00 or Under	50%
$15,000.01 - $15,599.99	45%
$15,600.00 - $16,199.99	40%
$16,200.00 - $16,799.99	35%
$16,800.00 - $17,399.99	30%
$17,400.00 - $17,999.99	25%
$18,000.00 - $18,599.99	20%
$18,600.00 or Over	0%

* *

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

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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
Bert Road	North-south	Ellen Drive	Eastbound	S.W. Corner
Bert Road	North-south	Ellen Drive	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

BUELL AVENUE	West side	from the north curbline of West Sobieski Avenue to a point two hundred (200) feet north of the north of the north property line of 114 Buell Avenue

B. No parking anytime

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

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

B. No parking anytime

BUELL AVENUE	East side	from the south curbline of Genesee Street to the terminus
BUELL AVENUE	West side	from the south curbline of Genesee Street to the terminus

D. No standing here to corner

FRANTZEN TERR.	South side	from the east curbline of Zeller Lane easterly 50 feet to a point

* *

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

II. RESOLUTIONS

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

WHEREAS, Daniel P. Kendziora & Thaddeus F. Kendziora, Jr. have made application and requested the Rezoning from RC-Restricted Business District to C-Retail Business District for property located at 2463 Union Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 4, 1991 at 6:30 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 } **ss.**
TOWN OF CHEEKTOWAGA

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for** 1 **weeks: first publication** January 24, 1991 **; last publication** January 24, 1991 **; and that no more than six days intervened between publications.**

Melanie Wolf

Sworn to before me this 31st

day of January, **19**91

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 4th day of FEBRUARY, 1991 at 6:30 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of DANIEL & TED KENDZIORA, JR to Rezone from RC–RESTRICTED BUSINESS District to C–RETAIL BUSINESS District on property located at 2463 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.

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 No. 62, Township 10 and Range 7 of the Buffalo Creek Reservation and according to a map filed in the Erie County Clerk's Office under Cover No. 784 is known as Subdivision Lot No. 3 and part of Subdivision Lot. No. 4 in Block "D" and a portion of Terminal Avenue, now abandoned, bounded and described as follows:

BEGINNING at the intersection of the east line of lands acquired by the State of New York under Map No. 58, Parcel No. 67, as described in a Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 7130 of Deeds at page 434, with the south line of said Lot No. 62; Thence north along the east line of lands so appropriated 100 feet to the north line of Terminal Avenue (60–feet wide), now abandoned; Thence east along the north line of said Terminal Avenue, 160 feet to a point; Thence south at right angles to the last described line, 97.94 feet to the south line of said Lot. No. 62; Thence west on said south line, 139.81 feet to the point of beginning.

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 M. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 24, 1991

NO. 3

NO. 4

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

WHEREAS, Michael L. Penna has made application and requested the Rezoning from R-Residential District to C-Retail Business District for property located at 4004 Union Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 4, 1991 at 6:30 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 } ss.
TOWN OF CHEEKTOWAGA

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 24, 1991; last publication January 24, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 31st

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 NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 4th day of FEBRUARY, 1991 at 6:30 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of MICHAEL L. PENNA to Rezone from R-RESIDENCE District to C-RETAIL BUSINESS District on property located at 4004 UNION ROAD pursuant to Article X and Section 82-70 of the Zoning Ordinance of 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 LOT NUMBER SEVENTEEN (17), TOWNSHIP ELEVEN (11), RANGE SEVEN (7) OF THE HOLLAND LAND COMPANY'S SURVEY AND FURTHER DISTINGUISHED AS SUBDIVISION LOT NUMBER THREE HUNDRED NINTEEN (319) AS SHOWN ON A MAP FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER COVER NUMBER 962.

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

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

BY ORDER OF THE TOWN BOARD

RICHARD M. MOLESKI
Town Clerk
PUBLISH: January 24, 1991

Item No. 4c Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, Noco Energy Service has made application and requested the Rezoning from C-Retail Business District to CM-General Commercial District and a Special Use Permit for retail sales and gasoline sales for property located at 5114 Transit Road, with the permission of the owner of the property, namely Eugene H. Reszel, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 4, 1991 at 6:30 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 } ss.
TOWN OF CHEEKTOWAGA

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 24, 1991; last publication January 24, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 31st 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 NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 4th day of FEBRUARY, 1991 at 6:30 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of NOCO ENERGY CORP./EUGENE H. RESZEL to Rezone from C–RETAIL BUSINESS District to CM–GENERAL COMMERCIAL District on property located at 5114 TRANSIT 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.

Deed recorded in Liber 8041 of Deeds at page 341

Deed Description of property at 5114 Transit Road, Cheektowaga, New York Noco Energy Corp, 700 Grand Island Blvd. Tonawanda, New York:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 67, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at the point of intersection of the westerly line of Transit Road (as a 100 foot wide road) with the southerly line of Como Park Boulevard, which southerly line is also the south line of lands conveyed to Rosa Schrankel by deed recorded in Liber 1179 of Deeds at page 554; thence southerly along the westerly line of Transit Road 238.50 feet to the northeast corner of lands conveyed to Frank Moranski and Agnes Moranski, his wife by deed recorded in Liber 4543 of Deeds at page 427; thence westerly at right angles to Transit Road and along the northerly line of said lands conveyed to Moranski, 199.49 feet; thence northerly at right angles to the last mentioned line 224.30 feet to the southerly line of Como Park Boulevard; thence easterly along the southerly line of Como Park Boulevard; 200.00 feet to the point or place of beginning; subject to building restrictions and easements of record.

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

PUBLISH: January 24, 1991

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

Melanie Walf, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 24, 1991; last publication January 24, 1991; and that no more than six days intervened between publications.

Melanie Walf

Sworn to before me this 24th 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 NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 4th day of FEBRUARY, 1991 at 6:30 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of NOCO ENERGY CORP./EUGENE H. RESZEL for a Special Permit for retail sales & gasoline sales on property located at 3114 TRANSIT ROAD pursuant to Article VI and Section 82-33 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

PUBLISH: January 24, 1991

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

WHEREAS, bids were duly received and opened at the January 7, 1991 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated January 16, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of work uniforms to Town of Cheektowaga employees, as recommended by the Town Engineer, be and the same is hereby awarded to Kristen Uniforms & Linens, 2010 Eggert Road, Amherst, New York 14226.

ITEM I	Work Pants (sizes to 42)	$10.75
ITEM II	Work Pants (sizes 44 and up)	12.25
ITEM III	Shirts (long sleeve, sizes up to 17 1/2)	9.60
ITEM IV	Shirts (long sleeve, sizes 18 and up)	11.20
ITEM V	Chambray Shirts (long sleeve, sizes up to 17 1/2)	8.65
ITEM VI	Chambray Shirts (long sleeve, sizes 18 and up)	10.05
ITEM VII	Shirts (short sleeve, sizes up to 17 1/2)	8.45
ITEM VIII	Shirts (short sleeve, sizes 18 and up)	10.05
ITEM IX	Chambray Shirts (short sleeve, sizes up to 17 1/2)	7.50
ITEM X	Chambray Shirts (short sleeve, sizes 18 and up)	8.90
ITEM XI	Coveralls (long sleeve, 36-52 regular)	16.95
ITEM XII	Coveralls (long sleeve, 36-52 long)	16.95
ITEM XIII	Denim Jeans (sizes up to 42)	8.35
ITEM XIV	Denim Jeans (sizes 44 and up)	9.80
ITEM XV	Bib Overalls	15.80
ITEM XVI	Tee Shirts	6.00

Said bid being a responsible bidder meeting the requirements of the specifications.

* SEE NEXT PAGE

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

Chester L. Bryan, P.E.
Town Engineer

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

January 16, 1991

TO THE SUPERVISOR AND
TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Work Uniforms

Gentlemen:

On January 7, 1991 bids were received and opened for the furnishing of work uniforms to Town employees as required through the Cheektowaga Employees Association Agreement. Two (2) bids were received and are as follows:

BIDDER	BID AMOUNT
Kristen Uniforms & Linens	$13,217.90
Flirts	13,602.25

It is recommended, therefore, that the bid be awarded to Kristen Uniforms & Linens, 2010 Eggert Road, Amherst, New York 14226 for the furnishing of work uniforms, said bid meeting the general intent of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

Item No. 5b Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, by resolution dated December 17, 1990, this Town Board authorized the publication of a Notice to Bidders for one (1) used automobile and one (1) used van for use by the Police Department, and

WHEREAS, bid proposals were received and publicly opened on January 7, 1991 at 11:00 A.M. for such vehicles, and

WHEREAS, based on review of the bid specifications, it was determined that the lowest bidder did not meet specifications and it was recommended by the Chief of Police that the bid for such vehicles be awarded to West Seneca Ford, NOW, THEREFORE, BE IT

RESOLVED, that West Seneca Ford, Inc., 2150 Union Road, West Seneca, New York 14224 be and hereby is awarded the bid for the following referenced vehicles for the following referenced amounts:

Vehicle	Vehicle ID #	Price
Used Auto	1FACP52U3LG191002	$11,735.93
Used Van	1FMDA31U8LZB17984	$13,857.60

and, BE IT FURTHER

RESOLVED, that moneys for such vehicles shall be appropriated from budget line item number 010031202303.

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

Item No. 5c Award of bid: Energy Monitoring and Control Systems Project at Cheektowaga Town Hall, Police, Court, Facilities and Recreation Center.
This item was withdrawn.

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

BE IT RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for furnishing of baseball and football equipment to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on January 30, 1991 at 11:00 a.m. Eastern Standard Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 30, 1991 at 11:00 a.m. Eastern Standard Time at Town Hall, corner of Broadway and Union Road for baseball and football equipment.

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

Item No. 6a continued

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga Department of Youth and Recreational Services at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the item originally designated.

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

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

Richard 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 } **ss.**
TOWN OF CHEEKTOWAGA

Melanie Walf, **of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is** clerk **of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for** 1 **weeks: first publication** January 24, 1991; **last publication** January 24, 1991; **and that no more than six days intervened between publications.**

Melanie Wolf

Sworn to before me this 31st

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 NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 30, 1991 at 11:00 a.m. Eastern Standard Time at Town Hall, corner of Broadway and Union Road for baseball and football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga Department of Youth and Recreational Services at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the item originally designated.

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

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

Richard M. Moleski
Town Clerk

PUBLISH: January 24, 1991

Item No. 6b Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, there is need to replace sanitary sewer manhole castings and covers utilizing self-sealing covers and vented covers, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of manhole castings with self-sealing covers and manhole castings with vented type covers, notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 11th day of February, 1991 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 11, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of manhole castings and 24" diameter covers for the Sewer Maintenance Department.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 21, 1991

* *

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... weeks; first publication January 24, 1991; last publication January 24, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 31st

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 NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 11, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of manhole castings and 24" diameter covers for the Sewer Maintenance Department.

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

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

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

Richard M. Moleski
Town Clerk
DATED: January 21, 1991
PUBLISH: January 24, 1991

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

WHEREAS, an ordinance (Chapter 69 of the Code of the Town of Cheektowaga) granting property tax exemptions to eligible senior citizens was previously adopted by the Cheektowaga Town Board, and

WHEREAS, various amendments to such ordinance have been adopted to increase income eligibility for senior citizens, and

WHEREAS, by Chapter 198 of the Laws of 1990, the State Legislature authorized municipalities to further increase income eligibility under such an ordinance, and

WHEREAS, a public hearing was held on the 21st day of January 1991 at 7:30 P.M. to consider the advisability of amending Chapter 69 of the Town Code to increase income eligibility for senior citizens under such ordinance, NOW, THEREFORE, BE IT

RESOLVED, that Chapter 69 of the Code of the Town of Cheektowaga be and hereby is amended and changed as follows:

RESOLVED, that Subsection B (1) of Section 69-2. Conditions for exemption, shall be amended to read as follows:

§69-2. Conditions for exemption.
B. Income range; applicability
(1) The percentage of exemption from town taxes shall be based on the maximum annual income range specified herein as follows:

Income Range	Percentage of Exemption
$15,000.00 or Under	50%
$15,000.01 - $15,599.99	45%
$15,600.00 - $16,199.99	40%
$16,200.00 - $16,799.99	35%
$16,800.00 - $17,399.99	30%
$17,400.00 - $17,999.99	25%
$18,000.00 - $18,599.99	20%
$18,600.00 or Over	0%

RESOLVED, that a copy of this resolution be entered in the Minutes of the meeting of the Town Board of the Town of Cheektowaga held on January 21, 1991; and that a certified copy be published in the CHEEKTOWAGA TIMES, the official Town newspaper; and an affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED, that this amendment to Chapter 69 of the Town Code shall take effect ten (10) days after publication and posting, but said changes shall take effect from the date of their service as against a person personally served with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 21st day of January, 1991 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

Motion by: Supervisor Swiatek
Seconded by Councilman Gabryszak

WHEREAS, an ordinance (Chapter 69 of the Code of the Town of Cheektowaga) granting property tax exemptions to eligible senior senior citizens was previously adopted by the Cheektowaga Town Board, and

WHEREAS, various amendments to such ordinance have been adopted to increase income eligibility for senior citizens, and

WHEREAS, by Chapter 198 of the Laws of 1990, the State Legislature authorized municipalities to further increase income eligibility under such an ordinance, and

WHEREAS, a public hearing was held on the 21st day of January 1991 at 7:30 P.M. to consider the advisability of amending Chapter 69 of the Town Code to increase income eligibility for senior citizens under such ordinance, NOW, THEREFORE, BE IT

RESOLVED, that chapter 69 of the Code of the Town of Cheektowaga be and hereby is amended and changed as follows:

RESOLVED, that the Subsection B (1) of Section 69-2. Conditions for exemption, shall be amended to read as follows:

§69-2. Conditions for exemption.
B. Income range; applicability
(1) The percentage of exemption from town taxes shall be based on the maximum annual income range specified herein as follows:

Income Range	Percentage of Exemption
$15,000.00 or Under	50%
$15,000.01–$15,599.99	45%
$15,600.00–$16,199.00	40%
$16,200.00–$16,799.00	35%
$16,800.00–$17,399.99	30%
$17,400.00–$17,999.99	25%
$18,000.00–$18,599.99	20%
$18,600.00 or Over	0%

RESOLVED, that a copy of this resolution be entered in the Minutes of the meeting of the Town Board of the Town of Cheektowaga held on January 21, 1991; and that a certified copy be published in the Cheektowaga Times , the official Town newspaper; and an affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED, that this amendment to Chapter 69 of the Town Code shall take effect ten (10) days after publication and posting, but said changes shall take effect from the date of their service as against a person personally served with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry in the minutes.

Upon roll call...

Supervisor Swiatek Voting AYE
Councilman 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 January 21, 1991, 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 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 21ST day of January, 1991.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: January 24, 1991

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

WHEREAS, by resolution dated December 17, 1990, this Town Board established user fees for the collection of over-sized and additional garbage containers, and

WHEREAS, in such resolution no provision was made for charging a late penalty if payment was not made within thirty (30) days of billing, and

WHEREAS, this Board is desirous of establishing a late fee for the aforesaid garbage user fees, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby establishes the following late fee relating to the payment of garbage user fees established on December 17, 1990:

Balance Not Paid after 30 days
subject to 1.50% per month
(18.0% per year) late fee

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

Item No. 9 Direct Superintendent of Highways and developer of Losson Park Subdivision to remove existing barricade on Towers Blvd.
This item was withdrawn.

Item No. 10 Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the automotive lift in the Central Garage has become inoperable and a new lift is needed, and

WHEREAS, Fleischmann Service Corporation has submitted a proposal to supply and install an 8,000-pound-capacity lift at the Central Garage for $6,900.00, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the purchase of the aforementioned lift as per the terms of the attached proposal, and BE IT FURTHER

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

RESOLVED, that moneys for such automotive lift shall be appropriated from budget line item number 0100-1640-2501.

* SEE ATTACHED PROPOSAL

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

FLEISCHMANN SERVICE CORP.

65 SKILLEN STREET • BUFFALO, N.Y. 14207 • PHONE (716) 873-4902

Date: November 16, 1990

PROPOSAL

Proposal Submitted To:
Town of Cheektowaga Central Garage
3175 Union Road
Cheektowaga, New York 14227

Job Name: Lift Replacement
Job Location:
SAME

Contact: Mr. Dick Koszuta

Job Phone:

[redacted]one: (716) 686-3439

Sum of: Refer to below Erie County-Tax Exempt

..... dollars $.....

Payment to be made as follows: Lump Sum-Net upon receipt of Invoice

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Note: This proposal may be withdrawn by us if not accepted within thirty days.

Authorized Signature Joe Salm

1.

Furnish one new Rotary DTO 28 H, 2-post side x side 8,000# capacity lift. Excavate and remove exisitng two post side x side lift and install new lift. Backfill with new material and replace disturbed concrete. Add necessary lift oil and check for operation.

NOTE: Excavated materials to be left on site.....
NEW TANK FOR LIFT WILL BE INSTALLED ABOVEGROUND.....

PRICE FOR #1: $6,900.00.....

~~2.~~

~~ALTERNATE: Furnish and install one new above ground lift, 9000# capacity....~~

~~Price for 2: $6,700.00....~~

~~PRICE FOR #2 DOES NOT INCLUDE REMOVAL OF OLD LIFT OR FLOOR REPLACEMENT IF REQUIRED.....~~

In the process of excavating for any purpose and any Governing Agency requires testing/removal (liquid/soil) to an approved lab/landfill the additional expense will be invoiced as an extra to the above customer. Any unusual/unexpected condition. ie. ROCK, FROST, EXCESSIVE WATER. QUICKSAND. CONCRETE, CAVING IN, WATER, ELECTRIC. GAS. PHONE, SEWER, OR THE LIKE which causes delay or added expense will be invoiced as an extra to the above customer.

[redacted]

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

[redacted]

Date of Acceptance: ..... Signature: .....

Item No. 11 Affirm recommendation of SEQR regarding Union Road near Floral. This item was withdrawn.

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

WHEREAS, Baker Development & Construction has submitted a requisition for final payment in the amount of $2,650.50 for General Construction work at the Engineering and Planning Office at the Alexander Community Center, AND

WHEREAS, Baker Development & Construction has submitted to Scaffidi & Moore, Architects, Contractor's Affidavit of Payment of Debts & Claims, Contractor's Affidavit of Release of Liens, Wage & Supplement Affidavit, Statement indicating no asbestos-containing materials were used on the project and Consent of Surety company to Final Payment, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves final payment in the amount of $2,650.50 to Baker Development & Construction for General Construction work at the Alexander Community Center, Engineering & Planning Office renovations, AND, BE IT FURTHER

RESOLVED, that Supervisor Frank E. Swiatek is hereby authorized to sign the Certificates of Substantial Completion establishing June 30, 1990 as the starting date for all warranties as required in the Contract Documents, AND, BE IT FURTHER

RESOLVED, that funds for said action are available from Account #5629-7110-0040.

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 Councilman Blachowski

WHEREAS, Goodwin Electric Corporation has submitted a requisition for final payment in the amount of $5453.85 for Electrical Work at the Alexander Community Center, AND

WHEREAS, Scaffidi & Moore Architects has reviewed and approved Goodwin Electric Corporation's Contractor's Affidavit of Payment of Debts & Claims, Contractor's Affidavit of Release of Liens, Wage & Supplement Affidavit, Statement indicating no asbestos containing materials were used on the project and Consent of Surety Company to Final Payment, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes Supervisor Frank Swiatek to sign the Certificates of Substantial Completion establishing August 29, 1990 as the start date for all warranties, as required by the Contract Documents, AND, BE IT FURTHER

RESOLVED, that the Cheektowaga Town Board hereby approves final payment to Goodwin Electric Corporation, 121 California Drive, Williamsville, N.Y. 14221, in the amount of $5453.85 for Electrical Work at the Alexander Community Center, AND, BE IT FURTHER

RESOLVED, that funds for said action are available from Capitol Improvement Account #5906-1625-1100.

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

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

WHEREAS, the Town is presently contemplating the construction of an 18-hole municipal golf course in the Rehm Road area of Town, and

Item No. 12c continued

WHEREAS, the plans for such golf course require that the Town obtain ownership of three parcels of land on the north side of Rehm Road (S.B.L. Nos. 92.04-1-21, 92.04-1-22 and 92.04-1-23), and

WHEREAS, Sky Harbor Sales, Inc. is the owner of such parcels, and

WHEREAS, after negotiations with Sky Harbor Sales, Inc. and exchange of appraisals, Sky Harbor Sales, Inc. has agreed to sell these parcels to the Town for $69,600, and

WHEREAS, this Board feels that this purchase price is fair and reasonable, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached contract to purchase such parcels from Sky Harbor Sales, Inc. for $69,600, plus tax adjustments, and BE IT FURTHER

RESOLVED, that the purchase price, plus tax adjustments, shall be appropriated from budget line item number 05-7140-8817-1100.

* SEE NEXT PAGES FOR CONTRACT

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

Form No. 1 - CONTRACT OF SALE (1982) — 2nd Revision July 1985 OF ERIE COUNTY
3rd Revision March 1989

© 1989 by Greater Buffalo Board of Realtors, Inc.
Published by Sanders Legal Publishers, Inc.

REALTOR®

This Contract is recommended for the sale of residential real estate, whether improved or unimproved, but is not recommended for the sale of a condominium or townhouse.

EQUAL HOUSING OPPORTUNITY

CONTRACT

CAUTION: IT IS RECOMMENDED THAT ANY PERSON NAMED IN THIS CONTRACT CONSULT HIS OR HER ATTORNEY BEFORE SIGNING.

Date: ~~September~~ October 15, 19 90, Seller and Purchaser agree as follows:

Seller Address: SKY HARBOR SALES, INC.
4959 Genesee Street, Cheektowaga, NY 14225

Purchaser Address: TOWN OF CHEEKTOWAGA
Broadway & Union Road, Cheektowaga, NY 14227

1. AGREEMENT. Seller shall sell and Purchaser shall buy on the terms stated in this Contract.
2. PROPERTY. The Property is described as follows:

Street address 76 Rehm Road and two (2) vacant parcels to the north and east

City, Village, Town of Cheektowaga, County of Erie, State of New York.
Additional description and/or premises as per attached survey. (If legal description, subdivision lot number, or dimensions and location with distance from nearest intersecting street are not available, use tax bill number and description set forth on tax bill.)

S.B.L. #92.04-1-21 - Parcel N shown on attached survey - 1.34 acres
S.B.L. #92.04-1-22 - Parcel M shown on attached survey - 1.34 acres
S.B.L. #92.04-1-23 - Parcel L shown on attached survey - 100 ft. x 150 ft.

Purchaser will accept the Property subject to restrictions of record providing they do not conflict with the present or intended specific improvements or uses of the Property as described in Paragraph 14 of this Contract, and have not been violated, unless their enforcement is barred by law; water lines, sanitary sewer, drainage, gas distribution line and main, electrical and telephone easements and rights-of-way of record provided they are or may be used to service the Property and provided buildings and other improvements on the Property are not on the easements; and also _____

3. PRICE. The purchase price is $ 69,600.00
payable as follows:
When Purchaser signs this contract *(deposit)* $ 0
When Seller signs this contract *(additional deposit)* within 48 hours thereafter $ 0
On delivery of deed *(in cash or certified funds)* $ *Adjusted Balance* *
* (purchase price less deposits and mortgage amounts, if any, shown in Paragraph 11B, 4 or 5, below, subject to closing adjustments and exact balance at time of closing of assumed mortgage, if any.)

4. THIS SALE INCLUDES. "CAUTION: READ THIS CAREFULLY"
(a) all buildings and improvements on the Property and all rights of Seller to all streets, highways, alleys, driveways, easements and rights-of-way relating to the Property.
(b) the following items, if presently on the Property belong to the Seller and are included (unless excluded below): all heating, plumbing, lighting fixtures and bulbs, all flowers, shrubs, trees (except free standing), linoleum, window shades, curtain rods, traverse rods, storm windows and storm doors, screens, awnings, exterior T.V. antennas and rotor motor and controls, water softeners, sump pumps, bathroom fixtures, matching mirrors over vanities, weather vanes, window boxes, fences, chandeliers, flag poles, fireplaces, fireplace screens, grates and glass enclosures, wall to wall carpeting and runners; garbage disposals, garage door openers including hand-held units, ceiling fans, exhaust fans and hoods, air conditioning (except window) units, oil and gas-fired space heaters, woodburning stoves, fireplace inserts, all style window and door blinds, security system, intercom system, smoke detectors, and also (unless such items are free standing) all cabinets, mirrors, dishwashers, ovens, ranges, shelving, trash compactors, humidifiers and dehumidifiers, gas operated post-type outdoor grills, swimming pools and pool equipment, mailboxes, utility sheds, and also _____

Seller represents that all of the above will be in working order at the time of closing unless specifically sold "as is", on the date of this Contract, by listing as follows: _____

EXCLUDED FROM THIS SALE ARE: Furniture and household furnishings; and also _____

5. ADJUSTMENTS AT CLOSING. There shall be prorated and adjusted, as of 12:00 midnight prior to delivery of the deed, rents, fuel oil, mortgage interest, non-delinquent taxes and assessments appearing on current tax bills computed on a fiscal year basis, water and sewer charges and the following items (list insurance, or other items to be adjusted) _____

_____

_____

_____

For adjustment purposes, all rents will be considered paid to the Seller, if due at the date of adjustment. Purchaser will accept title to the Property subject to, and will pay, all assessments and installments of assessments for special or local improvements not yet due and payable as of the closing date, provided they appear on the current tax rolls.

When a mortgage is assumed, Seller shall furnish to Purchaser at closing a statement by the mortgage holder stating the unpaid balance, interest due and terms of payment and shall transfer to Purchaser all money held in escrow by the mortgage holder and Purchaser shall pay the amount to Seller. Purchaser shall then, within five days after closing, notify mortgage holder of the assumption and comply with all requirements of mortgage holder to facilitate the assumption.

6. SEARCH AND SURVEY. Seller shall order from an abstract company, the search, ~~and order the survey,~~ within ten days after execution of the Contract and shall deliver the same not less than twenty-one days before the closing date shown in Paragraph 17 hereof. Search shall be a fully guaranteed tax and title search which covers the premises only, the first set-out of which shall be the first recorded source of title in Erie County Clerk's office, the last continuation of which shall be dated after this Contract and where not covered by the search, a local tax certificate. ~~The survey shall be dated after this Contract, prepared and certified according to Title Association of Erie County standards, omitted to Purchaser's lender according to its requirements, and show the property and location of all buildings, other structures, and improvements affecting it, vacant land, the property is to be staked.~~

7. DEED. At closing, Seller shall deliver to Purchaser a warranty deed (or fiduciary deed where appropriate) with lien covenant giving good and marketable title in fee simple, free and clear of all encumbrances except as stated in this Contract. In the event Seller is a corporation, Seller may deliver to Purchaser a bargain and sale deed with covenant against grantors' acts.

8. LENDERS APPRAISAL AND FINAL INSPECTION. Seller shall have utilities in service at time of mortgage lender's appraisal-inspection. Before closing (but after written mortgage commitment has been obtained), Purchaser shall have the right to inspect the Property with utilities in service at Seller's expense on reasonable notice to Seller.

9. POSSESSION. Subject only to tenancies recited in Paragraph 10 below, Purchaser shall have possession and occupancy of all the Property and Seller shall be out of the Property at the time of delivery of the deed.

_____

_____

10. TENANTS. The premises are subject to the following tenancies: (List all tenants, rents leases and expiration dates and security deposits if any). _____

_____

_____

_____

All security deposits will be turned over to the Purchaser at closing and notice of same shall be delivered by Seller to the tenant within five days after closing.

Seller represents that the premises are ☐ are not ☐ subject to rent control.

Seller shall not enter into any lease agreements prior to closing without the written apporval of Purchaser.

Seller shall furnish copies of all leases to Purchaser prior to closing.

Seller represents there are no known defenses available to tenants as to enforcement of Seller's rights as landlord.

11. FINANCING.

A. ☒ ALL CASH PURCHASE. NO MORTGAGE TO BE OBTAINED.

B. ☐ MORTGAGING.

NOTE: More than one type can be selected, but Purchaser is not required to apply for all types selected.

1. ☐ Purchaser shall apply for a _____ year conventional FIXED rate mortgage loan in an amount not to exceed $ _____ and at an interest rate of _____ % plus private mortgage insurance, if required. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment interest rate, as long as the rate does not exceed _____ % plus private mortgage insurance, if required, at the time of closing, and as long as the Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

— OR —

2. ☐ Purchaser shall apply for a _____ year conventional ADJUSTABLE rate mortgage loan in an amount not to exceed $ _____ plus private mortgage insurance, if required, and at an initial rate of _____ %. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment interest rate, as long as the initial interest rate does not exceed _____ % plus private mortgage insurance, if required, at the time of closing and as long as Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

— OR —

3. ☐ Purchaser shall apply for a _____ year ☐ VA ☐ FHA ☐ FHA 221 d2

a. ☐ FIXED rate mortgage in an amount not to exceed $ _____ plus mortgage insurance premium, if required, and at an interest rate of _____ % plus mortgage insurance premium, if required. However Purchaser agrees to accept any mortgage commitment, interest rate, or any changed commitment interest rate, as long as the rate does not exceed _____ % plus mortgage insurance premium, if required, at the time of closing, and as long as Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

— OR —

b. ☐ ADJUSTABLE rate mortgage loan in an amount not to exceed $ _____ plus mortgage insurance premium, if required, and at an initial interest rate of _____ %. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment, interest rate, as long as the initial rate does not exceed _____ % plus mortgage insurance premium, if required, at the time of closing, and as long as Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

OPTION CLAUSE: VETERANS ADMINISTRATION and FEDERAL HOUSING ADMINISTRATION loans only. It is expressly agreed that, notwithstanding any other provisions of this contract, the purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise, in those cases involving a VA loan, if the contract purchase price or cost exceeds the reasonable value of the property established by the Veterans Administration or in those cases to be insured by the Federal Housing Administration unless the seller has delivered to the purchaser a written statement issued by the Federal Housing Commissioner setting forth the appraised value of the property (excluding closing costs) of not less than $ _____ which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner or reasonable value established by the Veterans Administration. In those cases involving FHA, the appraised valuation is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or the condition of the property. The Purchaser should satisfy himself/herself that the price and the condition of the property are acceptable.

Purchaser's application shall be made promptly and in good faith, but in no case later than _____ days after execution of this Contract by all parties. If a written commitment (expiring after the closing date) for this mortgage is not received by the Purchaser by the _____ day of _____, 19 ____, either Purchaser or Seller may cancel this Contract by written notice to the other and the entire deposit (less survey certification charge) shall be returned. The same shall apply if the commitment is granted but later cancelled without the fault of the Purchaser.

4. By assuming and agreeing to pay according to its terms the principal balance of the _____ mortgage held by _____ in the approximate amount of $ _____ payable $ _____ monthly, interest rate _____ %. Monthly payments include _____. Interest rate is adjustable _____ 1 year _____ 3 years _____ months _____ other.

The mortgage ☐ has no "balloon" payment provision.
☐ has a "balloon" payment due _____.

A "balloon" payment is a required payment in full by a specific date of all unpaid principal and interest. If mortgage holder's consent to assume this mortgage is required and not obtained by the _____ day of _____, 19 ____, either Purchaser or Seller shall have the right to cancel this Contract by written notice to the other and all deposits will be returned to the Purchaser. If by the above date, consent for assumption is given only at an interest rate in excess of _____ % Purchaser shall have the right to cancel this Contract by written notice to Seller and all deposits will be returned to the Purchaser.

5. By giving Seller a purchase money note and mortgage (Bar Association of Erie County Form) in the amount of $ _____ which shall be a _____ lien on the Property payable as follows: $ _____ monthly including, principal and interest (interest rate _____%), monthly payment is based on payments being made for _____ years, but entire unpaid balance is due at end of _____ years, with no penalty for prepayment.

NOTE: The Bar Association of Erie County Form Mortgage contains a due-on-transfer provision, and is not assumable.

12. MORTGAGE LOAN FEE. *(Complete if applicable).*
Seller shall pay loan fee of no more than 0 % of the mortgage.
Purchaser shall pay loan fee of not more than 0 % of the mortgage.
Purchaser shall pay Private Mortgage Insurance Fee of not more than 0 % of the mortgage.

13. COSTS. Seller shall pay for tax and title search to date of closing and for ~~survey~~, transfer tax stamps and the special additional mortgage tax if it applies. Purchaser shall pay mortgage tax, fee for recording deed and mortgage, fee for survey certification charge as required by its lender (even if mortgage not approved), mortgage holders assumption fee, private mortgage insurance premium, if applicable, and all inspection and reinspection fees charged by its lender, unless otherwise agreed upon.

14. OBJECTION TO TITLE AND TITLE INSURANCE. If Purchaser finds valid objections to Seller's title which make it unmarketable, Purchaser shall either:
a. Accept the title as presented.
b. Advise Seller of Purchaser's objections, allow Seller the later of ten days after receiving notice of the objections, or the closing date herein, in which to cure the objection, and then accept the title once cured.

Provided, however, that if Seller cannot cure the objection, but, a fee title insurance policy covering the objection can be obtained, then Purchaser must accept same. Seller shall pay the cost of such fee title insurance at the full rate if no mortgage title insurance is required by lender, or in the event mortgage title insurance is required by lender, then Seller shall pay the cost of such fee title insurance at the reduced simultaneous rate. Purchaser will pay for title insurance required by its lender. If Purchaser elects not to accept such title as Seller can convey, and Seller cannot with due diligence cure the defect, nor obtain fee title insurance covering the objection, then this Contract shall terminate. In this event, the Purchaser shall have the deposit returned to him together with reimbursement from the Seller for any non-refundable fees paid by Purchaser to Purchaser's lender to obtain a commitment for a mortgage loan, and neither party shall have any further rights as against the other.

15. IMPROVEMENT VIOLATIONS. Purchaser intends to use the Property for Single Family or ☐ Two Family ☐ Three Family ☐ Four Family dwelling or ☒ Other Golf Course and with the following intended specific improvements, or uses, if any (e.g. erection of perimeter fence, swimming pool, parking for recreational vehicles, erection of garage or other structural addition). If any intended uses are specifically listed below, Seller will provide Purchaser with a copy of restrictions (not including zoning ordinances) within twenty days after execution of this Contract by all parties for review and approval by Purchaser within five days after receipt of same. _____

Seller shall apply for and supply to Purchaser a current certificate if required by government regulations showing that the Property complies with any law, ordinance, regulation or code, including County Health Department approval of non-public sewage disposal system and water supply. Seller shall pay any cost in applying for such certification(s).

Seller represents that there *Check Which.* [x] is [ ] is not a private septic system.
[ ] is [ ] is not a private well.

If Property is unimproved, Seller represents that there [ ] is [x] is not currently available public water at lot location.
If Property is unimproved, Seller represents that there [ ] is [x] is not currently available sewer at lot location.

If Purchaser makes valid objection to the legal status of the improvements on the Property or to the Property itself or if Seller is unable to obtain the certification(s) mentioned above without costs, except for application fees, the Seller has the choice of cancelling the Contract on written notice to the Purchaser and returning the full deposit or correcting at Seller's expense the problem(s) which caused the objection within a reasonable time so that the certification(s) may be obtained.

16. CLOSING FUNDS. The Purchaser represents that except for the proceeds of any mortgage financing described in this Contract, the Purchaser is [x] is not [ ] in actual possession of sufficient funds to close this transaction, and does [ ] does not [ ] require the closing of the sale of any other real estate to obtain sufficient funds. ***CAUTION: This paragraph does not create a contingency. If Purchaser intends to make this Contract contingent upon the sale of real estate, The Bar Association of Erie County Contingency Rider should be used.***

17. CLOSING. This Contract shall be closed at the County Clerk's office on the 31st day of October, 19 90, or at such other time and place as Seller and Purchaser mutually agree upon. Time is not of the essence as to the closing date; either party may after the above date, upon reasonable notice, declare time to be of the essence and set such a closing date.

18. BROKER'S COMMISSION. Seller and Purchaser agree No One brought about this sale and the Seller agrees to pay the entire broker's commission. Seller authorizes his attorney to pay any balance of sale commission owed out of sale proceeds. The deposit(s) shall be held in escrow by Irwin Davis, Esq.

19. CONDITION OF PROPERTY. Purchaser has satisfied himself/herself that the price and condition of the Property and its contents are acceptable.

20. ENTIRE AGREEMENT. This Contract of sale with (insert "no" or number) No Riders contains the entire agreement between the Seller and Purchaser and nothing is binding on either of them which is not contained in this Contract. This Contract is intended to bind the Seller and Purchaser and those who succeed to their interests.

21. SIGNATURES. Unless all of the persons whose names appear at the beginning of the Contract sign it on or before the _____ day of _____, 19____, this Contract shall not become effective.

Samuel W. Yadis, Pres. 10/15/90
Seller Date

X Kevin E. Schenk 1/23/91
Purchaser Date

SS No. _____

SS No. 16-6002209

Seller Date

Purchaser Date

SS No. _____

SS No. _____

Seller Date

Purchaser Date

SS No. _____

SS No. _____

Sellers' Forwarding Address Following Closing: _____

RECEIPT OF DEPOSIT:

Received the initial deposit of $ _____ on account from Purchaser.

Agent's Signature.

Seller's Attorney	Purchaser's Attorney	Proposed Lender
Irwin Davis	Kevin Schenk	
Name	Name	Name
1301 Statler Towers	Broadway & Union Road	
Address	Address	Address
Buffalo, NY 14202	Cheektowaga, NY 14227	
City - State - ZIP	City - State - ZIP	City - State - ZIP
854-4727	686-3457	
Tel. No.	Tel. No.	Tel. No.

Listing Broker

Selling Broker

NOTE THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT IS A VIOLATION OF SECTION 7209, PARAGRAPH 2 OF THE NEW YORK STATE EDUCATION LAW.

N

EAST LINE OF LANDS CONVEYED TO CHRISTIAN BALTS BY L 5396 P 556

100.00'

FOUND IRON 0.3'N 0.7'E.

PARALLEL TO REHM ROAD & SOUTH LINE OF LOT 76.

NORTHEAST CORNER OF HAPPY TODDLE BY LIBER 6206 PAGE 231

PARALLEL

PARCEL 'L'

0.34 Ac.

EAST LINE OF L 5396 P 561

PARALLEL TO THE WEST LINE OF LOT 76 AND BEING THE EAST LINE OF REHM ROAD

150.00'

7.04'

150.00'

FRAME HOUSE No. 76

16.97'

47.76'

39.12'

36.00'

80° 29' 33"

FOUND IRON 0.1'S 0.1'E

99° 30' 57"

FOUND IRON 0.2'S 0.1'E

SOUTH LINE OF LOT 76 & TOWN OF CHEEKTOWAGA

100.00' TO THE WEST LINE OF LOT 76

100.00'

REHM (49.50' WIDE) ROAD

FRONTIER LAND SURVEYORS ASSOCIATION INC. 1980

L 9853 / P 137

PART OF LOT 76, TOWNSHIP 11, RANGE 7.

LOCATION: TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK

SCALE 1 IN = 20 FT

NUSSBAUMER & CLARKE, INC
ENGINEERS AND SURVEYORS
310 DELAWARE AVENUE
BUFFALO, NY
Phone: 853-7582

KIND	DATE	FOR	JOB NO
SURVEY	1-10-90	TOWN OF CHEEKTOWAGA - ENGINEERING DEPT	NC-28438
ADD AREA	1-17-90	" " " " "	" "

DRAWING NO 28438-L

NOTE THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH

NOTE:

UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

N

WEST LINE OF LOT 76

89°-30'-57"

200.00'

PARALLEL TO THE SOUTH LINE OF LOT 76

EAST LINE OF LIBER 3226 OF DEEDS AT PAGE 55

FOUND IRON 0.46'S 0.17'E

FOUND IRON 0.78'S

PARALLEL TO THE WEST LINE OF LOT 76

VACANT
1.34 Ac.

PARCEL "M"

ROAD

(49.50' WIDE)

REHM

PARALLEL TO THE SOUTH LINE OF LOT 76

100.00'

NORTHEAST CORNER OF HARRY [illegible] L/P 2251

FOUND IRON 0.31'N 0.13'E

IR FND No 16

150.0'

FRAME SHED

FOUND IRON 0.12'N 0.15'E

89°-30'-57"

RR NAIL 0.47'S 0.20'E

RR SPIKE 0.16'N 0.49'E

100.00'

SOUTH LINE OF LOT 76
TOWN OF CHEEKTOWAGA

REHM (49.50' WIDE) ROAD

L.9823/P.197

PART OF LOT 76, TOWNSHIP 11, RANGE 7

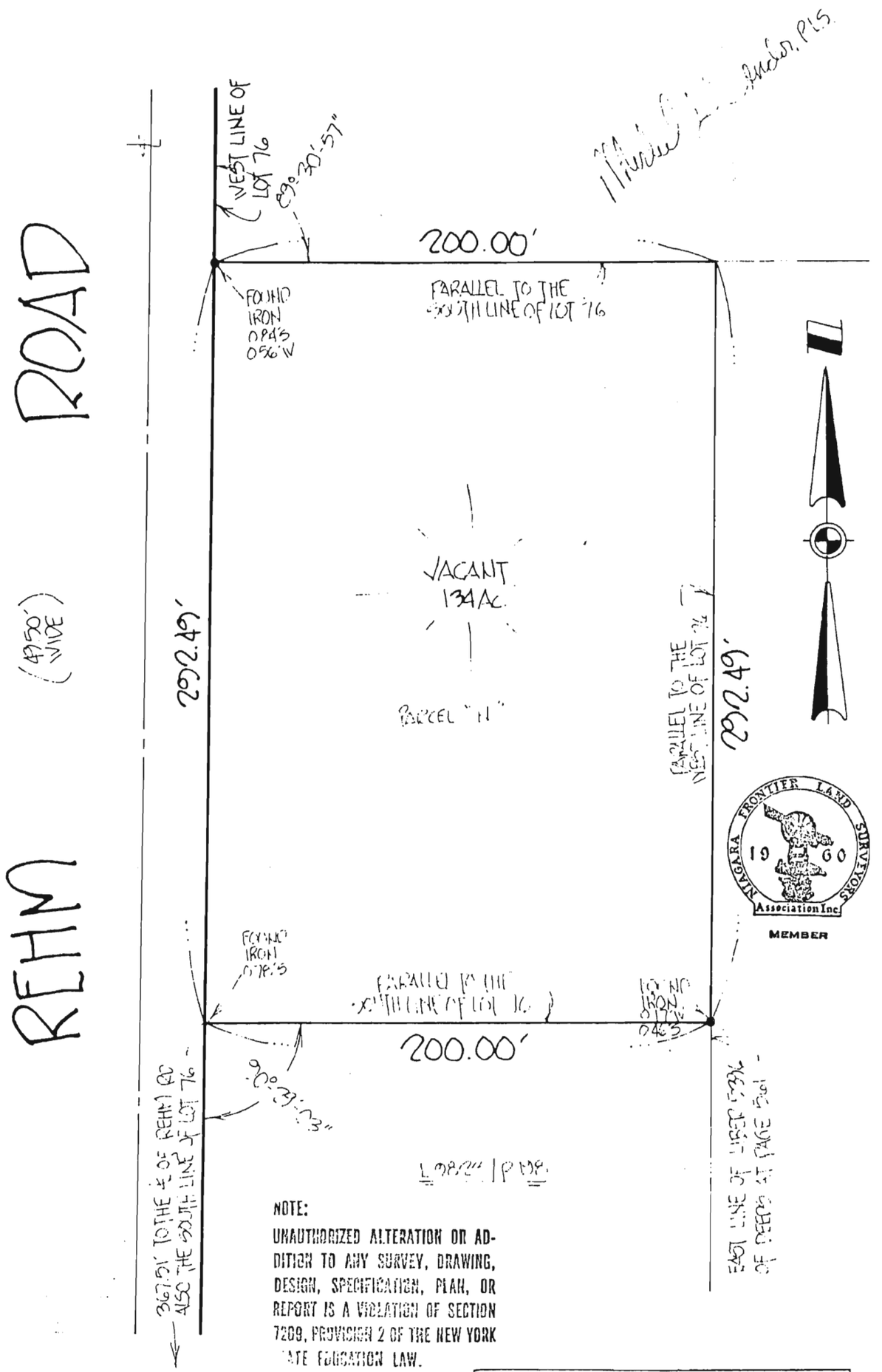
LOCATION TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK

SCALE 1 IN = 50 FT

NUSSBAUMER & CLARKE INC
ENGINEERS
AND
SURVEYORS
310 DELAWARE AVENUE
BUFFALO NY
Phone: 853-7582

KIND	DATE	FOR	JOB NO
SURVEY	1-10-90	TOWN OF CHEEKTOWAGA - ENGINEERING DEPT	NC-28438
		DRAWING NO	28438-M

FRONTIER LAND SURVEYORS Association Inc.
MEMBER



NOTE:
UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

NOTE - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH

PART OF LOT 76, TOWNSHIP 11, RANGE 7

LOCATION TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK — SCALE: 1 IN. = 50 FT.

NUSSBAUMER & CLARKE, INC
ENGINEERS AND SURVEYORS
310 DELAWARE AVENUE
BUFFALO, NY
Phone. 853-7582

KIND	DATE	FOR	JOB NO
SURVEY	1-10-90	TOWN OF CHEEKTOWAGA - ENGINEERING DEPT.	NC-28438

DRAWING NO 28438-1

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

WHEREAS, the Town of Cheektowaga is the owner of a vacant parcel of land located on the south side of Rehm Road in between 101 and 125 Rehm Road (part of S.B.L. #92.16-1-2.1), and

WHEREAS, such parcel measures 100 foot frontage by 400 foot depth (from the centerline of Rehm Road) and is a part of Rehm Road Park which is not utilized by the Town, and

WHEREAS, the Town Assessor has stated that the value of this parcel is $15,500, and

WHEREAS, Samuel Tadio has offered to purchase this property from the Town for $15,500, and

WHEREAS, the Town is interested in purchasing three parcels of land on the north side of Rehm Road from Sky Harbor Sales, Inc./Samuel Tadio for the construction of a golf course, and

WHEREAS, Samuel Tadio has agreed to sell such parcels to the Town and has requested that the Town sell him the aforementioned parcel of Town land, and

WHEREAS, the sale of such Town land is subject to a permissive referendum under the Town Law and also requires State legislative approval under the Parks, Recreation and Historic Preservation Law, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes and directs the Supervisor to execute the attached contract to sell the above referenced Town property to Samuel Tadio, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Adoption of Resolution Subject to Permissive Referendum in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that this Town Board hereby requests the State Assemblyman Paul Tokasz and Senator Dale M. Volker to prepare the necessary State legislative authorization for such sale and to process same.

* *

NOTICE OF ADOPTION OF RESOLUTION

SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on November 5, 1990, adopted a resolution authorizing the sale of Town owned land located on the south side of Rehm Road in between 101 Rehm Road and 125 Rehm Road for $15,000; such land measures 100 feet by 400 feet. A copy of the contract of sale for such property is available in the Town Clerk's Office at the Town Hall, Broadway & Union Roads, Cheektowaga, New York, where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

DATED: NOVEMBER 5, 1990

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

RICHARD M. MOLESKI,
Town Clerk

* *

Form No. 1 - CONTRACT OF SALE (1982) — 2nd Revision July 1985 OF ERIE COUNTY
3rd Revision March 1989

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Published by Sanders Legal Publishers, Inc.

REALTOR®

This Contract is recommended for the sale of residential real estate, whether improved or unimproved, but is not recommended for the sale of a condominium or townhouse.

EQUAL HOUSING OPPORTUNITY

CONTRACT

CAUTION: IT IS RECOMMENDED THAT ANY PERSON NAMED IN THIS CONTRACT CONSULT HIS OR HER ATTORNEY BEFORE SIGNING.

Date: ~~September~~ October 15, 19 90, Seller and Purchaser agree as follows:

Seller TOWN OF CHEEKTOWAGA
Address: Broadway & Union Road, Cheektowaga, NY 14227

Purchaser SAMUEL TADIO
Address: 4959 Genesee Street, Cheektowaga, NY 14225

1. AGREEMENT. Seller shall sell and Purchaser shall buy on the terms stated in this Contract.
2. PROPERTY. The Property is described as follows:

Street address Rehm Road (vacant)

City, Village, Town of Cheektowaga, County of Erie, State of New York.
Additional description and/or premises as per attached survey. (If legal description, subdivision lot number, or dimensions and location with distance from nearest intersecting street are not available, use tax bill number and description set forth on tax bill.)
Part of
S.B.L. #92.16-1-2.1 - 100 ft. frontage by 400 foot depth

Situate on the south side of Rehm Road between 101 and 125 Rehm Road

Purchaser will accept the Property subject to restrictions of record providing they do not conflict with the present or intended specific improvements or uses of the Property as described in Paragraph 14 of this Contract, and have not been violated, unless their enforcement is barred by law; water lines, sanitary sewer, drainage, gas distribution line and main, electrical and telephone easements and rights-of-way of record provided they are or may be used to service the Property and provided buildings and other improvements on the Property are not on the easements; and also _____

3. PRICE. The purchase price is $ 15,500.00
payable as follows:
When Purchaser signs this contract *(deposit)* $ 0
When Seller signs this contract *(additional deposit)* within 48 hours thereafter $ 0
On delivery of deed *(in cash or certified funds)* $ *Adjusted Balance* *
* (purchase price less deposits and mortgage amounts, if any, shown in Paragraph 11B, 4 or 5, below, subject to closing adjustments and exact balance at time of closing of assumed mortgage, if any.)

4. THIS SALE INCLUDES. **"CAUTION: READ THIS CAREFULLY"**
(a) all buildings and improvements on the Property and all rights of Seller to all streets, highways, alleys, driveways, easements and rights-of-way relating to the Property.
(b) the following items, if presently on the Property belong to the Seller and are included (unless excluded below): all heating, plumbing, lighting fixtures and bulbs, all flowers, shrubs, trees (except free standing), linoleum, window shades, curtain rods, traverse rods, storm windows and storm doors, screens, awnings, exterior T.V. antennas and rotor motor and controls, water softeners, sump pumps, bathroom fixtures, matching mirrors over vanities, weather vanes, window boxes, fences, chandeliers, flag poles, fireplaces, fireplace screens, grates and glass enclosures, wall to wall carpeting and runners, garbage disposals, garage door openers including hand-held units, ceiling fans, exhaust fans and hoods, air conditioning (except window) units, oil and gas-fired space heaters, woodburning stoves, fireplace inserts, all style window and door blinds, security system, intercom system, smoke detectors, and also (unless such items are free standing) all cabinets, mirrors, dishwashers, ovens, ranges, shelving, trash compactors, humidifiers and dehumidifiers, gas operated post-type outdoor grills, swimming pools and pool equipment, mailboxes, utility sheds, and also _____

Seller represents that all of the above will be in working order at the time of closing unless specifically sold "as is", on the date of this Contract, by listing as follows: _____

EXCLUDED FROM THIS SALE ARE: Furniture and household furnishings; and also _____

5. ADJUSTMENTS AT CLOSING. There shall be prorated and adjusted, as of 12:00 midnight prior to delivery of the deed, rents, fuel oil, mortgage interest, non-delinquent taxes and assessments appearing on current tax bills computed on a fiscal year basis, water and sewer charges and the following items (list insurance, or other items to be adjusted) _____

_____

_____

_____

For adjustment purposes, all rents will be considered paid to the Seller, if due at the date of adjustment. Purchaser will accept title to the Property subject to, and will pay, all assessments and installments of assessments for special or local improvements not yet due and payable as of the closing date, provided they appear on the current tax rolls.

When a mortgage is assumed, Seller shall furnish to Purchaser at closing a statement by the mortgage holder stating the unpaid balance, interest due and terms of payment and shall transfer to Purchaser all money held in escrow by the mortgage holder and Purchaser shall pay the amount to Seller. Purchaser shall then, within five days after closing, notify mortgage holder of the assumption and comply with all requirements of mortgage holder to facilitate the assumption.

6. SEARCH AND SURVEY. Seller shall order from an abstract company, the search, and order the survey, within ten days after execution of the Contract and shall deliver the same not less than twenty-one days before the closing date shown in Paragraph 17 hereof. Search shall be a fully guaranteed tax and title search which covers the premises only, the first set-out of which shall be the first recorded source of title in Erie County Clerk's office, the last continuation of which shall be dated after this Contract and where not covered by the search, a local tax certificate. The survey shall be dated after this Contract, prepared and certified according to Bar Association of Erie County standards, certified to Purchaser's lender according to its requirements, and show the Property and location of all buildings, other structures, and improvements affecting it. If vacant land, the Property is to be staked.

7. DEED. At closing, Seller shall deliver to Purchaser a warranty deed (or fiduciary deed where appropriate) with lien covenant giving good and marketable title in fee simple, free and clear of all encumbrances except as stated in this Contract. In the event Seller is a corporation, Seller may deliver to Purchaser a bargain and sale deed with covenant against grantors' acts.

8. LENDERS APPRAISAL AND FINAL INSPECTION. Seller shall have utilities in service at time of mortgage lender's appraisal-inspection. Before closing (but after written mortgage commitment has been obtained), Purchaser shall have the right to inspect the Property with utilities in service at Seller's expense on reasonable notice to Seller.

9. POSSESSION. Subject only to tenancies recited in Paragraph 10 below, Purchaser shall have possession and occupancy of all the Property and Seller shall be out of the Property at the time of delivery of the deed.

_____

_____

10. TENANTS. The premises are subject to the following tenancies: (List all tenants, rents leases and expiration dates and security deposits if any). _____

_____

_____

_____

All security deposits will be turned over to the Purchaser at closing and notice of same shall be delivered by Seller to the tenant within five days after closing.

Seller represents that the premises are ☐ are not ☐ subject to rent control.

Seller shall not enter into any lease agreements prior to closing without the written apporval of Purchaser.

Seller shall furnish copies of all leases to Purchaser prior to closing.

Seller represents there are no known defenses available to tenants as to enforcement of Seller's rights as landlord.

11. FINANCING.

A. ☒ ALL CASH PURCHASE. NO MORTGAGE TO BE OBTAINED.

B. ☐ MORTGAGING.

NOTE: More than one type can be selected, but Purchaser is not required to apply for all types selected.

1. ☐ Purchaser shall apply for a _____ year conventional FIXED rate mortgage loan in an amount not to exceed $ _____ and at an interest rate of _____ % plus private mortgage insurance, if required. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment interest rate, as long as the rate does not exceed _____ % plus private mortgage insurance, if required, at the time of closing, and as long as the Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

— OR —

2. ☐ Purchaser shall apply for a _____ year conventional ADJUSTABLE rate mortgage loan in an amount not to exceed $ _____ plus private mortgage insurance, if required, and at an initial rate of _____ %. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment interest rate, as long as the initial interest rate does not exceed _____ % plus private mortgage insurance, if required, at the time of closing and as long as Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

— OR —

3. ☐ Purchaser shall apply for a _____ year ☐ VA ☐ FHA ☐ FHA 221 d2

a. ☐ FIXED rate mortgage in an amount not to exceed $ _____ plus mortgage insurance premium, if required, and at an interest rate of _____ % plus mortgage insurance premium, if required. However Purchaser agrees to accept any mortgage commitment, interest rate, or any changed commitment interest rate, as long as the rate does not exceed _____ % plus mortgage insurance premium, if required, at the time of closing, and as long as Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

— OR —

b. ☐ ADJUSTABLE rate mortgage loan in an amount not to exceed $ _____ plus mortgage insurance premium, if required, and at an initial interest rate of _____ %. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment, interest rate, as long as the initial rate does not exceed _____ % plus mortgage insurance premium, if required, at the time of closing, and as long as Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

OPTION CLAUSE: VETERANS ADMINISTRATION and FEDERAL HOUSING ADMINISTRATION loans only. It is expressly agreed that, notwithstanding any other provisions of this contract, the purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise, in those cases involving a VA loan, if the contract purchase price or cost exceeds the reasonable value of the property established by the Veterans Administration or in those cases to be insured by the Federal Housing Administration unless the seller has delivered to the purchaser a written statement issued by the Federal Housing Commissioner setting forth the appraised value of the property (excluding closing costs) of not less than $ _____ which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner or reasonable value established by the Veterans Administration. In those cases involving FHA, the appraised valuation is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or the condition of the property. The Purchaser should satisfy himself/herself that the price and the condition of the property are acceptable.

Purchaser's application shall be made promptly and in good faith, but in no case later than _____ days after execution of this Contract by all parties. If a written commitment (expiring after the closing date) for this mortgage is not received by the Purchaser by the _____ day of _____, 19 ____, either Purchaser or Seller may cancel this Contract by written notice to the other and the entire deposit (less survey certification charge) shall be returned. The same shall apply if the commitment is granted but later cancelled without the fault of the Purchaser.

4. By assuming and agreeing to pay according to its terms the principal balance of the _____ mortgage held by _____ in the approximate amount of $ _____ payable $ _____ monthly, interest rate _____ %. Monthly payments include _____. Interest rate is adjustable _____ 1 year _____ 3 years _____ months _____ other.

The mortgage ☐ has no "balloon" payment provision.
☐ has a "balloon" payment due _____.

A "balloon" payment is a required payment in full by a specific date of all unpaid principal and interest. If mortgage holder's consent to assume this mortgage is required and not obtained by the _____ day of _____, 19 ____, either Purchaser or Seller shall have the right to cancel this Contract by written notice to the other and all deposits will be returned to the Purchaser. If by the above date, consent for assumption is given only at an interest rate in excess of _____ % Purchaser shall have the right to cancel this Contract by written notice to Seller and all deposits will be returned to the Purchaser.

5. By giving Seller a purchase money note and mortgage (Bar Association of Erie County Form) in the amount of $ _____ which shall be a _____ lien on the Property payable as follows: $ _____ monthly including, principal and interest (interest rate _____%), monthly payment is based on payments being made for _____ years, but entire unpaid balance is due at end of _____ years, with no penalty for prepayment.

NOTE: The Bar Association of Erie County Form Mortgage contains a due-on-transfer provision, and is not assumable.

12. MORTGAGE LOAN FEE. *(Complete if applicable).*
Seller shall pay loan fee of no more than 0 % of the mortgage.
Purchaser shall pay loan fee of not more than 0 % of the mortgage.
Purchaser shall pay Private Mortgage Insurance Fee of not more than 0 % of the mortgage.

13. COSTS. Seller shall pay for tax and title search to date of closing and for survey, transfer tax stamps and the special additional mortgage tax if it applies. Purchaser shall pay mortgage tax, fee for recording deed and mortgage, fee for survey certification charge as required by its lender (even if mortgage not approved), mortgage holders assumption fee, private mortgage insurance premium, if applicable, and all inspection and reinspection fees charged by its lender, unless otherwise agreed upon.

14. OBJECTION TO TITLE AND TITLE INSURANCE. If Purchaser finds valid objections to Seller's title which make it unmarketable, Purchaser shall either:
a. Accept the title as presented.
b. Advise Seller of Purchaser's objections, allow Seller the later of ten days after receiving notice of the objections, or the closing date herein, in which to cure the objection, and then accept the title once cured.

Provided, however, that if Seller cannot cure the objection, but, a fee title insurance policy covering the objection can be obtained, then Purchaser must accept same. Seller shall pay the cost of such fee title insurance at the full rate if no mortgage title insurance is required by lender, or in the event mortgage title insurance is required by lender, then Seller shall pay the cost of such fee title insurance at the reduced simultaneous rate. Purchaser will pay for title insurance required by its lender. If Purchaser elects not to accept such title as Seller can convey, and Seller cannot with due diligence cure the defect, nor obtain fee title insurance covering the objection, then this Contract shall terminate. In this event, the Purchaser shall have the deposit returned to him together with reimbursement from the Seller for any non-refundable fees paid by Purchaser to Purchaser's lender to obtain a commitment for a mortgage loan, and neither party shall have any further rights as against the other.

15. IMPROVEMENT VIOLATIONS. Purchaser intends to use the Property for Single Family or ☐ Two Family ☐ Three Family ☐ Four Family dwelling or ☐ Other _____ and with the following intended specific improvements, or uses, if any (e.g. erection of perimeter fence, swimming pool, parking for recreational vehicles, erection of garage or other structural addition). If any intended uses are specifically listed below, Seller will provide Purchaser with a copy of restrictions (not including zoning ordinances) within twenty days after execution of this Contract by all parties for review and approval by Purchaser within five days after receipt of same. _____

Seller shall apply for and supply to Purchaser a current certificate if required by government regulations showing that the Property complies with any law, ordinance, regulation or code, including County Health Department approval of non-public sewage disposal system and water supply. Seller shall pay any cost in applying for such certification(s).

Seller represents that there *Check Which.* ☐ is ☒ is not a private septic system.
☐ is ☒ is not a private well.

If Property is unimproved, Seller represents that there ☐ is ☒ is not currently available public water at lot location.

If Property is unimproved, Seller represents that there ☐ is ☒ is not currently available sewer at lot location.

If Purchaser makes valid objection to the legal status of the improvements on the Property or to the Property itself or if Seller is unable to obtain the certification(s) mentioned above without costs, except for application fees, the Seller has the choice of cancelling the Contract on written notice to the Purchaser and returning the full deposit or correcting at Seller's expense the problem(s) which caused the objection within a reasonable time so that the certification(s) may be obtained.

16. CLOSING FUNDS. The Purchaser represents that except for the proceeds of any mortgage financing described in this Contract, the Purchaser is ☒ is not ☐ in actual possession of sufficient funds to close this transaction, and does ☒ does not ☐ require the closing of the sale of any other real estate to obtain sufficient funds. ***CAUTION: This paragraph does not create a contingency. If Purchaser intends to make this Contract contingent upon the sale of real estate, The Bar Association of Erie County Contingency Rider should be used.***

17. CLOSING. This Contract shall be closed at the County Clerk's office on the 31st day of October, 19 90, or at such other time and place as Seller and Purchaser mutually agree upon. Time is not of the essence as to the closing date; either party may after the above date, upon reasonable notice, declare time to be of the essence and set such a closing date.

18. BROKER'S COMMISSION. Seller and Purchaser agree _____ brought about this sale and the Seller agrees to pay the entire broker's commission. Seller authorizes his attorney to pay any balance of sale commission owed out of sale proceeds. The deposit(s) shall be held in escrow by _____

19. CONDITION OF PROPERTY. Purchaser has satisfied himself/herself that the price and condition of the Property and its contents are acceptable.

20. ENTIRE AGREEMENT. This Contract of sale with (insert "no" or number) one (1) Riders contains the entire agreement between the Seller and Purchaser and nothing is binding on either of them which is not contained in this Contract. This Contract is intended to bind the Seller and Purchaser and those who succeed to their interests.

21. SIGNATURES. Unless all of the persons whose names appear at the beginning of the Contract sign it on or before the _____ day of _____, 19 ____ this Contract ~~shall not~~ become effective.

Samuel W. Tadio — 10/15/90 — Purchaser — Date
SS No. _____

X — 1/23/91 — Seller — Date
SS No. 16-6002209

Seller — Date
SS No. _____

Purchaser — Date
SS No. _____

Seller — Date
SS No. _____

Purchaser — Date
SS No. _____

Sellers' Forwarding Address Following Closing: _____

RECEIPT OF DEPOSIT:

Received the initial deposit of $ _____ on account from Purchaser.

Agent's Signature.

Seller's Attorney	Purchaser's Attorney	Proposed Lender
Kevin Schenk	Irwin Davis	
Name	Name	Name
Broadway & Union Road	1301 Statler Towers	
Address	Address	Address
Cheektowaga, NY 14227	Buffalo, NY 14202	
City · State · ZIP	City · State · ZIP	City · State · ZIP
686-3457	854-4727	
Tel. No.	Tel. No.	Tel. No.

Listing Broker

Selling Broker

RIDER NO. 1 TO CONTRACT DATED SEPTEMBER _____, 1990

BETWEEN: TOWN OF CHEEKTOWAGA ("SELLER")

AND

SAMUEL TADIO ("PURCHASER")

PROPERTY: REHM ROAD (VACANT)
CHEEKTOWAGA, NEW YORK
PART OF S.B.L. #92.16-1-2.1
HAVING A FRONTAGE OF 100 FEET ON THE SOUTH SIDE OF REHM ROAD
AND A DEPTH OF 400 FEET
LOCATED IN BETWEEN 101 AND 125 REHM ROAD

SELLER AND PURCHASER AGREE THAT:
THE ABOVE REFERENCED CONTRACT IS CONTINGENT UPON:

1. APPROVAL OF THE VOTERS, IF NECESSARY, PURSUANT TO SECTIONS 64(2) AND 90, ET SEQ.,OF THE TOWN LAW OF THE STATE OF NEW YORK.

2. ENACTMENT OF AN ACT OF THE LEGISLATURE OF THE STATE OF NEW YORK PERMITTING THE SALE/DISPOSITION OF PARKLANDS.

X _____ 1/23/91 _____ 10/18/90
SELLER DATE PURCHASER DATE

NOTICE OF ADOPTION OF RESOLUTION

SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on November 5, 1990, adopted a resolution authorizing the sale of Town-owned land located on the south side of Rehm Road in between 101 Rehm Road and 125 Rehm Road for $15,500; such land measures 100 feet by 400 feet. A copy of the contract of sale for such property is available in the Town Clerk's Office at the Town Hall, Broadway & Union Road, Cheektowaga, New York, where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: November 5, 1990

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

Richard M. Moleski

RICHARD M. MOLESKI
Town Clerk

LEGAL NOTICE
NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on November 5, 1990, adopted a resolution authorizing the sale of Town-owned land located on the south side of Rehm Road in between 101 Rehm Road and 125 Rehm Road for $15,500; such land measures 100 feet by 400 feet. A copy of the contract of sale for such property is available in the Town Clerk's Office at the Town Hall, Broadway & Union Road, Cheektowaga, New York, where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: November 5, 1990

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: Januray 24, 1991

Item No. 12e Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the New York State Department of Environmental Conservation has prepared and submitted to the Town for signature Two Orders of Consent relating to events which occurred in 1986 and 1990, and

WHEREAS, the Town Highway Superintendent and Town Attorney have reviewed such Orders on Consent, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Orders on Consent, and BE IT FURTHER

RESOLVED, that moneys required by such Orders on Consent shall be appropriated from 1990 Town Highway Budget line item 0300-5110-4162.

* SEE ATTACHED PAGES

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

STATE OF NEW YORK : DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the Violation of Title 6, New York Codes, Rules, Regulations (6NYCRR), Part 215 by:

TOWN OF CHEEKTOWAGA Broadway & Union Roads Cheektowaga, New York 14227	ORDER ON CONSENT
(Erie County)	FILE NO. 90-66 R9-3195-90-07

Respondent

WHEREAS:

1. Respondent owns, operates and/or maintains control of the Town Highway Department with offices located off 3145 Union Road in the Town of Cheektowaga, Erie County, New York.

2. Respondent has operated its Highway Department in violation of 6 NYCRR Part 215.2(b) in that Respondent, by its agent, on or about June 22, 25, and 26, 1990, permitted open burning at its Highway Department property on 3145 Union Road in the Town of Cheektowaga, New York in the absence of a valid permit issued by the Commissioner pursuant to Part 215.3(b).

3. Respondent has waived its rights to notice and hearing in this matter as provided by law and has consented to the issuing and entering of this Order.

NOW, having considered this matter and being duly advised, it is ORDERED:

I. THAT there is hereby imposed upon Respondent a civil penalty in the amount of One Thousand Five Hundred

Dollars ($1,500) which shall be paid to this Department by certified check or money order made payable to the Commissioner of the Department of Environmental Conservation and be returned to the New York State Department of Environmental Conservation, Attention: Regional Attorney, 600 Delaware Avenue, Buffalo, New York 14202-1073.

DATED: Buffalo, New York

January 31, 1991

THOMAS C. JORLING, Commissioner
New York State Department of
Environmental Conservation

CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of the foregoing Order, waives its right to a hearing herein as provided by law, and agrees to be bound by the provisions, terms and conditions contained therein.

Respondent TOWN OF CHEEKTOWAGA

By X [signature]

Title Supervisor

Date 1/23/91

(Seal)

Corporate

State of New York)
County of Erie)

On this 23rd day of January, 19 91, before me personally came Frank E. Swiatek to me known, who being by me duly sworn did depose and say that he resides at Cheektowaga, New York that he is the Supervisor of the Town of Cheektowaga the corporation described in and which executed the foregoing instrument; and that he signed his name as authorized by said corporation.

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 19 93

Kevin G. Schenk
NOTARY PUBLIC

Individual

State of)
County of)

On this day of , 19 , before me came , to me known and known to me to be the individual described in and who executed the foregoing consent and he duly acknowledged to me that he executed the same.

NOTARY PUBLIC

STATE OF NEW YORK : DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the Violation of the New York State Environmental Conservation Law by:

TOWN OF CHEEKTOWAGA 3145 Union Road Cheektowaga, New York 14227	ORDER ON CONSENT
(Erie County)	FILE NO. 88-25 R9-2375-88-02
Respondent	

WHEREAS:

1. Article 17 of the Environmental Conservation Law of the State of New York (hereinafter "ECL") sets forth certain provisions governing the control and prevention of water pollution in the State of New York and provides for the adoption of implementing codes, rules, and regulations therefor.

2. Title 10 of Article 17 and implementing regulations contained in 6 NYCRR Parts 612 through 614, in particular, set forth certain provisions governing and regulating petroleum storage facilities.

3. Respondent owns, operates, and/or controls a petroleum storage facility located at 3145 Union Road, Cheektowaga, New York in the County of Erie, which facility is subject to the aforesaid, laws, codes, rules, and regulations.

4. On or about September 26, 1986, the Department received notice, pursuant to 6 NYCRR 613.4(d) that an undergound tank located at the aforesaid facility was taking on water.

5. Respondent is in violation of ECL Section 17-1007 and 6 NYCRR 613.9(a) in that Respondent failed to take the tank out of service in accordance with the aforesaid law and regulation did not empty the tank until October 21, 1986 despite the Department's September 26, 1986 instructions to do so immediately, and did not remove the tank until May, 1988.

6. Respondent is in further violation of ECL 17-1007(2) and 6 NYCRR 613.9(b)(2) in that it failed to inspect the tank and conduct tightness testing pursuant to the Department's request to do so.

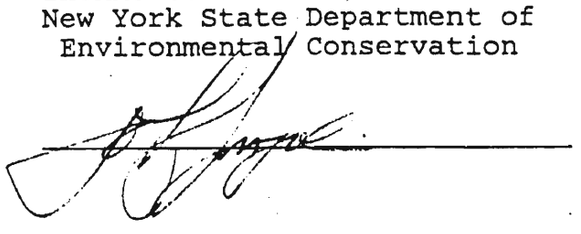
7. Respondent, having affirmatively waived its right to a hearing on these matters as provided by law, consents to the issuance and entry of this Order and agrees to be bound by the provisions, terms, and conditions contained herein.

NOW, having considered this matter and being duly advised, it is ORDERED that:

I. The Respondent is assessed a civil penalty in the amount of One Thousand Five Hundred Dollars ($1,500) which is to be paid to the Commissioner of the Department of Environmental Conservation and sent to the Region 9 Office at 600 Delaware Avenue, Buffalo, New York 14202-1073.

DATED: Buffalo, New York
January 31, 1991

THOMAS C. JORLING, Commissioner
New York State Department of
Environmental Conservation



CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of the foregoing Order, waives its right to a hearing herein as provided by law, and agrees to be bound by the provisions, terms and conditions contained therein.

Respondent TOWN OF CHEEKTOWAGA

By [signature]

Title Supervisor

Date 1/23/91

(Seal)

Corporate

State of New York)
County of Erie)

On this 23rd day of January, 1991, before me personally came Frank E. Swiatek to me known, who being by me duly sworn did depose and say that he resides at , Cheektowaga, New York that he is the ~~Town~~ Supervisor of Town of Cheektowaga the corporation described in and which executed the foregoing instrument; and that he signed his name as authorized by said corporation.

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 1993

Kevin G. Schenk
NOTARY PUBLIC

Individual

State of)
County of)

On this day of , 19 , before me came , to me known and known to me to be the individual described in and who executed the foregoing consent and he duly acknowledged to me that he executed the same.

NOTARY PUBLIC

Item No. 12f Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, by resolution dated December 3, 1990, this Town Board authorized the abandonment of a "paper street" known as Gertrude Avenue and members of this Town Board executed such abandonment document, and

WHEREAS, the owner of such property, for title purposes, is requesting the Town Supervisor to execute the attached Quit Claim Deed, and

WHEREAS, the Town has no ownership interest in this property and has no use for same, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is directed to execute the attached Quit Claim Deed.

* SEE NEXT PAGE

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

David F. Williamson Co., Inc.
Ellicott Sq. Bldg., Bflo., N. Y. 14203

Quit Claim Deed (Individual) 884 ½

This Indenture

Made the 23rd *day of* January *Nineteen Hundred and* Ninety-One

Between THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, Broadway & Union Road, Cheektowaga, NY 14227

part y *of the first part, and*

THE ESTATE OF VICTOR REINSTEIN, care of Robert Reinstein, Executor, 1255 Como Park Blvd., Depew, NY 14043

part y *of the second part.*

Witnesseth *that the said part* y *of the first part, in consideration of* One and No--More---------- *Dollars,*
($ 1.00 & no more*) lawful money of the United States.*
paid by the part y *of the second part, do* es *hereby remise, release and forever Quit-Claim unto the said part* y *of the second part,* his heirs *and assigns forever, all*
ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land company's Survey, described as follows:

BEGINNING at a point in the south line of Como Park Boulevard, distant seven hundred ninety-seven (797) feet easterly from the east line of Union Road; said point being the northwest corner of subdivision lot No. 1 in Block "O" as shown on map filed in Erie County Clerk's Office under Cover No. 527: thence southerly at a right angle of 90° and along the west line of subdivision Lot No. 110; thence westerly along the south line of Subdivision Lot No. 110 as extended westerly twenty-five (25) feet to a point; thence northerly, parallel with the first described course, one hundred fifty-seven (157) feet to the southerly line of Como Park Boulevard; thence easterly along the said southerly line of Como Park Boulevard, twenty-five (25) feet to the northwest corner of subdivision Lot No. 1 or the point or place of beginning.

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

BEGINNING at a point in the south line of Como Park Boulevard, distant seven hundred forty-seven (747) feet of the east line of Union road, said point being the northeast corner of subdivision Lot No. 3 in Block "N", as shown on map filed in the Erie County Clerk's Office under Cover No. 527; thence southerly at a right angle of 90° and along the easterly line of subdivision lots Nos. 3 and 4 in Block "N" as shown under Cover Map No. 527, one hundred fifty-seven (157) feet to a point in the southeast corner of subdivision Lot No. 4; thence easterly along the south line of subdivision Lot No. 4 as extended easterly along the south line of subdivision lot No. 4 as extended easterly twenty-five (25) feet to a point; thence northerly, parallel to the first described course, one hundred fifty-seven (157) feet to a point in the southerly line of Como Park Boulevard; thence westerly along said southerly line of Como Park Boulevard, twenty-five (25) feet to the northeast corner of subdivision Lot No. 3 or point or place of beginning.

Together *with the appurtenances and all the estate and rights of the part* y *of the first part in and to the said premises.*

To have and to hold, *the above granted premises unto the said part* y *of the second part,* his heirs *and assigns forever.*

In Witness Whereof, *The said part* y *of the first part ha* s *hereunto set* its *hand and seal the day and year first above written.*

In Presence of

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK *LS*

X Frank E. Swiatek *LS*

LS

STATE OF NEW YORK] On this 23rd *day of* January
COUNTY OF ERIE *] ss. Nineteen Hundred and* Ninety-One
before me, the subscriber, personally appeared

Frank E. Swiatek

to me personally known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga; that he is the Supervisor of Town of Cheektowaga, , the municipality described in and which executed the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 19 93

Kevin G. Schenk

STATE OF NEW YORK] On this day of
COUNTY OF] ss. Nineteen Hundred and
before me, the subscriber, personally appeared

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.

Deed

QUIT-CLAIM

TOWN OF CHEEKTOWAGA,
COUNTY OF ERIE, NEW YORK

To

THE ESTATE OF VICTOR REINSTEIN
care of ROBERT REINSTEIN
1255 Como Park Boulevard
Depew, NY 14043

Dated January 23, 19 91

Item No. 12g Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, the Town Board at its December 17, 1990 meeting authorized sending a Letter of Intent to Catholic Charities Metropolitan Services Department for continuation of the Cheektowaga School Intervention Services until such time that an interdepartmental budget transfer into the appropriate line could be affectuated, and

WHEREAS, said letter has been sent and the budget transfer has been accomplished, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Catholic Charities Metropolitan Services Department, to continue said program for a twelve (12) month period, retroactive to January 1, 1991 and running through December 31, 1991 with a total cost not to exceed the sum of $81,660.00 and BE IT

FURTHER RESOLVED that Catholic Charities Manpower Services, Inc., will reimburse the Town up to $20,415.00 (25%) of the actual cost of operating said program and the New York State Division for Youth will reimburse the Town up to $40,830.00 (50%) leaving the actual cost to the Town at $20,415.00.

CONTRACT # (BUDGET LINE ITEM) 01-7310-4000-4677

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

Item No. 12h Motion by Councilman Gabryszak Seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Town Board at its December 17, 1990 meeting authorized sending a Letter of Intent to Catholic Charities Manpower Services Department for continuation of the Cheektowaga Youth Employment Program until such time that an interdepartmental budget transfer into the appropriate line could be affectuated and

WHEREAS, said letter has been sent and the budget transfer has been accomplished, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Catholic Charities Manpower Services, Inc. to continue said program for a twelve (12) month period, retroactive to January 1, 1991 and running through March 31, 1991 with a total cost not to exceed the sum of $5,900.00 and BE IT

FURTHER RESOLVED that the New York State Division for Youth will reimburse the Town for up to $2,950.00 (50%) of the total costs of operating said program leaving the actual cost to the Town of $2,950.00 (50%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-4000-4694

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

Item No. 12i Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, the Federal Aviation Administration ("F.A.A.") acting to provide explosive detection K-9 team support at the Buffalo Airport, allowed the Cheektowaga Police Department the use of a K-9 dog known as "Butch", and

WHEREAS, in 1987, after the Town ceased to provide police protection services at the Buffalo Airport, the Town asked the F.A.A. to transfer ownership of Butch to the Town, and the F.A.A. consented to such transfer, and

Item No. 12i continued

WHEREAS, a local veterinarian has performed a physical examination of Butch and has recommended that such dog be retired from police duty, and

WHEREAS, Officer Thomas Dryja has requested the Town to transfer ownership of "Butch" to him to be used as a family pet, and

WHEREAS, the Chief of Police has informed this Town Board that the services of Butch are no longer required and that such dog has no value to the Town Police Department, NOW, THEREFORE, BE IT

RESOLVED, that ownership of the K-9 dog, Butch, be and hereby is transferred to Officer Dryja with the condition that he assume full responsibility for the health, care, welfare and liability for Butch, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to transfer ownership of Butch to Officer Dryja.

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

Item No. 12j Authorize Supervisor to sign Memorandum of Agreement between Town of Cheektowaga and T.C.E.A.
This item was withdrawn.

Item No. 12k Motion by Councilman Blachowski Seconded by Councilman Gabryszak

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

WHEREAS, the Town has previously established loan limits of $10,000 for deferred loans and $12,000 for payback loans, and

WHEREAS, the Community Development Director has requested the Town Board to consider authorizing a loan to the owner of the property listed below in the amount of not to exceed $18,200.00, which is over the established limits, due to the extent of the work required to bring the property into compliance with the Town's codes, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes a loan in an amount not to exceed $18,200.00 to the owner of 2029 William Street, Cheektowaga, New York, and authorizes the Supervisor to execute loan 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. 12l Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the New York State Department of Education, State Archives and Records Administration offers a grant program to provide 100% of the monies necessary for local governments to improve their records management system; and

WHEREAS, the Town applied for grant assistance through this program last year and was awarded $10,000 to conduct an inventory of accumulated records; and

WHEREAS, the Town of Cheektowaga is in need of financial assistance to further enhance the records management program; NOW, THEREFORE, BE IT

Item No. 14 continued

RESOLVED, that Thereas Rusin be and hereby is granted an unpaid leave of absence commencing on March 27, 1991 and terminating February 7, 1992.

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

Item No. 15a Motion by Supervisor Swiatek Seconded by Councilman Blachowski

WHEREAS, due to an unpaid leave of absence, a temporary vacancy exists in the position of Chief Accountant, AND

WHEREAS, Robert Kaczmarek, currently serving in the position of Accountant for the Town is interested in filling this temporary vacancy, NOW, THEREFORE, BE IT

RESOLVED, that Robert Kaczmarek, Cheektowaga, be and hereby is appointed to the temporary vacancy of Chief Accountant, effective February 4, 1991, at an annual salary of $40,241.25; said salary has previously been approved by the Town Board for this position, AND, BE IT FURTHER

RESOLVED, that Robert Kaczmarek is hereby granted a leave of absence from his position of Accountant, effective February 4, 1991; said leave not to exceed one (1) year.

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

Item No. 15b Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, vacancies exist in the position of Police Officer in the Town of Cheektowaga, AND

WHEREAS, this Town Board is interested in filling six (6) positions at this time, AND

WHEREAS, candidates from the existing Civil Service list were canvassed, AND

WHEREAS, the Chief of Police and his screening committee recommend that the following individuals be appointed to the position of Police Officer:

Joseph Bauman
Gary Pistorio
Thomas Gill
James Reeb
David Stevens
John Mueller

NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned individuals be and hereby are appointed to the position of Police Officer, at a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc., effective February 7, 1991.

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

Item No. 15c Motion by Supervisor Swiatek Seconded by Councilman Blachowski

WHEREAS, by resolution dated July 2, 1990 and October 15, 1990, this Town Board created and appointed voting members to the Cheektowaga Conservation Advisory Council, and

WHEREAS, this Board now desires to appoint a chairman and ex-officio members to such council, NOW, THEREFORE, BE IT

RESOLVED, that Jeff Liddle be and hereby is appointed chairman of the Cheektowaga Conservation Advisory Council, and BE IT FURTHER

RESOLVED, that the following individuals be and hereby are appointed ex-officio members of the Cheektowaga Conservation Advisory Council:

1. Supervisor Frank E. Swiatek
2. Councilman Richard Solecki
3. Town Engineer Chet Bryan

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

Item No. 15d Motion by Councilman Blachowski Seconded by Councilman Jaworowicz

WHEREAS, there exists a temporary vacancy in the job title of Automotive Body Repairman in the Central Garage, and

WHEREAS, said vacancy has been posted in accordance with the terms and conditions of the Town's agreement with the Town of Cheektowaga Employees Association, AND

WHEREAS, applicants for said temporary vacancy have been interviewed, NOW, THEREFORE, BE IT

RESOLVED, that James C. Thompson of Cheektowaga, New York, be appointed to said vacancy, effective January 22, 1991, at the starting hourly rate for that classification in accordance with the Town of Cheektowaga Employees Association Collective Bargaining Agreement.

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 Blachowski

WHEREAS, by resolution dated January 7, 1991, this Town Board approved a resolution terminating seasonal employees, with an effective date of December 31, 1990, AND

WHEREAS, names from the Sanitation Department were mistakenly omitted, NOW, THEREFORE, BE IT

RESOLVED, that said resolution be and hereby is amended as follows:

SANITATION DEPARTMENT

Jerome Brzozowski
Jean Cadwalleder
Brian Coppola
Cassandra Eggers
Dale Galley
Kevin Knaus

Item No. 16 continued

SANITATION DEPARTMENT

Joseph Korabek
James Kwiatowski
Mark Meszkotowicz
Richard Ostrowski
Dale Ruthenberg
Scott Stevenson
Lynn Torgalski
Lawrence Wheeler
Cheryl Wright
Lawrence Zielinski

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 Blachowski

WHEREAS, by resolution dated January 7, 1991, this Town Board approved a resolution hiring seasonal employees, with an effective date of January 1, 1991, AND

WHEREAS, names from some departments were mistakenly omitted, NOW, THEREFORE, BE IT

RESOLVED, that said resolution be and hereby is amended as follows:

FACILITIES DEPARTMENT - $4.65 per hour

John Bratek

SANITATION DEPARTMENT - $5.00 per hour

Jerome Brzozowski	Seasonal Laborer
Jean Cadwalleder	Seasonal Laborer
Brian Coppola	Seasonal Laborer
Cassandra Eggers	Seasonal Clerical
Dale Galley	Seasonal Laborer
Kevin Knaus	Seasonal Laborer
Joseph Korabek	Seasonal Laborer
James Kwiatowski	Seasonal Laborer
Mark Meszkotowicz	Seasonal Laborer
Richard Ostrowski	Seasonal Laborer
Dale Ruthenberg	Seasonal Laborer
Scott Stevenson	Seasonal Laborer
Lynn Torgalski	Seasonal Laborer
Lawrence Wheeler	Seasonal Laborer
Cheryl Wright	Seasonal Laborer
Lawrence Zielinski	Seasonal Laborer

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

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

BE IT RESOLVED that the following be hired, retroactive to January 7, 1991, to aid the Cheektowaga Department of Youth & Recreational Services in conducting its 1990-91 winter programs.

Item No. 18 continued

WRESTLING SUPERVISOR - Cheektowaga Central H.S. $5.00 per hour - A7140.1615

Gerald Hickson 14227

WRESTLING INSTRUCTORS - Cheektowaga Central H.S. $4.00 per hour - A7140.1615

Todd Burkard 14225
Erik Bojarski 14215
James Okun 14043
Jason Wartinger 14225
John Wanat 14211

BE IT FURTHER RESOLVED, that the following individual be hired for the Adapted Recreation Program, at designated title and salary:

COUNSELOR II $4.10 per hour (0100-7310-0001-1803)

David Topor 14225

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

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

WHEREAS, the 1991 Annual Meeting of the Association of Towns will be held at the New York Hilton Hotel in New York City from February 17th-10th, 1991, and

WHEREAS, during such meeting, sessions covering numerous municipal-related topics of interest to Town officials are held, and

WHEREAS, at such Annual Meeting, Town of Cheektowaga officials will present a session featuring Solid Waste, Recycling and Yard Waste subjects, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are authorized to attend the 1991 Annual Meeting of the Association of Towns:

Richard B. Solecki, Councilman
Ronald C. Zoeller, Foreman Sanitation/Recycling Department

and BE IT FURTHER

RESOLVED, that the Town shall reimburse the above named individuals for their reasonable and necessary expenses incurred in attending such meeting out of the following referenced budget line items:

Richard B. Solecki Line Item #0100-1910-4000-4082
Ronald C. Zoeller Line Item #1500-8173-4000-4088

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

Item No. 19b Motion by Councilman Blachowski Seconded by Councilman Jaworowicz

WHEREAS, the International Society of Fire Service Instructors will be conducting a "Fire Department Inspectors Conference" in Cincinnati, Ohio, on March 23 thru 27, 1991 AND

Item No. 19b continued

WHEREAS, Matthew D. Kawczynski and Edward Saternus, Fire Inspectors for the Town of Cheektowaga, have requested permission to attend such conference on March 25, 26, and 27, 1991, AND

WHEREAS, such conference will provide the Town's Fire Inspectors with up-to-date information and legislation on fire prevention and control, AND

WHEREAS, Matthew D. Kawczynski and Edward Saternus will attend such conference at no cost to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that Matthew D. Kawczynski and Edward Saternus be and are hereby authorized to attend the "Fire Department Instructors Conference" on March 25, 26 and 27, 1991.

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

Item No. 19c Motion by Councilman Solecki Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga is becoming increasingly involved in the recycling of garbage and thus needs to explore innovative and cost-effective ways to recycle garbage, and

WHEREAS, a firm in Cincinnati, Ohio, Rotex, Inc., has introduced a system wherein screen designs can be used to remove residue from a stream of commingled recyclable containers, and

WHEREAS, Ronald Zoeller, the General Foreman of the Sanitation Department has requested permission to travel to Cincinnati, Ohio to inspect Rotex's operations, and

WHEREAS, NOREC has agreed to pay Mr. Zoeller's airfare and Barton & Loguidice, P.E., Engineers, have agreed to pay for any car rental for such trip, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes Ronald C. Zoeller to travel to Cincinnati on January 23, 1991 to inspect Rotex's operations, and BE IT FURTHER

RESOLVED, that all reasonable and necessary expenses of Mr. Zoeller not paid for by NOREC or Barton & Loguidice shall be paid from budget line item 1500-8173-4000-4088.

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:

GENERAL FUND

FROM:	1910-4711 (Contingency)	$3,960.00
	1910-4711 (Contingency)	6,900.00
	1410-4001 (Town Clerk-Office Supplies)	1,252.00
	3610-4001 (Traffic Safety-Office Supplies)	500.00
	7310-4675 (Youth-Library Contract)	200.00
	7310-4685 (Youth-Project YES)	1,101.00

Item No. 20 continued

GENERAL FUND

FROM:	7310-4687 (Youth-Child and Family Service)	$ 285.00
	7310-1811 (Youth Conservation Corps-Supervision)	2,791.00
	7310-1812 (Youth Conservation Corps-Participants)	2,885.00
	7310-1812 (Youth Conservation Corps-Participants)	5,900.00
	7140-1361 (Senior Clerk-Playground)	24,000.00
	7310-1391 (Youth-Part Time Clerical)	6,000.00
	7140-1622 (Recreation-Recreation Attendant)	7,017.00
TO:	7310-4677 (Catholic Charities - S.I.S.)	$7,262.00
	7310-4694 (Catholic Charities - Youth Employment)	5,900.00
	7310-1354 (Youth-Account Clerk Typist)	13,017.00
	7310-1361 (Sr. Citizens- Sr. Clerk)	24,000.00
	3610-1394 (Traffic Safety-Secretary)	500.00
	1410-4188 (Town Clerk-Equipment Rental)	1,252.00
	1640-1443 (Central Garage-Auto Body Repair)	3,960.00
	1640-2501 (Central Garage-Above Ground Lift)	6,900.00

PART TOWN FUND

FROM:	8020-1394 (Planning Board-Secretary)	$ 600.00
TO:	8020-1051 (Planning Board-Members)	600.00

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 January 21, 1991 are hereby approved and made a part hereof:

GENERAL FUND	$ 148,549.96
HIGHWAY FUND	64,259.39
CAPITAL FUND	279,571.91
TRUST & AGENCY FUND	10.00
HUD-CDBG FUND	38,524.52
PART TOWN FUND	5,978.72
RISK RETENTION FUND	31,223.04
STATE AHC FUND	2,014.80
HUD REHABILITATION FUND	3,022.20
SPECIAL DISTRICTS FUND	360,565.60
	$ 933,720.14

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22a Supervisor's Statement of Funds/July, 1990
Received and Filed

Item No. 22b Supervisor's Statement of Funds/August, 1990
Received and Filed.

Item No. 22c Supervisor's Statement of Funds/September, 1990
Received and Filed

Item No. 22d Supervisor's Statement of Funds/October, 1990
Received and Filed

Item No. 22e Supervisor's Statement of Funds/November, 1990
Received and Filed

Item No. 23 Quarterly Report: Office of Disaster Preparedness/October-December 1990
Received and Filed

Item No. 24a Minutes of Cheektowaga Traffic Safety Commission-December, 1990
Received and Filed

Item No. 24b Minutes of Cheektowaga Planning Board/December 1990
Received and Filed

IV GENERAL COMMUNCIATIONS

Item No. 25a Summons and Complaint: Conrad and Charlene Drzal individually and as Administrator of Estate of Mark Drzal vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims Service, Inc., Insurance Carriers
Received and Filed

Item No. 25b Summons and Complaint: Lawrence Pawlowski vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Department; Allied Claims Service, Inc., Insurance Carriers
Received and Filed

Item No. 26a Notice of Claim: Surita Peterson/Allstate Ins. Co. vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Department; Allied Claims Service, Inc., Insurance Carrier
Received and Filed

Item No. 26b Notice of Claim: Christopher Guadagno vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims Service, Inc., Insurance Carrier
Received and Filed

Item No. 26c Notice of Claim: Alexandria Shigorets vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Department; Allied Claims Service, Inc., Insurance Carrier
Received and Filed

Item No. 26d Notice of Claim: Timothy M. Hunter vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims Service, Inc., Insurance Carrier
Received and Filed.

Item No. 27 Letter of Resignation from Chairman Zoning Board of Appeals
Copies sent to Town Board
Received and Filed

* *

Motion by Supervisor Swiatek and seconded by Councilman Solecki to suspend the rules to include the following items and the voting was as follows:

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

V. SUSPENSION OF RULES

Item No. 28 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, by resolution this Town Board appointed Karen L. Healy to the position of Police Officer, with an effective date of January 24, 1991, AND

WHEREAS, the Town is in receipt of a letter of resignation from Karen Healy, resigning from her position of Police Officer, NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Karen L. Healy be and hereby is accepted, effective immediately.

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, by resolution, this Town Board created the position of Administrative Container Specialist, subject to review and approval by the Erie County Department of Personnel, AND

WHEREAS, all the necessary paperwork was submitted by the Town to the Erie County Department of Personnel, AND

WHEREAS, the County has responded to the Town and advised that the proper title of said position should be Disposal Service Representative, a competitive classification, NOW, THEREFORE, BE IT

RESOLVED, that the position of Disposal Service Representative (Competitive) be and hereby is created.

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

Item No. 30 Motion by Councilman Blachowski Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following individual be and hereby is hired as a part-time employee, not to exceed 19 hours per week, on an annual basis, in the department listed below, and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately:

Item No. 30 continued

CENTRAL GARAGE - $5.00 per hour (Clerical)

Rose Ladowski

Cheektowaga, New York 14206

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

Item No. 31 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

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

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

NAME	ADDRESS	COMPANY	EMT EXPIRES	
Jeanne M. Zimmerman	Cheektowaga, N.Y. 14225	Town's	5/31/93	R
Andrew Stansberry	Alden, New York 14004	Town's	12/31/91	
Ronald C. Edwards, Jr.	Williamsville, N.Y. 14221	Town's	1/31/92	

Item No. 32 Motion by Supervisor Swiatek and seconded by Councilman Solecki to adjourn the meeting in memory of Jim Higby and a moment of silence - War in the Gulf.

RICHARD M. MOLESKI,
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of February, 1991 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; Robert Kaczmarek, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Ronald Marten, Building & Plumbing Inspector; Bill Pugh, Assistant Engineer; Gregory Joos, Coordinator of Employee Relations; John Schaller, Assistant Chief of Police; Christopher J. Kowal, Highway Superintendent; James Kirisits, Town Attorney; Donald Wegner, Zoning Inspector; Leonard Szymanski, Foreman of Facilities Dept.

I. RESOLUTIONS

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

WHEREAS, John and Angelina Valenti have made application and requested a Special Use Permit for expansion of business and hours for present self-service car wash located at 1249 Walden Avenue, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 19, 1991 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

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 7, 1991; last publication February 7, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 7th day of February, 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 NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of FEBRUARY, 1991 at 7:00 o'clock P.M., Eastern STANDARD Time of said day for the purpose of considering the application of M&M JOHN VALENTI for a Special Permit to extend operating hours and an extra bay on property located at 1249 WALDEN AVENUE pursuant to Article VI and Section 82-33 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND,

situated in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 33, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots No.'s 9, 10, 11, 12 and 13 in Section 5 as shown on Map filed under Cover No. 325, bounded and described as follows:

Commencing at a point in the southerly line of Walden Avenue distant 2440.50 feet easterly measured along the said southerly line of Walden Avenue from the easterly boundary line of the City of Buffalo; running thence southerly at a right angle with Walden Avenue a distance of 150 ft.; thence easterly at a right angle and parallel with the southerly line of Walden Avenue a distance of 150 ft. to a point; thence northerly at a right angle a distance of 150 ft. to the southerly line of Walden Avenue; thence westerly along the southerly line of Walden Avenue a distance of 150 ft. to the point or place of beginning.

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

PUBLISH: February 7, 1991

Item No. 2b Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is eligible and is expected to receive up to approximately $665,000 in Community Development Block Grant Funds for the 1991-1992 Program Year, and

WHEREAS, the Town of Cheektowaga is required to hold a public hearing for the purpose of obtaining the views of Town residents regarding community development and housing needs, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on March 4, 1991 at 6:30 P.M. at Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the above said purpose, AND BE IT

FURTHER RESOLVED, that a legal notice of such public hearing also contain a notice of proposed community development objectives and use of funds and a statement of the range of allowed activities under the Community Development Program, be published in the Cheektowaga Times on February 21, 1991.

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 21, 1991; last publication February 21, 1991;

and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 21st

day of February, 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 NOTICE
TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
NOTICE OF PUBLIC HEARING
STATEMENT OF OBJECTIVES AND PROPOSED USE OF FUNDS

The Town of Cheektowaga will hold a Public Hearing on Monday, March 4, 1991 at 6:30 P.M. at Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, New York, regarding the Town's 1991-92 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew and Sloan, and Williamsville are eligible to receive up to approximately $665,000, under Title I of the Housing and Community Development Act of 1977, as amended. The purpose of this hearing is to provide the citizens of the Town and Villages with the opportunity to express their views and opinions on housing and community development needs and to respond to proposals and questions regarding the Community Development Program. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew, and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and industrial development. It is estimated that no less than 70% of funds will be used for activities that will benefit low and moderate income persons. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

Residents of low and moderate income neighborhoods as well as all citizens of the Town and Villages are encouraged to participate in this process and express their views on the proposed use of funds and activities carried out with program funds. Technical assistance is available to groups representative of low and moderate income persons to assist in developing proposals or identifying needs within their community. No CDBG activities are expected or likely to result in displacement. In the unanticipated event displacement due to CDBG funded activities occurs, relocation assistance will be provided in conformity with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42, and regulations governing the CDBG program at 24 CFR 570.606.

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 3719 Union Road, Suite 218, Cheektowaga, New York 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays or can be discussed with the Community Development Director by calling 683-4150 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

Richard M. Moleski
Town Clerk
February 4, 1991
PUBLISH: February 21, 1991

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

WHEREAS, bids were formally received and opened by the Town Clerk on November 28, 1990 at a public meeting held for said purpose for Energy Monitoring and Control Systems Project at Cheektowaga Town Hall, Police and Court Facility and Town Park Recreation Center, AND

WHEREAS, Babinsky.Klein Engineering P.C. has reviewed the bid proposals for compliance with the terms of the plans and specifications, AND

WHEREAS, U & S Services has submitted a proposal of $73,685.00 to furnish all labor and equipment as specified in the plans and specifications for said project, AND

WHEREAS, the N.Y.S.E.O. has approved the post bid requirements as specified in the Energy Conservation Management Grant No. C600703, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards said contract to U & S Services, 233 Fillmore Avenue, Suite 11, Tonawanda, New York 14150 in the amount of $73,685.00, AND BE IT FURTHER

RESOLVED, that funds for said construction 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. 3b Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, Bid Proposals were received for the furnishing of Pool Maintenance Chemicals for the Facilities Department on January 21, 1991, AND

WHEREAS, said Proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby award said Bid for Pool Maintenance Chemicals to:

Alden Pools Inc.	Item #1 Bromine	@ $2.72 per lb.
12890 Broadway	Item #2 Diatomaceous Earth	@ .26 per lb.
Alden, New York 14004	Item #3 Sodium Bicarbonate	@ .39 per lb.
	Item #4 Soda Ash	@ .24 per lb.

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

Item No. 3c Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, Bid Proposals were received for Softball and Hardball Diamond Supplies on January 21, 1990, AND

WHEREAS, said Proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards said Bid for Softball and Hardball Diamond Supplies to:

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

Item No. 3c continued

Item #1 Hardball Bases (set of three) - $31.95 per set
Item #2 Hardball Bases (set of three) - $28.90 per set
Item #3 Softball Bases (set of three) - $26.95 per set

and

Jim Ludtka Sporting Goods, Inc.
3383 Harlem Road
Cheektowaga, NY 14225

Item #4 Home Plates - $11.95 per unit
Item #5 Pitcher's Plates - $ 8.20 per unit

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

Item No. 3d Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, Bid Proposals were received for the furnishing of Athletic White Stripe for the Facilities Department on January 21, 1991, AND

WHEREAS, said Proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby award said Bid for Athletic White Stripe to:

Keystone Builders Supply Company, Inc.
4388 Broadway
Depew, NY 14043

for

Athletic White Stripe @ $.065 per lb.

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 Blachowski

WHEREAS, sealed bid proposals for Leasing and Servicing of Portable Chemical Toilets were received on January 21, 1991 at a public bid opening in the Cheektowaga Town Hall, Council Chambers, AND

WHEREAS, Rural Sanitation Service Inc. submitted the apparent low bid for Leasing and Servicing of Portable Chemical Toilets, AND

WHEREAS, Rural Sanitation Service Inc. has notified the Facilities Director on January 23, 1991 of an error in their calculations, making it impossible to supply acceptable service at their quoted bid price, AND

WHEREAS, the Facilities Director has found the remaining bid proposals to be unacceptable due to budgetary restrictions, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby rejects all bids received on January 21, 1991 for Leasing and Servicing of Portable Chemical Toilets.

Item No. 4 continued

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

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

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, utilizes Portable Chemical Toilets at various locations to service Recreation Department activities and Special Events, NOW BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice To Bidders for the Leasing and Servicing of Portable Chemical Toilets, AND BE IT FURTHER

RESOLVED, that Specifications for said Leasing and Servicing of Portable Chemical Toilets be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 19th day of February, 1991 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 19, 1991 at 11:00 A.M. Eastern Standard Time at the Town Hall, Corner of Broadway and Union Road for the Leasing and Servicing of Portable Chemical Toilets for the year, 1991.

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 4, 1991

* *

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 7, 1991; last publication February 7, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 7th day of February, 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

TOWN OF CHEEKTOWAGA
LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 19, 1991 at 11:00 am Eastern Standard Time at the Town Hall, corner of Broadway and Union Road for the Leasing and Servicing of Portable Chemical Toilets for the year, 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 or all bids.

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

Richard M. Moleski
Town Clerk

DATED: February 4, 1991
PUBLISH: February 7, 1991

Item No. 5b Motion by Councilman Rogowski, Seconded by Councilman Kulyk

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said public works projects, notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 19th day of February, 1991 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 19, 1991 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 4, 1991

* *

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 7, 1991; last publication February 7, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 9th day of February, 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 NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 19, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 4, 1991
PUBLISH: February 7, 1991

Item No. 5c Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

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

WHEREAS, the Town has engaged in an annual Fertilization/Weed Control Program as part of its obligation with an agreement with the New York State Department of Environmental Conservation in the maintenance of all lands associated with the Scajaquada Creek Flood Control Project, NOW, THEREFORE, BE IT

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

RESOLVED, that sealed bids will be received on the 19th day of February, 1991 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 19, 1991 at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the Application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 4, 1991

* *

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 Walf, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 7, 1991; last publication February 7, 1991; and that no more than six days intervened between publications.

Melanie Walf

Sworn to before me this 7th day of February, 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 NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 19, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 4, 1991
PUBLISH: February 7, 1991

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

WHEREAS, this Town Board held a public hearing on January 21, 1991 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE VIII

Stop and Yield Intersections

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
Bert Road	North-south	Ellen Drive	Eastbound	S.W. Corner
Bert Road	North-south	Ellen Drive	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

BUELL AVENUE	West side	from the north curbline of West Sobieski Avenue to a point two hundred (200) feet north of the north property line of 114 Buell Avenue

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

B. No parking anytime

BUELL AVENUE	East side	from the south curbline of Genesee Street to the terminus
BUELL AVENUE	West side	from the south curbline of Genesee Street to the terminus

Item No. 6 continued

D. No standing here to corner

FRANTZEN TERR.	South Side	from the east curb line of Zeller Lane easterly 50 feet to a point

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 7, 1991; last publication February 7, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 7th day of February, 19 91.

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 4th day of February, 1991 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

Motion by: Councilman Rogowski
Seconded by: Councilman Kulyk

WHEREAS, this Town Board held a public hearing on January 21, 1991 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE VIII

Stop and Yield Intersections

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
Bert Road	North–south	Ellen Drive	Eastbound	S.W. Corner
Bert Road	North–south	Ellen Drive	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 76–102. Parking prohibited in designated locations.

Section 76–102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

BUELL AVENUE	West side	from the north curbline of West Sobieski Avenue to a point two hundred (200) feet north of the north property line of 114 Buell Avenue

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

B. No parking anytime

BUELL AVENUE	East side	from the south curbline of Genesee Street to the terminus
BUELL AVENUE	West side	from the south curbline of Genesee Street to the terminus

D. No standing here to corner

FRANTZEN TERR.	South side	from the east curb line of Zeller Lane easterly 50 feet to a point

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 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

continued...

STATE OF NEW YORK, COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 4, 1991, 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 6, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of February, 1991.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: February 7, 1991

Item No. 7 Motion by Supervisor Swiatek, Seconded by Councilman Solecki

WHEREAS, the Erie County Board of Elections, with the cooperation of the Town and City Clerks of Erie County, has compiled a report on the cost to conduct the 1990 primary election, and

WHEREAS, the report reflects cost comparisons between voting hours from 6:00 A.M. to 9:00 A.M. versus a primary election if the hours were returned to the former voting hours of 12:00 Noon to 9:00 P.M., and

WHEREAS, only seven counties in the State of New York, namely Nassau, Suffolk, Westchester, Rockland, Orange, Ulster and Erie Counties presently have extended voting hours on primary day from 6:00 A.M. to 9:00 P.M., and

WHEREAS, prior to 1982 primary hours in Erie County were established from 12:00 Noon to 9:00 P.M., and

WHEREAS, in light of the fiscal crisis presently being experienced on all levels of government it is incumbent upon these levels of government to seek dollar savings to taxpayers wherever possible, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga memorializes the New York State Senate and New York State Assembly to amend Section 8-100 of the State Election Law to set the hours for primary elections for the County of Erie from 12:00 Noon to 9:00 P.M. except when there is a state-wide primary when the hours would then be 6:00 A.M. to 9:00 P.M., and, BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward copies of this resolution to Senator Volker, State Assemblyman Tokasz and to the Erie County Board of Elections.

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 Solecki

WHEREAS, the 1987 Ethics in Government Act is applicable to the Town of Cheektowaga and requires annual financial disclosure by elected Town officials, department heads and policy makers, and

WHEREAS, such Ethics in Government Act also requires the Town to notify the Temporary State Commission on Local Government Ethics of the titles of Town personnel who must file such annual financial disclosure forms, NOW, THEREFORE, BE IT

RESOLVED, that the persons holding the following Town positions are hereby required to file an Annual Statement of Financial Disclosure with the Temporary State Commission on Local Government Ethics:

Supervisor
Councilmen (6)
Town Clerk
Deputy Town Clerks (2)
Receiver of Taxes & Assessments
Deputy Receiver of Taxes & Assessments
Superintendent of Highways
Deputy Superintendent of Highways
Chief Accountant
Accountant
Assessor
Real Property Appraiser
Supervising Building & Plumbing Inspector
Foreman, Central Garage
Director of Community Development
Town Engineer/Chairman, Environmental Advisory Committee

Item No. 8 continued

Assistant Town Engineer
Director, Facilities Department
Town Attorney
Deputy Town Attorneys
Director, J.T.P.A./Chairman, Planning Board
Coordinator of Employee Relations
Chief of Police
Assistant Chief of Police
Director, Youth and Recreational Services
Senior Youth Board Supervisor
Senior Recreation Supervisor
General Foreman, Sanitation Department
Foreman, Recycling Division
Director, Senior Services Department
Chairman, Traffic Safety Commission
Members, Board of Assessment Review (5)
Chairman, Emergency Medical Services Board
Members, Zoning Board of Appeals (5)
Members, Planning Board (6)

and, BE IT FURTHER

RESOLVED, that the Town clerk be and hereby is directed to forward a certified copy of this resolution to the Temporary State Commission on Local Government Ethics.

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

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

WHEREAS, the New York State Division of Criminal Justice Services offers a grant program to provide 100% of the monies necessary for local governments to improve the operations of the juvenile justice system in an effort to control crime and assure the quality of justice for juveniles and adolescents; and

WHEREAS, the Town of Cheektowaga desires to establish a Youth Court and supporting network of referral agencies to relieve the financial and time demands on existing courts and provide a viable alternative for juveniles facing misdemeanor charges; and

WHEREAS, the Town of Cheektowaga is in need of financial assistance to establish and implement this program; 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 Division of Criminal Justice Services, in an amount not to exceed $40,000 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. 9b Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, the New York State Division of Criminal Justice Services offers a grant program to provide 100% of the monies necessary for local governments to improve the operations of the juvenile justice system in an effort to control crime and assure the quality of justice for juveniles and adolescents; and

WHEREAS, the Town of Cheektowaga desires to train various Town employees to identify and assist at-risk youth in an effort to prevent delinquent behavior among juveniles in the community; and

WHEREAS, the Town of Cheektowaga is in need of financial assistance to establish and implement this program; 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 Division of Criminal Justice Services, in an amount not to exceed $40,000 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. 9c Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED that Supervisor Frank Swiatek is authorized to sign contracts between the Town of Cheektowaga and the performers at the Polish Festival to be held on August 16, 17 and 18.

Funding Source: 01-7550-0004-4374

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, 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 January 24, 1991, rendered the determinations shown on the attached memo dated January 28, 1991, 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

Item No. 10 continued

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 January 28, 1991 memo attached hereto:

Item I	Walden Galleria Mall
Item II	3101 Broadway

*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

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

M E M O

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

RECEIVED
JAN 29 1991
TOWN ATTORNEY

FROM: Thomas Adamczak
Building Inspector

DATE: January 28, 1991

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 January 24, 1991, in the Senior Citizen Building.

ITEM I Walden Galleria Mall - Revisions to Landscaping Plan

Applicant: Pyramid Company of Buffalo

Determination: Non-Significant.
The Walden Galleria Mall is proceeding to acquire additional anchor store tenants and would for, the year 1991, propose to construct two anchor stores to the Walden Galleria Mall. These anchor stores would be located on two sites that were originally designated as future anchor store locations.

The anchors would be Lord and Taylor/Filenes Basement and Lechmere.

The Lord and Taylor/Filenes site is located on the west side of the mall between the parking ramp and Kaufmann's. Lechmere is to be located on the east side of the mall between Sears and Bonwit Teller.

When the Pyramid Company of Buffalo first approached the Town of construct the mall, they presented plans showing and accounting for in their studies, a full build-out of approximately 1.4 million square feet of leasable area. At that time a landscaping plan was submitted to the Town which reflected the improvements to the site at the time of opening.

Now, after approximately one and a half years of operation, additional anchor stores are proposed to be constructed which would require modification of the landscaping around the mall building itself. Further, due to the popularity of the mall and the traffic patterns that have resulted on the mall property itself, the developer is proposing to change the parking from 90 degree perpendicular to 70 degree angle parking. This angle parking and the installation of the satellite parking lots and the establishing of the new anchor stores will still, in the final analysis, result in a net gain of parking spaces on the mall property. This net gain of spaces will help to alleviate congestion at holiday time, the heaviest times for traffic to the mall. The change in the parking lots will require movement of the landscaping islands both within and along the perimeter of the mall. Therefore the developer will be approaching the Planning Board for approval of the landscaping modifications.

Since the proposed modifications and anchor stores are nothing new in terms of information and are not traffic generators that have not already been considered in the original studies, the Environmental Advisory Committee finds the changes to be insignificant and will have no adverse impact to the area.

ITEM II 3101 Broadway (Cooper Industries) - Proposed 26,000 Sq. Ft. Test Lab

Applicant: Cooper Industries Corporation

Determination: Non-Significant With Conditions.
The Cooper Industries facility is located on the south side of Broadway between the New York State Thruway and Union Road. It is located on a 17 acre site and they manufacture compressor equipment. As part of their manufacturing process they test the compressor and blowers that are constructed extensively. The testing is presently conducted in a facility located at the rear of the factory. The new lab would be located on the west side of the building and be multi-level.

Part of the process of the testing involves the use of water for cooling. Cooper Industries indicated that at the present time they use approximately 8 million gallons of water annually (approximately 32,000 gallons per day).

The proposal will include construction of a small cooling tower located near the factory. This will result in the re-circulation/re-use of the cooling water in the testing process. The company expects to save approximately 31,000 gallons of water per day.

At present the test water is drained to a lagoon at the south end of the site. The water from the lagoon slowly drains towards the Conrail property located adjacent to the lagoon. As a condition of the approval, Cooper Industries must submit a storm water management study, acceptable to the Town Engineer. The study will focus upon the data for the lagoon as well as overall site drainage.

==========

THE NEXT MEETING OF THE ENVIRONMENTAL QUALITY REVIEW ADVISORY COMMITTEE WILL BE HELD ON FRIDAY, FEBRUARY 15, 1991 AT 9:30 A.M. IN THE TOWN HALL COUNCIL CHAMBERS.

==========

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

WHEREAS, the Town operates a Housing Rehabilitation Loan Program through the Office of Community Development, and

WHEREAS, the Town Community Development Director has recommended that the program's policy on loan limits be amended as per the criteria outlined in the attached statement, NOW, THEREFORE, BE IT

RESOLVED, that the loan limits for the Town's Housing Rehabilitation Loan Program are modified pursuant to criteria incorporated in the attached Housing Rehabilitation Program Statement.

*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
Community Development Block Grant Program

Housing Rehabilitation Loan Program

Loan Limits

The maximum amount of Community Development funding allowable per housing unit shall be no grater than the amount equal to the estimated rehab value minus the amount of current mortgage/lien interest(s) on said property.

Furthermore, Town Board approval shall be obtained for the commitment of Community Development housing rehabilitation funds in any amount greater than $25,000.

Item No. 12 Adoption of Homeowner's Bill of Rights
This item has been withdrawn.

Item No. 13 Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, on December 19, 1990 the Sewer Maintenance Department notified the Engineering Department of an obstructed eight inch (8") diameter sewer serving the residents of Andrews Avenue and E. Delavan Avenue and that they are continuously monitoring the sewer and making all necessary cleaning efforts to prevent a total stoppage, AND

WHEREAS, it was necessary to undertake repairs utilizing an outside contractor since the repair conditions and depth of sewer were beyond normal Sewer Maintenance Department repair capabilities, AND

WHEREAS, the Town Engineer delegated Tom Greenauer Development to make the necessary repairs utilizing the 1990 Town Equipment & Operators Bid Agreement, NOW, THEREFORE, BE IT

RESOLVED, that payment to affect the sewer repair as submitted by Tom Greenauer Development in the total amount of $7,163.00 be and hereby is accepted and approved for payment, AND, BE IT FURTHER

RESOLVED, that payment for the repairs be made as follows:

1990 Budget	Acct. No. 2500-8125-4543	$6,045.00
1991 Budget	Acct. No. 2500-8125-4543	$1,118.00

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

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

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to remove 7 - 3200 lumen Mercury Vapor lamps and install 7 - 5200 lumen High Pressure Sodium lamps on West Grand Boulevard, in the Town of Cheektowaga, at an annual increase in the General Lighting District of $77.00, 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

NYSEG

January 25, 1991

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

WEST GRAND BLVD.

Install 7 - 5200 lumen HPS lamps @ $102.80 ea. = $719.60
Std-1,2,3,4,5,6,&7

Remove 7 - 3200 lumen MV lamps @ $91.80 ea. = $642.60
Std-1,2,3,4,5,6,&7

TOTAL ANNUAL INCREASE = $ 77.00

(This proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of Cheektowaga)

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

BE IT RESOLVED, that the following individuals be terminated from the Recreation Department retroactive to January 1, 1991

RINK GUARD ATTENDANT $3.75 per hour (A.7140-1611):

Jackie Kowal	14227
Patty Danner	14227

BE IT RESOLVED, that the following individual be terminated from the Youth & Recreational Services, retroactive January 1, 1991

PROGRAM COORDINATOR $7.75 per hour (7310.1811):

Jack Hornung	14225

AND BE IT FURTHER RESOLVED, that the following individual be and hereby transferred to the Youth & Recreational Services Department, retroactive to January 1, 1991

RECREATION ATTENDANT (A7140.1622):

Leonard Kosobucki	14043

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

Item No. 16a Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, a temporary vacancy exists in the position of Clerk-Typist in the Accounting/Payroll Department, AND

WHEREAS, 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, no Union employee bid on said position, AND

WHEREAS, Suzanne M. Ozolins, currently a part-time employee in the Accounting/Payroll Department, has bid on said position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Suzanne M. Ozolins, Depew, New York 14043, be and hereby is appointed to the temporary vacancy of Clerk-Typist in the Accounting/Payroll Department 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 January 24, 1991 and shall not exceed a period of ninety (90) days.

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

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

WHEREAS, by resolution, this Town Board created two Traffic Maintenance Worker positions in the Police Department, AND

Item No. 16b continued

WHEREAS, the Town is interested in filling these positions, AND

WHEREAS, said positions have been posted in accordance with the terms of the collective bargaining agreement between the Town and Town of Cheektowaga Employees Association, AND

WHEREAS, Arthur Blachowski and Daniel Andrzejewski have applied for the positions of Traffic Maintenance Worker and have been interviewed and meet the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Arthur Blachowski, , Cheektowaga, NY 14225 and Daniel Andrzejewski, Depew, NY 14043, be and hereby are appointed to the positions of Traffic Maintenance Worker in the Police Department in accordance with Section 18.01 of the Town of Cheektowaga Employees Association contract, AND, BE IT FURTHER

RESOLVED, that said appointment is made effective immediately and the salary will be as set forth in the Memorandum of Agreement made between the Town and Town of Cheektowaga Employees Association dated January 7, 1991.

Upon Roll Ca''....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Rogowski
NAYES: 0
ABSENT: 0
ABSTAINED: Councilman Blachowski

Item No. 16c Appointment of Disposal Service Rep. (Provisional)
This item has been withdrawn.

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

BE IT RESOLVED that Victor Carlucci of Depew, NY 14043 be hired as a part-time van driver (Job Class 0111) at a rate of $5.00 an hour in the Department of Senior Services.

Funding Source: Account 7620.1639

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

Item No. 17b Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, the Town has established a relationship with Supportive Services Corporation of Buffalo, New York, AND

WHEREAS, Supportive Services Corporation administers the National Council of Senior Citizens Senior AIDES Program under the New York State Office for the Aging, AND

WHEREAS, by virtue of these programs, Supportive Services will pay the wages of clients over the age of 55, with economic hardship at the rate of $4.25 an hour up to 20 hours a week, NOW, THEREFORE, BE IT

RESOLVED, the following clients of Supportive Services Corporation be utilized in the following capacities with these conditions:

Frank Lasota, of 14225, be assigned to the Facilities Department as a Maintenance Aide. Compensation is to be a total of $4.65 an hour, with the Town supplementing the $4.25 an hour provided by Supportive Services at $.40 an hour not to exceed 20 hours a week, AND

Item No. 17b continued

John Kochul, 14211, a past seasonal employee of the Town whose name appears on the exempt employee list by Memorandum with the Town of Cheektowaga Employees Association, be assigned to the Facilities Department as a Maintenance Aide. Compensation is to be a total of $4.65 an hour. The Town will supplement the $4.25 an hour provided by Supportive Services at $.40 an hour for the first 20 hours and assume total liability for the hourly rate for any hours worked over 20.

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

Item No. 18a Motion by Councilman Kulyk, Seconded by Supervisor Swiatek

WHEREAS, by resolution dated January 21, 1991, this Town Board authorized Richard B. Solecki and Ronald C. Zoeller to attend the 1991 Annual Meeting of the Association of Towns, AND

WHEREAS, such resolution failed to state a maximum amount of money for which the Town would reimburse these individuals for expenses incurred, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution dated January 21, 1991, be and hereby is amended by stating the following maximum amounts for which the Town will reimburse the following listed individuals:

Richard B. Solecki	$550.00
Ronald C. Zoeller	$825.00

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

Item No. 18b Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, by resolution dated January 21, 1991, this Town Board hired seasonal employees in the Sanitation Department, AND

WHEREAS, some of those employees were to be reclassified as part-time employees, not to exceed 19 hours per week on an annual basis, and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED, that said resolution is amended as follows:

	EFFECTIVE
SANITATION DEPARTMENT - $5.00 - Part/Time	
Dale Galley	1/1/91
Kevin Kraus	"
Mark Meszkotowicz	"
Richard Ostrowski	"
Dale Ruthenberg	"

and be it,

FURTHER RESOLVED, that the following individual be and hereby is hired as a seasonal employee in the various department listed, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

Item No. 18b continued

SEWER MAINTENANCE - $4.65 per hour

James McCloskey

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

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

WHEREAS, the Association of New York State Youth Bureaus is conducting its semi-annual meeting in Albany, New York on March 5th and 6th, 1991, and

WHEREAS, all youth directors have been requested to attend this meeting, legislative breakfast and subsequent lobbying efforts to fight decreases in the per capita state aid to Local Youth Development and Deliquency Prevention Programs, BE IT

RESOLVED, that Kenneth J. Kopacz, Executive Director of the Department of Youth and Recreational Services, be reimbursed necessary transportation costs and expenses to attend said meeting at a cost not to exceed $350.00 (Line Item 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. 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:

SPECIAL DISTRICT FUND

FROM:	2500-8125-4954	(Harlem Pump Station Const)	$36,542.86
	2500-8125-4545	(Telemetry-SD #5	31,000.00
TO:	2500-8125-9990	(Transfer to Capital Fund)	39,542.86
	2500-8125-4550	(SD #5-Photographic Mapping)	8,000.00
	2500-8135-4453	(SD #5-Building Repairs Fencing)	20,000.00

CAPITAL FUND

FROM:	5015-1910-5031	(Interfund Transfer In)	8,542.86
	5016-1910-5031	(Interfund Transfer In)	31,000.00
TO:	5015-8125-1102	(Harlem Pump Station Const)	8,542.86
	5016-8125-4545	(Telemetry)	31,000.00

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 February 4, 1991 are hereby approved and made a part hereof:

GENERAL FUND	$ 24,947.13
HIGHWAY FUND	31,504.57
PART TOWN FUND	73.60
SPECIAL DISTRICTS FUND	1,713.363.39
	$1,769,888.69

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

II. DEPARTMENTAL COMMUNICATION

Item No. 22 Building Permits.
Received and Filed.

Item No. 23a Minutes of Meeting - Cheektowaga Library Board/November 1990
Received and Filed.

Item No. 23b Minutes of Meeting - Traffic Safety Commission/January 1991
Received and Filed.

Item No. 24 Annual Justice Court Report
Received and Filed.

III. GENERAL COMMUNICATION

Item No. 25 Summons and Complaint: Beverly and Charles Timmons as Adm. of Kelly (dec.) vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher J. Kowal, Highway Department, Allied Claims Ser.

Item No. 26a Notice of Claim: Eugene Dojka vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher J. Kowal, Highway Department; Allied Claims Ser.

Item No. 26b Notice of Claim: Thomas M. Argy vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher J. Kowal, Highway Department; Allied Claims Ser.

Item No. 26c — Notice of Claim: Julie Freier, Individually and as Parent of Amy Freier vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Allied Claims Service, Insurance Carrier

Item No. 26d — Notice of Claim: Florence Sosnowicz vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher J. Kowal, Highway Department; Allied Claims Service, Insurance Carrier

Item No. 27 — Motion by Councilman Kulyk and seconded by Councilman Rogowski to adjourn meeting.

Richard M. Moleski
Town Clerk

MEETING NO. 4
February 19, 1991

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 19th day of February, 1991 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 William P. Rogowski

ABSENT: Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

Also present were: Richard M. Moleski, Town Clerk; Bruce Chamberlin, Chief of Police; Chester Bryan, Town Engineer; Ronald Marten, Building and Plumbing Inspector; Christopher J. Kowal, Highway Superintendent; James Kirisits, Town Attorney; Salvatore LaGreca, Chairman of Planning Board; Robert Kaczmarek, Chief Accountant.

I. RESOLUTIONS

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

WHEREAS, Daniel P. Kendziora and Thaddeus F. Kendziora, Jr. have petitioned for the rezoning from RC-Restricted Business District to C-Retail Business District of property owned by Lorraine Nawrocki and located at 2463 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 4th day of February, 1991 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 P. Kendziora and Thaddeus F. Kendziora, Jr. for the rezoning from RC-Restricted Business District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

* SEE ATTACHED LEGAL DESCRIPTION

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

AFFIDAVIT - NEXT PAGE

SCHEDULE "A" 11018242

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 and Range 7 of the Buffalo Creek Reservation and according to a map filed in the Erie County Clerk's Office under Cover No. 784 is known as Subdivision Lot No. 3 and part of Subdivision Lot No. 4 in Block "D" and a portion of Terminal Avenue, now abandoned, bounded and described as follows:

BEGINNING at the intersection of the east line of lands acquired by the State of New York under Map No. 58, Parcel No. 67, as described in a Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 7130 of Deeds at page 434, with the south line of said Lot No. 62; Thence north along the east line of lands so appropriated, 100 feet to the north line of Terminal Avenue (60-feet wide), now abandoned; Thence east along the north line of said Terminal Avenue, 160 feet to a point; Thence south at right angles to the last described line, 97.94 feet to the south line of said Lot No. 62; Thence west on said south line, 139.81 feet to the point of beginning.

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 28, 1991; last publication February 28, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 28th

day of February, 19 91

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 19th day of February, 1991 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 William P. Rogowski

ABSENT: Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

Motion by: Councilman Kulyk
Seconded by: Councilman Rogowski

WHEREAS, Daniel P. Kendziora and Thaddeus F. Kendziora, Jr. have petitioned for the rezoning from RC-Restricted Business District to C-Retail Business District of property owned by Lorraine Nawrocki and located at 2463 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 4th day of February, 1991 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 P. Kendziora and Thaddeus F. Kendziora, Jr. for the rezoning from RC-Residential District to C-Retail 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...

Supervisor Swiatek Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting ABSENT
Councilman Rogowski Voting AYE
Councilman Blachowski Voting ABSENT

AYES: 5
NAYES: 0
ABSENT: 2

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 No. 62, Township 10, Range 7 of the Buffalo Creek Reservation and according to a map filed in the Erie County Clerk's Office under Cover No. 784 is known as Subdivision Lot No. 3 and part of Subdivision Lot No. 4 in Block "D" and a portion of Terminal Avenue, now abandoned, bounded and described as follows:

BEGINNING at the intersection of the east line of lands acquired by the State of New York under Map No. 58, Parcel No. 67, as described in a Notice of Appropriation recorded in the Erie County Clerk' Office in Liber 7130 of Deeds page 434, with the south line of said Lot No. 62; Thence north along the east line of lands so appropriated, 100 feet to the north line of Terminal Avenue (60-feet wide), now abandoned; Thence east along the north line of said Terminal Avenue, 160 feet to a point; Thence south at right angles to the last described line, 97.94 feet to the south line of said Lot No. 62; Thence west on said south line, 159.81 feet to the point 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 February 19, 1991, 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 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 19th day of February, 1991.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: February 28, 1991

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

WHEREAS, Michael L. Penna has petitioned for the rezoning from R-Residential District to C-Retail Business District of property owned by him and located at 4004 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 4th day of February, 1991 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 Michael L. Penna for the rezoning from R-Residential District to C-Retail 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.

* SEE NEXT PAGE FOR LEGAL DESCRIPTION

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

AFFIDAVIT - NEXT PAGE

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number seventeen (17), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lot Number three hundred eighteen (318) and Subdivision Lot Number three hundred nineteen (319) as shown on a map filed in the Erie County Clerk's Office under Cover Number 962.

CONTRACT SUBMITTED

RECEIVED
$ 164.00
REAL ESTATE
JUL 20 1990
TRANSFER TAX
ERIE
29159 COUNTY

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 28,1991; last publication February 28,1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 28th day of February, 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 NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads in said Town on the 19th day of February, 1991 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 William P. Rogowski

ABSENT: Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

Motion by: Councilman Kulyk
Seconded by: Councilman Gabryszak

WHEREAS, Michael L. Penna has petitioned for the rezoning from R-Residential District to C-Retail Business District of property owned by him and located at 4004 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 4th day of February, 1991 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 Michael L. Penna for the rezoning from R-Residential District to C-Retail 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...

Supervisor Swiatek Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting ABSENT
Councilman Rogowski Voting AYE
Councilman Blachowski Voting ABSENT

AYES: 5
NAYES: 0
ABSENT: 2

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. seventeen (17), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lot Number three hundred eighteen (318) and Subdivision Lot Number three hundred nineteen (319) as shown on a map filed in the Erie County Clerk's Office under Cover Number 962.

STATE OF NEW YORK, COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 19, 1991, 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 2B, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 19th day of February, 1991.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: February 28, 1991

Item No. 2c Motion by Councilman Kulyk Seconded by Supervisor Swiatek

WHEREAS, Noco Energy Corporation has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District for property owned by Eugene H. Reszal and located at 5114 Transit Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 4th day of February, 1991 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 Noco Energy Corporation for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby 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 LEGAL DESCRIPTION

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

AFFIDAVIT - NEXT PAGE

Deed recorded in Liber 8041 of Deeds at page 341

Deed Description of property at 5114 Transit Road, Cheektowaga, New York
Noco Energy Corp,700 Grand Island Blvd.Tonawanda, New York

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 67, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at the point of intersection of the westerly line of Transit Road (as a 100 foot wide road) with the southerly line of Como Park Boulevard, which southerly line is also the south line of lands conveyed to Rosa Schrankel by deed recorded in Liber 1179 of Deeds at page 554; thence southerly along the westerly line of Transit Road 238.50 feet to the northeast corner of lands conveyed to Frank Moranski and Agnes Moranski, his wife by deed recorded in Liber 4543 of Deeds at page 427; thence westerly at right angles to Transit Road and along the northerly line of said lands conveyed to Moranski, 199.49 feet; thence northerly at right angles to the last mentioned line 224.30 feet to the southerly line of Como Park Boulevard; thence easterly along the southerly line of Como Park Boulevard, 200.00 feet to the point or place of beginning; subject to building restrictions and easements of record.

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

Melanie Walf, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 28, 1991; last publication February 28, 1991; and that no more than six days intervened between publications.

Melanie Walf

Sworn to before me this 28th day of February, 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

BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 19th day of February, 1991 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 William P. Rogowski

ABSENT: Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

Motion by: Councilman Kulyk
Seconded by: Supervisor Swiatek

WHEREAS, Noco Energy Corporation has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by Eugene H. Raszal and located at 5114 Transit Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 4th day of February, 1991 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 Noco Energy Corporation for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby 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 ABSENT
Councilman Rogowski Voting AYE
Councilman Blachowski Voting ABSENT

AYES: 5
NAYES: 0
ABSENT: 2

Deed recorded in Liber 8041 of Deeds at page 341

Deed Description of property at 5114 Transit Road, Cheektowaga, New York
Noco Energy Corp, 700 Grand Island Blvd. Tonawanda, New York

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 67, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at the point of intersection of the westerly line of Transit Road (as a 100 foot wide road) with the southerly line of Como Park Boulevard, which southerly line is also the south line of lands conveyed to Rosa Schrankel by deed recorded in Liber 1178 of Deeds at page 554; thence southerly along the westerly line of Transit Road 238.50 feet to the northeast corner of lands conveyed to Frank Moranski and Agnes Moranski, his wife by deed recorded in Liber 4543 of Deeds at page 427; thence westerly at right angles to Transit Road and along the northerly line of said lands conveyed to Moranski, 199.49 feet; thence northerly at right angles to the last mentioned line 224.30 feet to the southerly line of Como Park Boulevard; thence easterly along the southerly line of Como Park Boulevard, 200.00 feet to the point or place of beginning; subject to building restrictions and easements of record.

STATE OF NEW YORK, COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 19, 1991, 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 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 19th day of February, 1991.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: February 28, 1991

Item No. 2d Motion by Councilman Kulyk Seconded by Supervisor Swiatek

WHEREAS, Noco Energy Corporation applied for a Special Permit for gasoline and retail sales on property located at 5114 Transit Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 4th day of February, 1991 at 6:30 o'clock P.M., of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following condition:

1. Noco be restricted to the dispensing and sale of gasoline and the sale of automotive products such as oil, anti-freeze and other associated products, but eliminating all other automotive uses from this site.

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 5114 Transit Road, and has rendered a determination that the Special Permit 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 said Special Permit be and hereby is granted subject to the aforementioned condition recommended by the Cheektowaga Planning Board.

* SEE NEXT PAGE FOR LEGAL DESCRIPTION

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

AFFIDAVIT - NEXT PAGE

Deed recorded in Liber 8041 of Deeds at page 341

Deed Description of property at 5114 Transit Road, Cheektowaga, New York
Noco Energy Corp,700 Grand Island Blvd.Tonawanda, New York

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BEGINNING at the point of intersection of the westerly line of Transit Road (as a 100 foot wide road) with the southerly line of Como Park Boulevard, which southerly line is also the south line of lands conveyed to Rosa Schrankel by deed recorded in Liber 1179 of Deeds at page 554; thence southerly along the westerly line of Transit Road 238.50 feet to the northeast corner of lands conveyed to Frank Moranski and Agnes Moranski, his wife by deed recorded in Liber 4543 of Deeds at page 427; thence westerly at right angles to Transit Road and along the northerly line of said lands conveyed to Moranski, 199.49 feet; thence northerly at right angles to the last mentioned line 224.30 feet to the southerly line of Como Park Boulevard; thence easterly along the southerly line of Como Park Boulevard, 200.00 feet to the point or place of beginning; subject to building restrictions and easements of record.

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 28, 1991; last publication February 28, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 28th day of February, 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 NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 19th day of February, 1991 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 William P. Rogowski

ABSENT: Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

Motion by: Councilman Kulyk
Seconded by: Supervisor Swiatek

WHEREAS, Noco Energy Corporation applied for a Special Permit for gasoline and retail sales on property located at 5114 Transit Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 4th day of February, 1991 at 6:30 o'clock P.M. of said day for the purpose of considering said application for Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following condition:

1. Noco be restricted to the dispensing and sale of gasoline and the sale of automotive products such as oil, anti-freeze and other associated products, but eliminating all other automotive uses from this site.

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 5114 Transit Road, and has rendered a determination that the Special Permit 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 said Special Permit be and hereby is granted subject to the aforementioned condition recommended by the Cheektowaga Planning Board.

Upon roll call...

Supervisor Swiatek Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting ABSENT
Councilman Rogowski Voting AYE
Councilman Blachowski Voting ABSENT

AYES: 5
NAYES: 0
ABSENT: 2

Deed recorded in Liber 8041 of Deeds at page 341

Deed Description of property at 5114 Transit Road, Cheektowaga, New York
Noco Energy Corp, 700 Grand Island Blvd. Tonawanda, New York

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 67, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at the point of intersection of the westerly line of Transit Road (as a 100 foot wide road) with the southerly line of Como Park Boulevard, which southerly line is also the south line of lands conveyed to Rosa Schrankel by deed recorded in Liber 1179 of Deeds at page 554; thence southerly along the westerly line of Transit Road 238.50 feet to the northeast corner of lands conveyed to Frank Moranski and Agnes Moranski, his wife by deed recorded in Liber 4543 of Deeds at page 427; thence westerly at right angles to Transit Road and along the northerly line of said lands conveyed to Moranski, 199.49 feet; thence northerly at right angles to the last mentioned line 224.30 feet to the southerly line of Como Park Boulevard; thence easterly along the southerly line of Como Park Boulevard, 200.00 feet to the point or place of beginning; subject to building restrictions and easements of record.

STATE OF NEW YORK, COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 19, 1991, 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 2D, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 19th day of February, 1991.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: February 28, 1991

Item No. 3a Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of manhole frames with self-sealing covers and manhole frames with vented covers, which bids were duly received and opened at the February 11, 1991 public bid opening, AND

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

WHEREAS, bids were reviewed and it is recommended that the award be made to the lowest responsible bidder meeting the requirements of the specifications, AND

WHEREAS, funds are available in the Sewer Repair Account #25-8125-0004-4438, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of manhole frames and covers be and hereby is awarded to:

K & S Contractors Supply
1971 Gunnville Road
Lancaster, New York 14086
(716) 759-6911

ITEM	QUANTITY	(DELIVERED) UNIT BID PRICE
Frame with 24" diameter self-sealing cover (set)	25 50	$123.00 $120.00
Frame with 24" diameter vented cover (set)	25 50	$119.00 $118.00

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

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

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

WHEREAS, such analysis, tabulation and report has been completed,

BE IT RESOLVED that the bid be awarded to the following bidders, meeting specifications as follows: (See attached)

Laux Sporting Goods
441 Broadway
Buffalo, NY 14212

The Training Room
2759 Eggert Road
Tonawanda, NY 14150

Jim Ludtka Sporting Goods
3383 Harlem Road
Cheektowaga, NY 14225

Passons's Sports
P. O. Box 49
Jenkintown, PA 19046

Southtown Sports, Inc.
180 Buffalo Street
Hamburg, NY 14075

Circle System Group
653 Bushkill Street
Easton, PA 18042

Item No. 3b continued

AND FURTHER BE IT RESOLVED that any purchases resulting from the award of this bid for the Youth and Recreational Services Department will be funded through line item 01-7140-04-4601 Aid to Youth Programs, or 01-7140-04-4025 Athletic Supplies.

* SEE NEXT PAGES

Upon Roll Call....

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

BID ITEMS

ITEM 1 BATTERS HELMETS

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

Laux

Amount ordered S____M____L____XL____ Bid price each $ 9.90
Color_____ Total price_____

B) RCS chin straps

Southtown

Amount ordered_____ Bid price each $18.90
Total price_____

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

Ludtka

Amount ordered S____M____L____XL___ Bid price each $12.50
Color_____ Total price_____

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

Laux

Amount ordered S____M____L____XL____ Bid price each $12.95
Color _____ Total price_____

ITEM 2 CATCHERS HELMETS

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

Amount ordered S____M____L____XL____ Ludtka
Color_____ Bid price each $15.95
Total price_____

B) Cooper CL 87 catchers helmet. High impact ABS shell, replaceable liner, L.L. approved.
S - MAXPRO BSLLC Passon's Sports
Amount ordered S____M____L____XL____ Bid price each $12.00
Color _____ Total price_____

C) Macgregor B18 adult catchers helmet, polycarbonate, fully foam padded in dark blue and red.
S - MAXPRO B S471 Passon's Sports
Amount ordered S____M____L____XL____ Bid price each $10.50
Color _____ Total price_____

D) Rawlings LLCH Little League approved. Cycolac ABS shell, single foam padding. Adjustable, replaceable harness straps.

Amount ordered S____M____L____XL____ Bid price each Laux $12.50
Color _____ Total price_____

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

ITEM 3 MASKS

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

S- MAXPRO BS 3365
Amount ordered_____ Passon's Sports Bid price each $6.50
Total price_____

S- MAXPRO BS 3343
Replacement pad B26P Bid price each $1.60
Amount ordered_____ Total price_____

S- MAXPRO BS 344
Replacement harness B26H Bid price each $1.80
Amount ordered_____ Total price_____

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

S-MAXPRO BS 3340
Amount ordered_____ Passon's Sports Bid price each $6.85
Total price_____

Replacement pad Macgregor B24P Passon's Sports Bid price each $4.30
Amount ordered_____ Total price_____

S-MAXPRO BS 3339
Replacement harness Macgregor M24H Passon's Sports Bid price each $1.35
Amount ordered_____ Total price_____

S-MAXPRO BS 3349

C) Rawlings PWM-1, pro use, nylon coated wire frame snap on padding, vinyl covering, harness with triple adjustment. Laux Bid price each $17.20
Amount ordered_____ Total price_____

Replacement pad, Rawlings PWMP-1 Laux Bid price each $8.95
Amount ordered_____ Total price_____

Replacement harness, Rawlings PWMH-1 Laux Bid price each $10.95
Amount ordered_____ Total price_____

D) Champro CMO5 softball mask with straps Southtown Bid price each $6.95
Amount ordered_____ Total price_____

E) Champro CMO2 youth mask with ear extension
Amount ordered_____
Southtown
Bid price each $ 8.70
Total price_____

F) Champro CMO3 youth mask
Amount ordered_____
Ludtka
Bid price each $ 8.50
Total price_____

G) Champro CMO1 Major League wire frame mask
Amount ordered
Southtown
Bid price each $13.40
Total price_____

ITEM 4 THROAT PROTECTORS

A) Macgregor B28 rugged molded vinyl with heavy foam padding. Fits any make of mask S - MAXPRO BS 2161
Amount ordered_____
Passon's Sports
Bid price each $ 1.43
Total price_____

B) Cooper TP molded of high density polyethylene laces to Cooper masks
Amount ordered_____
Laux
Bid price each $ 3.45
Total price_____

C) Steve Yeager - baseball model
Amount ordered_____
S-MAXPRO BS2161
Passon's Sports
Bid price each $ 1.43
Total price_____

D) Rawlings TP5, 8" long velcro fastener
Amount ordered_____
Laux
Bid price each $3.15
Total price_____

E) Champro 6 1/2" adult protector with snaps CMO6
Amount ordered
Southtown
Bid price each $ 2.40
Total price_____

F) Champro 4 1/2" youth protector with snaps CMO7
Amount ordered_____
Southtown
Bid price each $ 2.30
Total price_____

ITEM 5 BODY PROTECTORS

A) Wilson A3250-JZ Little League approved, adjustable neck pad, cotton padding, adjustable body straps, water repellant, vinyl bound for durability
S - A 3261
Amount ordered_____
Color_____
Ludtka
Bid price each $ 19.95
Total price_____

B) Rawlings LLBP Little League approved, adjustable and replaceable body straps
Amount ordered_____
Color_____
Laux
Bid price each $17.96
Total price_____

C) Champro CP01 adjustable neck pad and body straps, cotton padding, water repellent

Ludtka

Amount ordered_____ Bid price each $16.95
Color_____ Total price_____

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

S - RAGP Laux

Amount ordered_____ Bid price each $32.95
Color_____ Total price_____

E) Macgregor B78 (outside) chest protector

S - TAGTBP140 Laux

Amount ordered_____ Bid price each $21.95
Color_____ Total price_____

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

S - TAGTBP145 Laux

Amount ordered_____ Bid price each $21.95
Color_____ Total price_____

G) Champro CP031 Little League with half harness

Ludtka

Amount ordered_____ Bid price each $13.20
Color_____ Total price_____

H) Champro CP02 Collegiate body protectors

Ludtka

Amount ordered_____ Bid price each $16.20
Color_____ Total price_____

I) Champro CP01 Pro Body protector

Ludtka

Amount ordered_____ Bid price each $16.95
Color_____ Total price_____

J) Champro CP041 Tee Ball chest protector

Ludkta

Amount ordered_____ Bid price each $ 9.90
Color_____ Total price_____

K) Champro CP07 Umpires chest protector (outside)

Ludtka

Amount ordered_____ Bid price each $23.95
Color_____ Total price_____

L) Champro CPO6 Umpires chest protectors (inside)

Ludtka
Amount ordered_____ Bid price each $23.95
Color_____ Total price_____

ITEM 6 SHIN GUARDS

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

Laux
Amount ordered_____ Bid price each $14.30
Total price_____

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

Laux
Amount ordered_____ Bid price each $17.95
Total price_____

C) Macgregor B-65 Babe Ruth use, 11" shin plate ultra lite padding, replaceable straps S - TAGTLG230

Laux
Amount ordered_____ Bid price each $11.95
Total price_____

D) Macgregor B-61 double knee cap protect, 12" shin plate, ultra lite padding, replacement straps S - TAGTLG228

Laux
Amount ordered_____ Bid price each $13.95
Total price_____

E) Wilson A3417 shin plate, calf and ankle pad, elastic caps, shin and instep pieces, adjustable elastic straps S - CHAMPRO CG02

Ludtka
Amount ordered_____ Bid price each $25.00
Total price_____

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

Laux
Amount ordered_____ Bid price each $43.95
Total price_____

G) Wilson A3487 pro model umpire leg protector GLG-MLU

Ludtka
Amount ordered_____ Bid price each $36.50
Total price_____

H) Rawlings 76DC, double hinged knee

Laux
Amount ordered_____ Bid price each $22.92
Total price_____

I) Champro CG12 youth shin guards

Ludtka
Amount ordered_____ Bid price each $11.95
Total price_____

J) Champro CG05 girls shin guards

Ludtka
Amount ordered_____ Bid price each $16.95
Total price_____

Ludtka

K) Champro CG04 Babe Ruth shin guards — Bid price each $22.50
Amount ordered_____ — Total price_____

L) Champro CGO2 high school double knee protector — Ludtka
Bid price each $25.00
Amount ordered_____ — Total price_____

M) Champro CG01 pro triple leg guard — Ludtka
Bid price each $32.50
Amount ordered_____ — Total price_____

N) Champro CGO8 Umpire leg guards — Ludtka
Bid price each $19.50
Amount ordered_____ — Total price_____

O) Champro CG06 LL double knee protector — Ludtka
Bid price each $19.25
Amount ordered_____ — Total price_____

ITEM 7 CATCHERS GLOVES

A) Cooper 662 single flex leather (steer hide) extended palm pro toe feature, hinged webs skip crotch lacing M# CHANGE 682

Ludtka
Amount ordered_____ — Bid price each $41.95
Left_____ Right_____ — Total price_____

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

Ludtka
Amount ordered_____ — Bid price each $36.75
Left_____ Right_____ — Total price_____

C) Champro Classic IV pro catchers glove

Ludtka
Amount ordered_____ — Bid price each $45.95
Left_____ Right_____ — Total price_____

D) Champro CPX 555 full size catchers glove

Ludtka
Amount ordered_____ — Bid price each $32.95
Left_____ Right_____ — Total price_____

E) Champro CPX 444 youth catchers glove

Ludtka
Amount ordered_____ — Bid price each $29.50
Left_____ Right_____ — Total price_____

ITEM 8 BASEBALLS

A) Wilson A1074
Amount ordered_____
Bid price per dozen $30.90 - Ludtka

B) Wilson A1082
Amount ordered_____
Bid price per dozen $32.50 - Ludtka

C) Wilson A1010
Amount ordered_____
Bid price per dozen $44.40 - Ludtka

D) Deebers LL #91
Amount ordered_____
Bid price per dozen $32.20-Southtown

E) Deebers BR #93
Amount ordered_____
Bid price per dozen $35.60-Southtown

F) Deebers Maj. League #101
Amount ordered_____
Bid price per dozen $46.60-Southtown

SOFTBALLS

A) Dudley SB 12LND
Amount ordered_____
Bid price per dozen $47.95 - Ludtka

B) Dudley P-12
Amount ordered_____
Bid price per dozen $38.95 - Ludtka

C) Worth Red Dot
Amount ordered_____
Bid price per dozen $51.75-Southtown

D) Cooper 11" girls softballs - PS11
Amount ordered_____
Bid price per dozen $39.60 - Laux

ITEM 9 BATS

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

A) Rawlings 21BE softball wood bat

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

Bid price per dozen $89.95 - Laux
Total price_____

B) Rawlings aluminum fungo bat S - A29

Infield
Amount ordered_____

Outfield
Amount ordered_____

Bid price per dozen $31.40 - Laux
Total price_____

C) Adirondak 311G official girls softball bats
M - 21BE

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

Bid price per dozen $89.95 - Laux
Total price_____

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

Amount ordered 33"_____
34"_____

Bid price per dozen $329.95 - Ludtka
Total price_____

E) Easton softball S-3 Smoke

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

Bid price per dozen $285.00 - Ludtka
Total price_____

F) Easton Aluminum bat, Little League L9 PRO

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

Bid price per dozen $325.00 - Ludtka
Total price_____

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

Amount ordered 32"_____
33"_____
34"_____

Bid price per dozen $310.00 - Ludtka
Total price_____

H) Easton Aluminum bat L-5 Magnum

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

Bid price per dozen $210.00 - Ludtka
Total price_____

I) Easton Aluminum Fungo bat

Infield
Amount ordered_____

Outfield
Amount Ordered_____

Bid price per dozen $375.00 - Ludtka
Total price_____

J) Tagg MOL 26" soft ball bat
Amount ordered_____

Bid price per dozen $299.00 - Laux
Total price_____

K) Power Flite SBO softball aluminum bat

Amount ordered 29"_____ Ludtka
SBX40 30"_____ (29"-31") $130.00 doz.
31"_____
32"_____
Power Flite SBL 33"_____
34"_____ Ludtka
Bid price per
SB2 (32"-34") dozen $140.00
Total price_____

L) Adirondak TBWB 26"
Amount ordered_____
S - TENPRO A32

Bid price per dozen $143.95 - Laux
Total price_____

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

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

Bid price per dozen $ 93.00 - Laux
Total price_____

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

Bid price per dozen $167.40 - Laux
Total price_____

N) Louisville wood baseball bat

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

Bid price per dozen $115.20-Southtown
Total price_____

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

Bid price per dozen$187.20-Southtown
Total price_____

O) Louisville Power Flite little league baseball bat

Amount ordered PFS
26"_____

Bid price per dozen$130.00 - Ludtka
Total price_____

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

Bid price per dozen$140.00-Ludtka
Total price_____

P) Power Flite Mach 4 Babe Ruth aluminum baseball bat

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

Bid price per dozen $220.00 - Ludtka
Total price_____

ITEM 10 EQUIPMENT BAGS

A) Everlast 6885 standard bat bag holds 18 bats
Amount ordered_____
Ludtka
Bid price each $10.70
Total price_____

B) Macgregor B12G heavy off-white linen laminated to vinyl lining holds 12 bats S-TAGTBB 940
Amount ordered_____
Laux
Bid price each $14.95
Total price_____

C) Champro heavy duty Army duffle utility bag
Amount ordered_____
Ludtka
Bid price each $14.50
Total price_____

D) Champro E002 waterproof bat bags 12 1/2" x 39"
Amount ordered_____
Ludtka
Bid price each $10.95
Total price_____

E) Champro E017 nylon bag 36" x 14"
Amount ordered_____
Ludtka
Bid price each $ 8.95
Total price_____

F) Champro C-7000 equipment bag
Amount ordered_____
Laux
Bid price each $ 8.95
Total price_____

G) Cooper equipment bag SKBXLML-58217
Amount ordered_____
M - SKBXXL
Laux
Bid price each $33.95
Total price_____

ITEM 11 UMPIRE INDICATORS

A) Champion P1, palm size, plastic counter keeps track of balls, strikes and outs
Amount ordered_____
Southtown
Bid price each $ 1.05
Total price_____

B) Everlast 6878 official stainless steel keeps track of balls, strikes and outs
Amount ordered_____
Southtown
Bid price each $ 1.70
Total price_____

C) S - GAMECRAFT BSPLIND
Macgregor B99 molded plastic keeps track of balls, strikes and outs
Amount ordered_____

Passon's Sports
Bid price each $. 90
Total price_____

D) S - GAMECRAFT BSPLIND
Cooper U4 plastic, keeps track of balls, strikes, outs and innings
Amount ordered_____

Passon's Sports
Bid price each $ .90
Total price_____

ITEM 12 SCOREBOOKS

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

List manufacturer_____
Amount ordered_____

Laux
Bid price each $ 1.95
Total price_____

B) Elan softball-baseball, slo-pitch 15 batters S1500 - 25 games S - B80
Amount ordered_____

Laux
Bid price each $ 1.95
Total price_____

C) Elan baseball-softball, standard 11 players S1100 - 25 games
Amount ordered_____

NO BID AWARDED
Bid price each_____
Total price_____

ITEM 13 A) COLLEGIATE HEAVY DUTY T-BALL SETS
BT 70 S - TBB706
Amount ordered_____

Laux
Bid price each $15.95
Total price_____

B) MACGREGOR B7 HEAVY DUTY T-BALL SETS S - VOIT BSBT1
Amount ordered_____

Passon's Sports
Bid price each $12.90
Total price_____

C) CHAMPRO B050 HEAVY DUTY BATTING TEE
Amount ordered_____

Ludtka
Bid price each $18.70
Total price_____

ITEM 14 BASES

A) Everlast model #6810 nylon and canvas
Amount ordered_____

Laux/Ludtka
Bid price each $32.95
Total price_____

B) Macgregor "Major League" bases B101S - 15"x15"x3" set of 3 bases and anchors
Amount ordered S-VOIT BS100

Passon's Sports
Bid price each 65.00
Total price_____

C) B95 base anchor for Macgregor "Major League" base
Amount ordered S-VOIT BS3330 & BS3331

Passon's Sports
Bid price eac 3.80
Total price_____

D) Everlast model #6830 nylon hardball base
Amount ordered_____

Laux/Ludtka
Bid price each___
Total price 29.50

E) Everlast #6850 nylon softball base
Amount ordered_____
Laux
Bid price each $26.85
Total price_____

F) Everlast #6861 Home Plate
Amount ordered_____
Ludtka
Bid price each $12.00
Total price_____

G) Collegiate LH20 (LL) Home Plate
Amount ordered_____
Laux
Bid price each $11.95
Total price_____

H) Save-a-leg SS10 (Official League) Home Plate
Amount ordered_____
Laux
Bid price each $11.95
Total price_____

I) Everlast #6867 Pitchers Plate
Amount ordered_____
Southtown
Bid price each $ 8.15
Total price_____

J) Collegiate LP 40 (LL) Pitchers Plate S - TAGTBB704
Amount ordered_____
Laux
Bid price each $ 5.95
Total price_____

K) Collegiate official OP 30 Pitchers Plate
Amount ordered_____
Passon's Sports
Bid price each $ 4.60
Total price_____

L) Macgregor "Youth and Little League" size B33 set of 3 bases 14"x14"x2" with anchor S - VOIT BS35
Amount ordered_____
Passon's Sports
Bid price each $19.60
Total price_____

M) Champro B001 Hollywood base set complete
Amount ordered_____
Southtown
Bid price each $121.70
Total price_____

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

List manufacturer_____
Amount ordered_____
Passon's Sports
Bid price each $153.00
Total price_____

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

List manufacturer_____
Amount ordered_____
Passon's Sports
Bid price each $ 70.00
Total price_____

ITEM 16 FIRST AID SUPPLIES

A) COLD PACK - Regular instant chemical ice compress approximate size 5 1/4 x 9, double wall outer bag

List manufacturer_____
Amount ordered_____
Laux
Bid price each $ 6.95 CS
Total price_____

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

List manufacturer TRAINING ROOM
Amount ordered _____ Bid price each 9.50 CS
Total price _____

C) RE-USABLE FLEXIBLE ice compress size 5 1/4 x 9

List manufacturer _____ Laux
Amount ordered Bid price each $11.55
Total price _____

ITEM 17 BASEBALL PITCHING MACHINE

A) Curve ball Laux
List manufacturer _____ Bid price each $1,325.00
Total price _____

B) Softball Laux
List manufacturer _____ Bid price each $ 855.00
Total price _____

C) Combination Hardball - Softball Laux
List manufacturer Bid price each $1,545.00
Total price _____

D) Generator - Jugs 1000 Ludtka
Bid price each ~~$540.00~~
Total price _____

E) ATCC Soft Toss Pitching Machine Ludtka
Bid price each $480.00
Total price _____

F) Jugs Junior Pitching Machine Laux
Bid price each $855.00
Total price _____

G) Tagg-TBB500 Pitching Machine baseball with seams Laux
Bid price each ~~$42.95~~ dz
Total price _____

H) Practice balls for pitching machine (Softball & Baseball) Ludtka
Bid price each ~~$39.95~~
Total price softball
Baseball 35.95

ITEM 18 MISCELLANEOUS ACCESSORIES

A) Umpire Plate brush Macgregor B91 Laux
Amount ordered TAGTBA135 Bid price each 2.50
Total price _____

B) Umpire Plate brush Ludtka
List manufacturer _____ Bid price each $ 1.90
Amount ordered _____ Total price _____

C) Baseball Glove Laux
Replacing kit Macgregor B110 Bid price each $ 6.95
Amount ordered _____ Total price _____

D) Cooper RGRC replacement glove rawhide NO BID AWARDED
48" long by 5/32" wide Bid price each _____
Amount ordered _____ Total price _____

E) SB10 softball caddy - holds 10 bats and 10 balls, bat size 32" - 36"
Amount ordered_____

Ludtka
Bid price each $59.95
Total price_____

F) SB05 softball caddy - holds 5 bats and 6 balls, bat size 32" - 36"
Amount ordered_____

Ludtka
Bid price each $56.95
Total price_____

G) SBL1 softball caddy - holds 10 bats and 10 balls, bat size 28" - 34"
Amount ordered_____

NO BID AWARDED
Bid price each_____
Total price_____

H) SBL5 softball caddy - holds 5 bats and 6 balls, bat size 28" - 34"
Amount ordered_____

Ludtka
Bid price each $56.95
Total price_____

I) BBL5 Little League caddy - holds 5 bats and 8 balls, bat size 28" - 34"
Amount ordered_____

Ludtka
Bid price each $56.95
Total price_____

J) BBL1 Little League caddy holds 10 bats and 12 balls, bat size 28" - 34"
Amount ordered_____

NO BID AWARDED
Bid price each_____
Total price_____

K) BB10 baseball caddy - holds 10 bats and 12 balls, bat size 32" - 36"
Amount ordered_____

Ludtka
Bid price each $59.95
Total price_____

FOOTBALL EQUIPMENT AND ACCESSORIES

Item			Bid Price
1) Helmets	a) Bike IV 7780 white with full blue cage	Circle System	58.75
	b) Chin straps - for bike helmet ABCS	Laux	3.49
	c) Chin straps - for air helmet ABCS4	Laux	2.99
	d) Jaw pads - for Riddell lining	Circle System	2.75
2) Neck Brace - Adams USA FCNR 23-2 inch TSF-WA600			5.90
3) Collegiate PRO 90 Neck Roll		Laux	5.90
4) a) Collegiate PRO 50 shoulder pads TSFXL500		Laux	
Size: XL			46.95
L			
S			
b) Spirit Pro 50 shoulder pads TSPXL50			
Size XL			31.95
L			
M			
S			
c) Auxiliary shoulder pads			11.95
5) Upper Arm Pads R & L 544UAP		NO BID AWARDED	
6) a) Rib pads - All Star RP83JV		Southtown	14.25
b) Rib pads - All Star RP83		Southtown	17.00
c) Rib pads - All Star RP83Y		Southtown	12.00
d) Rib pads - Rawlings BRV-JR U.S.A.		Laux	22.95
7) a) Girdle - GDK - 3Y R1485TTDC675			
Size L		Laux	16.95
M			
S			
b) Girdle - Sandknit YFS10525 R1485TTDC675			
Youth Size L		Laux	16.95
M			
S			
8) Thigh pads YTG			
a) Collegiate TSF 300 Spirit		Laux	6.49 pr
9) a) Knee pads - Collegiate YKP TSFY100		Laux	3.50 pr
b) Knee pads - U325S BFA100		Laux	3.50 pr
10) Miscellaneous - Swivel T hooks MTH 150 ATHI			.29 ea
11) a) Footballs - Boden F 100		Southtown	8.90
b) Footballs - Boden F 200		Southtown	8.90
c) Footballs - Mikassa 7" M5007		Laux	7.75
d) Footballs - Mikassa 6" M5006		Laux	7.65

12) a) Pants - Champion - White Russell 91936 Youth Size: Medium Large		Laux	$ 10.50
b) Pants - Sandknit (Game) Blue/Yellow stripe Youth Size: Medium Large		Laux	$ 24.95
c) Pants - Sandknit (Practice) R919 Youth Size: Small Medium Large		Laux	$ 10.50
d) Pants - Sweats Navy Blue Soffee B7041 Youth Size: Medium Large		Ludtka	$ 7.90 PR
13) Jersey - Sandknit (Game) Youth Size: Small Medium		Laux	$ 26.95
14) Sweater JA18 Dehen Knit Co.		Laux	~~$ 59.90~~
15) Skirt 8PSA Dehen Knit Co.		Laux	~~$ 25.95~~

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

WHEREAS, it is in order that bids be advertised for the furnishing of Equipment & Operators for Mowing Detention Basins in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of Equipment & Operators for Mowing Detention Basins, said notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 11th day of March 1991 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

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

AFFIDAVIT - NEXT PAGE

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

.....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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for** .....1..... **weeks: first publication** ...February 21, 1991... **; last publication** ...February 21, 1991... **; and that no more than six days intervened between publications.**

Melanie Wolf

Sworn to before me this ...21st...

day of ...February..., **19**...91...

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 Board of the Town of Cheektowaga on March 11, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Furnishing of Equipment and Operators for Mowing Detention Basins in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing of Equipment and Operators for Mowing Detention Basins" and submitted to the Town Clerk prior to bid opening.

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

The Town Board reserves the right to consider informal any bid no 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%) or 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.

Ricahrd M. Moleski
Town Clerk

PUBLISH: February 21, 1991.

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

WHEREAS, on January 15, 1990, this Town Board awarded the electrical contract for the remodeling of the Delavan Avenue Pump Station to Warren's Electric for the total sum of $12,660.00, AND

WHEREAS, Nussbaumer & Clarke, Inc., the consulting firm for the Town of Cheektowaga required and found it necessary to install extra wiring to operate sensors on our new pumps at the Delavan Pump Station, AND

WHEREAS, Warren's Electric agreed to install this necessary wire from the control panel to the pump shut off control for an additional cost of $487.50, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 in the amount of $487.50 as an increase to the contract of Warren's Electric, 77 Reading Street, Buffalo, New York 14220, be approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed and authorized to sign said Change Order No. 1 on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that funds for said Change Order No. 1 are available in Account No. 05-8125-8823-1101.

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

Item No. 6a Motion by Councilman Gabryszak Seconded by Councilman Kulyk

WHEREAS, the Superintendent of Schools of Cheektowaga Central District has requested that, as a response to a natural or man-made disaster, the Town allow such school district to use the Alexander Community Center as a temporary shelter for its students, and

WHEREAS, an agreement has been prepared wherein the Town would grant the School District this permission subject first to use by the Town and further subject to the School District holding the Town harmless from any liability resulting from the use of such Town building by the School District's students, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with Cheektowaga Central School District.

* SEE NEXT PAGE FOR AGREEMENT

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

AGREEMENT NEVER RECEIVED FROM THE YOUTH & RECREATIONAL SERVICES OFFICE

Department of Youth & Recreational Services **Growing In A New Direction**
Executive Director
Kenneth J. Kopacz

Alexander Community Center
275 Alexander Street
Cheektowaga, New York 14211

TOWN OF CHEEKTOWAGA
Erie County, New York

November 12, 1992

Lorraine -

As per a conversation with Ellen - the attached agreement will not be signed.

Linda

RECEIVED
1992 NOV 13 AM 9:42
CHEEKTOWAGA
TOWN CLERK

716 / 895-1587 ✦ FAX 716 / 893-0743

CHEEKTOWAGA CENTRAL SCHOOL DISTRICT

AGREEMENT

As a response to a natural or man made disaster, _____ Town of Cheektowaga _____ hereby agrees that its facilities located at Alexander Community Center, 275 Alexander Avenue, Cheektowaga, New York may be used as a temporary shelter of students attending one or more schools belonging to the CHEEKTOWAGA CENTRAL SCHOOL DISTRICT.

In consideration for the granting of such permission, the CHEEKTOWAGA CENTRAL SCHOOL DISTRICT agrees that the following conditions shall prevail:

a. Notification will be given prior to student arrival.

b. Students will be supervised by district personnel.

c. Bus contractors will be notified to pick up students as soon as possible at your location.

_____ _____

Signature Date

_____

Title

Item No. 6b *Motion by Councilman Rogowski Seconded by Supervisor Swiatek*

WHEREAS, this Town Board entered into an agreement with the New York State Department of Transportation for implementation of traffic intersection improvements at Kensington Avenue, Cleveland Drive and Century Road with 75% Federal funding, AND

WHEREAS, said agreement requires the Town to provide engineering plans and specifications for these high priority intersection improvements, AND

WHEREAS, EMS Consulting was authorized by this Town Board by resolution dated July 16, 1990 to provide the necessary preliminary professional services for the Phase I work due to funding limitations, AND

WHEREAS, it is necessary to proceed with Phase II services now that funding is available to proceed with the preparation of plans and specifications for the sum of $10,500 and to provide services during construction for the sum of $3,000, NOW, THEREFORE, BE IT

RESOLVED, that the agreement to provide the necessary professional services for the Phase II - 1990 Kensington Avenue, Cleveland Drive and Century Road Traffic Intersection Improvements, as submitted to the Town Engineer by EMS Consulting, is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to sign said agreement with EMS Consulting, AND, BE IT FURTHER

RESOLVED, that the total cost of $13,500 for said professional services shall be charged to the Town Traffic Improvement Budget Item #0100-3310-4478.

Upon Roll Call....
AYES: *Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, and Rogowski*
NAYES: *0*
ABSENT: *Councilman Solecki and Blachowski*

Item No. 6c *Motion by Councilman Gabryszak Seconded by Supervisor Swiatek*

WHEREAS, grant monies are available through the New York State Council on the Arts - Folk Arts program to support activities associated with the annual Cheektowaga Polish-American Festival, and

WHEREAS, the Town is in need of financial assistance to enhance activities offered in conjunction with the folk arts component of the Cheektowaga Polish-American Festival, and

WHEREAS, the Town desires to submit a grant application in an amount not to exceed $5,500; 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, and BE IT FURTHER

RESOLVED, that should the grant application be awarded, the Town's share of required matching funds, not to exceed $5,500.00, is available from the General Fund-Celebrations, Polish Festival Celebration budget line #0100-7550-4374 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, and Rogowski*
NAYES: *0*
ABSENT: *Councilman Solecki and Blachowski*

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

WHEREAS, grant monies are available through the New York State Council on the Arts - Architecture, Planning and Design program to support activities associated with the revitalization of Walden Avenue, and

WHEREAS, the Town is in need of financial assistance to retain the services of an architectural firm to coordinate and design facade improvements for structures located in the area to be known as "Walden Village", and

WHEREAS, the Town desires to submit a grant application in an amount not to exceed $40,000; 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, and BE IT FURTHER

RESOLVED, the Town's share of any required matching funds, in an amount to be determined upon approval of the grant, is available from the Community Development Department, Walden Avenue Improvement budget line #0700-8669-0707 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, and Rogowski
NAYES: 0
ABSENT: Councilman Solecki and Blachowski

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

WHEREAS, the final Environmental Protection Agency audit of the Cheektowaga Sewer District #5 Wastewater Facilities Project disallowed $380,000. which was expended for engineering fees, and

WHEREAS, certain records have become available to the Town of Cheektowaga as a result of a Supreme Court action between the Town of Cheektowaga and Brown & Devlin Consulting Engineers, and

WHEREAS, based on these records the Environmental Protection Agency Regional Council has notified the Town of Cheektowaga that they are agreeable to a hearing on this matter and have scheduled same for March 13, 1991, and

WHEREAS, the recovery of $380,000. would be of benefit to the taxpayers in Sanitary Sewer District #5,

NOW, THEREFORE, BE IT RESOLVED, that Frank E. Swiatek, Town Supervisor and Chet Bryan, Town Engineer be authorized to testify at the E.P.A hearing in New York City on March 13, 1991 at a cost not to exceed $685.00 each, to be charge to Sewer District #5 account #8125.4087.

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

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

WHEREAS, this Town Board in the prudent fiscal management of the Town General Lighting District Budget strives to minimize annual expenditures for highway lighting purposes, AND

Item No. 8a continued

WHEREAS, a significant portion of utility owned highway lighting facilities in service for many years utilize mercury vapor light sources which are less efficient than available high pressure sodium light sources which provide an increased level of illumination at a lesser operating cost, AND

WHEREAS, this Town Board desires to institute a multi-year conversion program whereby current utility owned mercury vapor luminaires are replaced with the more efficient high pressure sodium luminaires, providing a reduction in annual utility company billings while providing increased levels of illumination, NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric & Gas Corporation is hereby directed and authorized to proceed with a multi-year conversion program to the extent permitted under P.S.C. No. 118 replacing 7000 lumen mercury vapor facilities with 8500 lumen high pressure sodium facilities with the aforesaid conversion to also apply to the replacement of defective equipment within the NYSEG service territory.

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

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

WHEREAS, the developer of the Losson Meadows Subdivision has furnished and installed a highway lighting system consisting of eight (8) 5200 lumen H.P.S. post-top luminaires, fiberglas standards and related conduit and conductors as required in conjunction with the development of Phase III of said residential subdivision, NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to connect the aforesaid public highway lighting system at an annual increase to the Town's General Lighting District of $357.28 in accordance with the attached New York State Electric & Gas Corporation proposal dated February 6, 1991, which is hereby made a part of this resolution.

* SEE NEXT PAGES FOR PROPOSAL

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

NYSEG

February 6, 1991

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
LOSSON MEADOWS SUBDIVISION - PHASE III

SC #2

Wedgewood - 3
Baywood Dr. - 5

Connect 8 - 5200 lumen hps lamps (energy & bulb rate)
@ $44.66----$357.28
Stds. 1,2,3
Stds. 10 through 14

TOTAL ANNUAL INCREASE ----------$357.28

Standards, underground conductors and fixtures to be supplied and installed by developer; owned and maintained by the Town of Cheektowaga.

Connections, energy, lamp and photo-elec eye replacements to be supplied by NYSEG

(see attached sketch)

(This proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with your municipality)

NYSEG

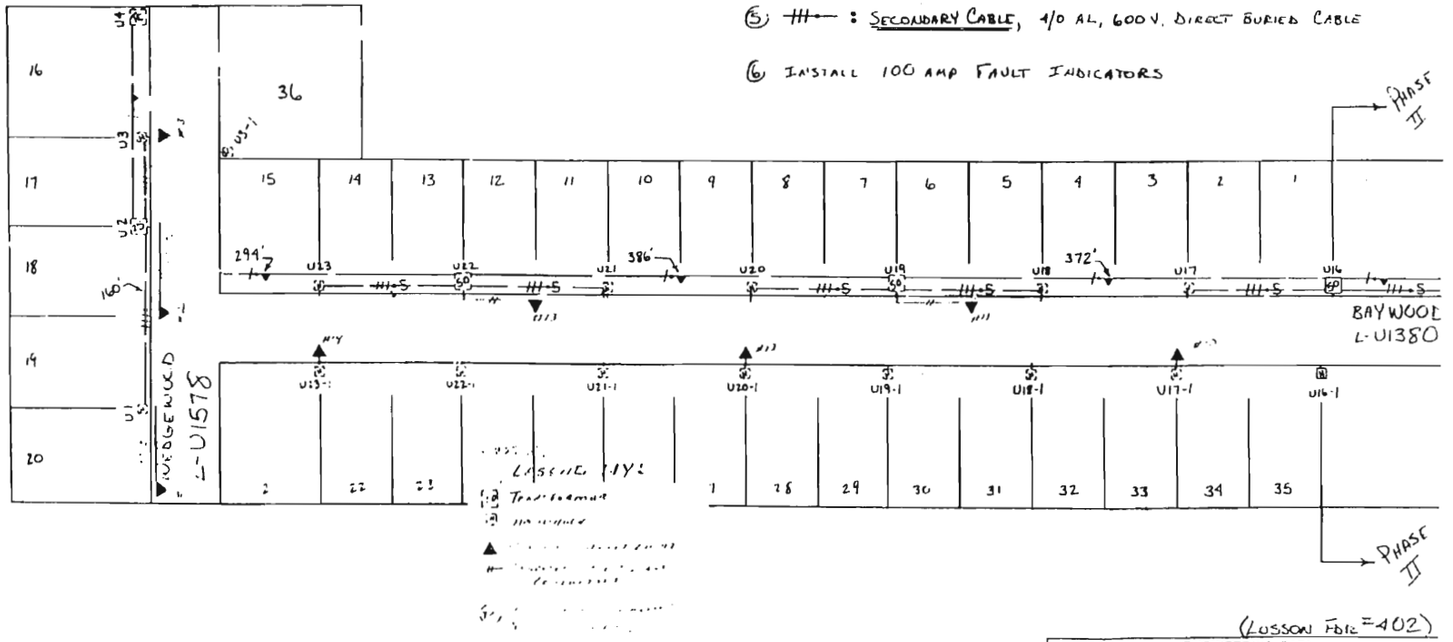
D'W'G NO. _____
COUNTY ERIE
JOB NO. _____

TITLE LOSSON MEADOWS SUBD. (PHASE III)
BAYWOOD & WEDGEWOOD DRIVE LOCATION CHEEKTOWAGA TA'
D'W'G. BY JCL DATE 5-30-90 CH'K BY RJL DATE 5/31/90 APP'D. BY _____ DATE _____
REVISED PROJECT #CH- . . _____
ESTIMATE NO _____ COST CENTER 18 COST AREA 31

STREET LIGHTS

CONST. NOTES:

1. NYT Co. TO LEAD Co.
2. TRENCH TO BE JOINT WITH NYT Co AND ADELPHIA COMMUNICATIONS
3. ⊣⊢ : PRIMARY CABLE, #2 AL, 15KV URD, SINGLE PERMASHIELD WITH JACKETED CONCENTRIC NEUTRAL, DIRECT BURIED CABLE.
4. ⊣⊢S : SECONDARY CABLE, 350 MCM, AL., 600 V. DIRECT BURIED CABLE
5. ⊣⊢ : SECONDARY CABLE, 1/0 AL, 600 V. DIRECT BURIED CABLE
6. INSTALL 100 AMP FAULT INDICATORS



(LOSSON FDR = 402)

ENGINEERING DATA				
LINE NO./STREET	POLE/MANHOLE	TRF CO	SUB CO	CKT CO
		1	4	0	1

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

WHEREAS, the Cheektowaga Police Department is in need of six vehicles to be used by its officers, and

WHEREAS, Warnock Fleet & Leasing has been awarded a State contract for such vehicles, and

WHEREAS, funding for the purchase of such vehicles is available from budget line item number 0100-3120-2303, NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police be and hereby is authorized to purchase 5 police vehicles at a price of $14,165.00 each ($70,825.00 total) and one unmarked car at a price of $14,283.00 from Warnock Fleet & Leasing, 175 Route 10, East Hanover, New York 07936, and BE IT FURTHER

RESOLVED, that funds for the purchase of such vehicles shall be appropriated from budget line item number 0100-3120-2303.

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

Item No. 10 Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

BE IT RESOLVED, that Losson Woods Subdivision, a 13-lot subdivision located at the corner of Borden Road and Losson Road, be and hereby is accepted as per the terms of the attached letter from the Town Superintendent of Highways.

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

Highway Department
3145 Union Road
Cheektowaga, NY 14227-1083
716 / 686-3450
Mobile: 716 / 863-5867
Christopher J. Kowal
Superintendent of Highways

RECEIVED
1991 FEB 15 PM 2:40
CHEEKTOWAGA
TOWN CLERK

Growing In A New Direction
TOWN OF CHEEKTOWAGA
Erie County, New York

February 13, 1991

Honorable Supervisor, Frank Swiatek
and Honorable Town Board
Cheektowaga, NY 14227

Re: LOSSON WOODS SUBDIVISION
Approval of Plans

Dear Honorable Members of the Board:

Mr. C. L. Bryan, Town Engineer; Mr. T. R. Skowron, Highway Engineer; Mr. R. Marten, Building Inspector and I have reviewed the plans for Losson Woods Subdivision and find that these plans conform with the current specifications of the Town of Cheektowaga, including:

1. A properly designed storm drain system with required pipe and sizes thereof, as well as, proper appurtenances as specified on the detail sheets. Design data has been submitted and reviewed.

2. No new road construction will be required as these lots already front on developed county roads.

3. Tree planting is a Town requirement.

4. A Public Improvement Permit will be required.

5. Lot grading and balancing must be acceptable to the Town Engineer and the Building Inspector.

6. The sublots in this subdivision will front on Losson Road, county highway, (S.L. 9 thru 13) and Borden Road, county highway, (S.L. 1 thru 9).

7. A Building Permit will specify tree planting.

The plans, as currently submitted to the Town, are acceptable and meet the conditions for approval, therefore, I recommend such approval.

Respectfully yours,

Christopher J. Kowal
Superintendent of Highways

NMS:CJK
cc: Town Attorney
Town Clerk ✓
Town Engineer
Bldg. Inspector
Highway Engineer
Files

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

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

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

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

WHEREAS, the Advisory Committee, at its meeting held on 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 recomendations 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 VII Union/George Urban Plaza

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

ITEM VII Union/George Urban Plaza - Proposed Construction of a 15,700 Sq. Ft. Building

Applicant: Benderson Development

Determination: Non-significant.
This item had been tabled for quite some time so that the applicant could conduct a storm water management study that the Town Engineer determined was necessary for the plaza. The study was submitted to the Town Engineer for his review and has been approved.

The building will be for retail tenants.

ITEM VIII 2404 Union Road - Proposed Rezoning for Barber Shop

Applicant: John Garrow

Determination: Tabled
The parcel at the present time is a split zoning. The front portion is zoned RC for offices and the rear is zoned RA for apartments. The applicant is proposing to rezone this to retail business to allow for the establishing of a Barber Shop in part of the existing home. The business would be walk-in and may involve the hiring of one additional Barber.

The applicant proposes to construct a parking area to the rear of the building and in discussing this he will modify the plans to increase the parking area for additional vehicles and increase the driveway width to twenty five feet for stacking space at Union Road. The applicant will also discuss with Engineering the possibility of granting of easements along the creeks, Slate Bottom and Cayuga Creek. This item will remain tabled until public comment period has ended and the new plan is submitted.

==========

NEXT MEETING OF THE ENVIRONMENTAL QUALITY REVIEW ADVISORY COMMITTEE WILL BE HELD ON SEPTEMBER 27, 1990 AT 9:30 A.M., IN THE TOWN HALL COUNCIL CHAMBERS.

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

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

	EFFECTIVE
POLICE DEPARTMENT	
Paul D. Folsom	2/5/91
Nancy Rogers	Immediately
CENTRAL GARAGE	
Rose Ladowski	2/5/91
COUNCIL OFFICE	
Marian Andrzejewski	Immediately

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

Item No. 13 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
CENTRAL GARAGE - $5.00 per hour - Clerical	
Jovia Pagano	Immediately
POLICE DEPARTMENT - $5.00 per hour (P.T. Dog Warden)	
Kenneth C. Stoller	Immediately

AND, BE IT FURTHER

RESOLVED, that Julie Wodorczak of be and hereby is hired as an Administrative Assistant in the Council Office, at $5.00 per hour, effective March 4, 1991, said salary to be charged to Acct. #0100-1010-1000-1356, AND, BE IT FURTHER

RESOLVED, that Marian Andrzejewski of be and hereby is hired as an Administrative Assistant in the Council Office, at $4.75 per hour, effective March 4, 1991, said salary to be charged to Acct. #0100-1010-1000-1356.

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

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

WHEREAS, Cheektowaga Police Lieutenant Frederick Roll has been selected to attend the 165th Session of the FBI Academy in Quantico, Virginia from April 7th to June 21st, 1991, and

WHEREAS, there is no cost for tuition, food, lodging or transportation for such session, and

Item No. 14 continued

WHEREAS, the 12-week-course will provide Lt. Roll with training in forensic and technical services, stress management, constitutional procedure, effective reporting, etc., and

WHEREAS, the Chief of Police has requested permission for Lt. Roll to attend this session, NOW, THEREFORE, BE IT

RESOLVED, that Lt. Frederick Roll be and hereby is authorized to attend the 165th Session of the FBI Academy in Quantico, Virginia from April 7th to June 21st, 1991.

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

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

WHEREAS, by resolution dated January 2, 1990, this Town Board granted Thomas Kolbert a leave of absence from his position as Clerk to the Justice Court until December 31, 1990, and

WHEREAS, Thomas Kolbert has requested an additional one year leave of absence from his position as Clerk to the Justice Court, NOW, THEREFORE, BE IT

RESOLVED, that Thomas Kolbert be and hereby is granted a leave of absence from his position as Clerk to the Justice Court for an additional period of one year, said leave of absence to terminate on December 31, 1991.

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

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

WHEREAS, Sherry L. Witt, Senior Clerk in the Assessors' Office, has exhausted all of her sick leave, personal leave and vacation time, and

WHEREAS, Sherry L. Witt has requested extended sick leave payments for a period of fifteen days, and

WHEREAS, Section 8.02 (c) of the collective bargaining agreement between the Town and the Town Employee's Association states that the Town Board may authorize extended sick leave payments for a maximum period of fifteen days provided such payments are repaid to the Town upon the employee's return to service, NOW, THEREFORE, BE IT

RESOLVED, that Sherry L. Witt be and hereby is granted extended sick leave payments for a period of fifteen days, and BE IT FURTHER

RESOLVED, that such sick leave payments shall be repaid to the Town by Ms. Witt upon her return to service.

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

Item No. 17 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:	7410-4451	Building & Grounds	$5,477.00
TO:	7410-4439	Heating & Air Conditioning	$5,477.00

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

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

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 19, 1991 are hereby approved and made a part hereof:

GENERAL FUND	$ 391,091.34
HIGHWAY FUND	724,408.28
TRUST & AGENCY FUND	2,871,003.13
CDBG HUD FUND	29,847.30
PART TOWN FUND	2,157.35
RISK RETENTION FUND	27,325.17
STATE AHC FUND	1,010.00
HUD REHABILITATION	6,517.30
SPECIAL DISTRICTS	328,310.49
CAPITAL FUND	120,055.63
TOTAL	$4,501.725.99
	==========

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 19a Annual Report - Town of Cheektowaga Historian, 1990.
Received and Filed

Item No. 19b Annual Report - Fees collected by Town Clerk's Office, 1990.
Received and Filed

Item No. 20 Minutes of Cheektowaga Planning Board/January, 1991.
Received and Filed

III. GENERAL COMMUNICATIONS

Item No. 21 Summons and Complaint: 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; Facilities Department; Youth & Recreation Department; Allied Claims Service, Insurance Carrier.
Received and Filed

Item No. 22 Notice of Claim: Steven H. Nowak vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Sanitation Department; Allied Claims Service, Inc., Insurance Carrier.
Received and Filed.

Item No. 23a Petition for approval of joint parking for two businesses and increased traffic volume for 4114 Union Road
Copies were sent to Frank E. Swiatek, Supervisor; All Town Board Council Members; All Zoning Board Members; Mr. Salvatore LaGreca, Planning Board Chairman.
Received and Filed.

Item No. 23b Petition supporting requested variances regarding 4114 Union Road.
Copies were sent to Frank E. Swiatek, Supervisor; All Town Board Council Members; All Zoning Board Members; Mr. Salvatore LaGreca, Planning Board Chairman.
Received and Filed.

Item No. 23c Petition in opposition to an approval of a Negative Declaration for traffic and parking regarding 4114 Union Road
Copies were sent to Frank E. Swiatek, Supervisor; All Town Board Council Members; All Zoning Board Members; Mr. Salvatore LaGreca, Planning Board Chairman.
Received and Filed.

* *

MOTION BY COUNCILMAN KULYK AND 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, and Rogowski
NAYES: 0
ABSENT: Councilman Solecki and Blachowski

* *

IV. SUSPENSION OF RULES

Item No. 24 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 February 15, 1991, rendered the determinations shown on the attached memo dated February 19, 1991, and

Item No. 24 continued

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

RESOLVED that this Town Board hereby affirms the recommendations (including stipulations, if any) made by the Advisory Committee with respect to the following referenced items which appear on the February 19, 1991 memo attached hereto:

Sonwil Distribution Center, Inc., 200 Sonwil Drive

* SEE NEXT PAGE

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

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

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

RECEIVED
FEB 19 AM 9 24
CHEEKTOWAGA
TOWN CLERK

M E M O

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

FROM: Environmental Quality Review Advisory Committee

DATE: February 19, 1991

RE: 200 Sonwil Drive - Proposed 41,000 Sq. Ft. Addition

The Environmental Quality Review Advisory Committee of the Town of Cheektowaga met on February 15, 1991 to discuss this item.

The proposal is to construct a 41,000 square foot warehouse addition to the facility on Sonwil Drive. As part of the design the drainage was revised and the landscaping plan submitted to the Planning Board.

This project is a continuation of the existing uses in the Industrial Park and is the last large expansion that can be constructed in the park.

During the review, the Town Engineer informed the applicants' representatives that if the drainage system is installed, as designed, it may complicate the design of the proposed future expansion of the Industrial Park or dedication of Sonwil Drive.

Also, the applicant agreed to furnish additional information to the Fire Inspector for review of the firefighting water supply requirements.

The committee finds no adverse impacts associated with this action and recommends a Determination of Non-Significance (Negative Declaration).

TA:ckl

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

WHEREAS, Michael J. Desiderio (the "Applicant") has applied to the Town of Cheektowaga for an environmental review of his request to rezone and obtain a special permit for 13.9 acres of land known as 2911 William Street from RA-Apartment District to CM-General Commercial District for the construction of the Liberty Park Inn and Entertainment Center (the "Project") pursuant to the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, by resolution dated June 18, 1990, this Town Board requested the Applicant to prepare and submit a Supplemental Environmental Impact Statement ("SEIS") for the Project to the Town concerning the following:

> Comprehensive drainage study of all sources contributing to the flow in the NYSTA easement and detailing the impacts of the Project on such easement and the surrounding area.

and

WHEREAS, on January 28, 1991, the Applicant submitted a SEIS for the Project, and

WHEREAS, under the SEQRA regulations, the Town must, within 30 days, accept or reject the SEIS, or notify the Applicant that it will need an additional 30 days to review the SEIS, and

WHEREAS, this Board needs additional time to review and determine the adequacy of the SEIS, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby determines that it needs an additional 30 days to review the SEIS submitted by the Applicant for the Project, such additional 30-day period to expire on March 29, 1991, and BE IT FURTHER

RESOLVED, that the SEQRA Intake Officer notify the Applicant and other interested and involved agencies, as required by SEQRA, of this determination.

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

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

RICHARD M. MOLESKI,
Town Clerk

PUBLIC HEARINGS
(held prior to Town Board meetings)

NO.	ITEM
	Meeting No. 5 March 4, 1991
1	Community Development Block Grant
	Meeting No. 6 March 18, 1991
1	Rezoning of property at 792 Losson Road from R-Residential District to RA-Apartment District
	Meeting No. 8 April 15, 1991
1	Rezoning of property at 2911 William Street from RA-Apartment District to C-Retail Business District & Special Use Permit to operate hotel and entertainment complex
	Meeting No. 9 May 6, 1991
1	Rezoning of property at 501 Losson Road from R-Residential District to RC-Restricted District
2	Rezoning of property at 2150-2190 Walden Avenue from M1-Light Manufacturing District to CM-General Commercial District and a Special Use Permit for Automotive Retail, including a Muffler Shop
3	Special Use Permit for property located at 2009 William Street for Storage, Parking, Used Car Sales, Minor Automobile Repairs Anciliary to Used Car Sales

PUBLIC HEARINGS

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29	NOTICES OF CLAIM:	
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Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of March, 1991 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; Robert Kaczmarek, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Ronald Marten, Building & Plumbing Inspector; Gregory Joos, Coordinator of Employee Relations; Christopher J. Kowal, Highway Superintendent; James Kirisits, Town Attorney; Jerome Gabryszak, Community Development Director; Bruce Chamberlin, Chief of Police; and Chester L. Bryan, Town Engineer

I. RESOLUTIONS

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

WHEREAS, Sparkle Car Wash, Inc. has applied for a Special Permit for expansion of car wash and hours of operation therefor on property located at 1249 Walden Avenue, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of February, 1991 at 7:00 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, by resolution dated October 3, 1988, the Cheektowaga Town Board, in accordance with the decision of State Supreme Court Justice Leo J. Fallon, granted the applicant a special use permit for a four (4) bay self-service car wash subject to certain conditions, and

WHEREAS, by resolution dated April 2, 1990, this Town Board rezoned that portion of Walden Avenue between the City line and Harlem Road to C-Retail Business District to implement Walden Village and the concept of Walden Village in this area is materializing, and

WHEREAS, this Board believes that the conditions and limitations placed on the special use permit approved on October 3, 1988 are reasonable and allow applicant adequate use of its property, NOW, THEREFORE, BE IT

RESOLVED, that the request of Sparkle Car Wash, Inc. for the addition of a fifth bay, the expansion of hours of operation and relocation of a vacuum island to the west side of the car wash structure be and hereby is denied based on the following reasons:

1. Expansion of a car wash operation at this location would represent a further intrusion on adjoining properties which are residential in nature.

Item No. 2 continued

2. Automotive-type uses are not allowed in a C-Retail Business District.
3. Expansion is not conducive to proposed commercial development of 55-acre-parcel immediately to the south of this property; to the Walden Village concept for this area; or to the commercial and residential neighborhood.
4. Conditions imposed by resolution dated October 3, 1988 are reasonable and expansion does not conform with those conditons.
5. Proposed additional bay would be too close to property line and building to the east.
6. Expansion of hours would create noise and other problems to neighboring residences.
7. Addition of a fifth bay would detract from the aesthetics of the neighborhood.

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

Warranty Deed with Lien Covenant
Laws of 1917, Chap 681, Laws of 1954

880½

David F. Williamson Co., Inc., Publishers
Buffalo, New York

This Indenture,

Made the 14th day of May, Nineteen Hundred and Eighty-seven

Between HAROLD DORAN, HAROLD S. GOLDMAN (by his attorney-in-fact, Edwin H. Wolf, Liber 103; page 523), SIMON B. JACOBS AND S. ROBERT SCHEUR, 1807 Elmwood Ave., Buffalo, New York 14207

parties of the first part, and

JOHN VALENTI & ANGELINA VALENTI, his wife, 79 Barbados, Cheektowaga, New York 14227

part of the second part.

Witnesseth, that the said parties of the first part, in consideration of One & more and 00/100---------- Dollars ($ 1.00 & more) lawful money of the United States, paid by the parties of the second part, do hereby grant and release unto the parties of the second part, and assigns forever.

All that Tract or Parcel of Land,

situated in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 33, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots No.'s 9, 10, 11, 12 and 13 in Section 5 as shown on Map filed under Cover No. 325, bounded and described as follows:

Commencing at a point in the southerly line of Walden Avenue distant 2440.50 feet easterly measured along the said southerly line of Walden Avenue from the easterly boundary line of the City of Buffalo; running thence southerly at a right angle with Walden Avenue a distance of 150 ft.; thence easterly at a right angle and parallel with the southerly line of Walden Avenue a distance of 150 ft. to a point; thence northerly at a right angle a distance of 150 ft. to the southerly line of Walden Avenue; thence westerly along the southerly line of Walden Avenue a distance of 150 ft. to the point or place of beginning.

RECEIVED
$ .....0.00.
REAL ESTATE
MAY 14 1987
TRANSFER TAX
24712 ERIE
COUNTY

NO. 6
NO. 7
NO. 8
NO. 9

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... weeks; first publication March 28, 1991; last publication March 28, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 28th day of March, 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 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 15th day of April, 1991 at 6:00 o'clock, P.M., Eastern DAYLIGHT SAVINGS Time of said day for the purpose of considering the application of MICHAEL J. DESIDERIO to Rezone from RA– APARTMENT District to C-RETAIL BUSINESS District on property located at 2911 WILLIAM STREET 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

AMENDED DESCRIPTION: All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots No. 65 and 66, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

BEGINNING at a point in the center line of William Street, said center line being also the north line of Lot No. 66, at its intersection with the east line of Lot No. 66; thence southerly along the east line of Lot No. 66, 574.77 feet to a point in the northwesterly line of lands conveyed to Frederick E. Sloane and Arlene, his wife by deed recorded in Erie County Clerk's Office in Liber 6664 of Deeds at page 567; thence southwesterly along the northwest line of lands conveyed by said deed recorded in said Clerk's Office in Liber 6664 of Deeds at page 567, 345.07 feet to the most westerly corner of said lands; thence southeasterly along the southwest line of said lands, 305.40 feet to the northwest line of Cayuga Creek Road; thence southwesterly along the northwest line of Cayuga Creek Road, 60 feet to a point in the north line of lands conveyed to John Mysliwiec and Florence A., his wife, by deed recorded in said Clerk's Office in Liber 3969 of Deeds at page 578; thence northwesterly along the north line of lands conveyed by said deed recorded in said Clrek's Office in Liber 3969 of Deeds at page 578, a distance of 200 feet to an angle in the said northerly line of land conveyed by said deed recorded in said Clerk's Office in Liber 3969 of Deeds at page 578; thence continuing northwesterly and along the north line of lands conveyed by said deed recorded in said Clerk's Office in Liber 3969 of Deeds at page 578, 560.62 feet to the intersection thereof with the easterly line of lands conveyed to Frank Lorczak and Marie, his wife by deed recorded in said Clerk's Office in Liber 4487 of deeds at page 402; thence northerly along the easterly line of said lands conveyed to said Frank Lorczak and his wife and parallel with the west line of Lot No. 66, a distance of 556.83 feet to a point; thence easterly parallel with the center line of William Street, a distance of 160 feet to a point; thence northerly parallel with the west line of Lot No. 66, a distance of 240 feet to a point in the center line of William Street, a distance of 160 feet easterly from the northwest corner of lands conveyed to Stanley Senko by deed recorded in said Clerk's Office in Liber 7124 of Deeds at page 247; thence easterly along the center line of William Street, a distance of 567.67 feet to the point of beginning.

However, excluding therefrom the following:

Beginning at a point in the center line of William Street, said center line being also the north line of Lot 66 at its intersection with the east line of Lots 66; thence westerly 65 feet to the point of beginning then southerly on a line parallel with the east line of Lot 66 approximately 500.00± feet to a point in a line drawn parallel with the northwesterly line of lands conveyed to Frederick E. Sloane and Arlene, his wife, by Deed recorded in the Erie County Clerk's Office in Liber 6664 of deeds at Page 567 and located one hundred feet northwesterly therefrom; thence southwesterly and parallel to the northwest line of lands conveyed by Deed aforementioned approximately 425± feet to a point in said line at its intersection with a line drawn parallel to the northerly line of lands conveyed by Deed recorded in the Erie County Clerk's Office in Liber 3969 of Deeds at Page 578 and a distance of 100 feet northerly therefrom; thence northwesterly along said last described line to the interesction of said line with the easterly line of lands conveyed to Frank Lorczak and Marie, his wife, by Deed recorded in the Erie County Clerk's Office in Liber 4487 of Deeds at Page 402; thence southerly along the east line of Lorczak's land aforesaid 100 feet to the point of intersection of the easterly line of lands of Lorczak with the northerly line of lands conveyed to John Mysliwiec and Florence A., his wife by Deed recorded in the Erie County Clerk's Office in Liber 3969 of Deeds at Page 578; thence southeasterly along the north line of lands of Mysliwiec as aforesaid 560.62± feet to an angle in said northerly line thereof; thence southeasterly along said north line as aforesaid 200 feet to the northwest line of Cayuga Creek Road; thence northeasterly along the northwest line of Cayuga Creek Road 60 feet to the southwest line of lands conveyed to Frederick E. Sloane and Arlene, his wife by deed recorded in the Erie County Clerk's Office in Liber 6664 of Deeds at page 567; thence northwesterly 305.40 feet along the southwesterly line of Frederick Sloane aforesaid to the most westerly corner thereof; thence easterly along the northwest line of lands conveyed to Frederick Sloane aforesaid 345.07 feet to a point in the easterly line of Lot 66 at a point 574.77 feet southerly of the intersection of center line of William Street as measured along the easterly line of Lot 66; thence northerly along the easterly line of Lot 66 574.77 feet to the intersection of the easterly line of Lot 66 with the intersection of center line of William Street (being also the north line of Lot 66); thence westerly 65 feet to the point or place of beginning.

It being intended to exclude from the original premises being rezoned the easterly 65 feet thereof; the southeasterly 100 feet thereof and the southerly 100 feet thereof.

PUBLISH: March 28, 1991

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 28, 1991; last publication March 28, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 28th day of March, 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 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 15th day of April, 1991 at 6:00 o'clock, P.M., Eastern DAYLIGHT SAVINGS Time of said day for the purpose of considering the application of MICHAEL J. DESIDERIO for a Special Permit to operate a hotel and entertainment complex on property located at 2911 WILLIAM STREET pursuant to Article VI and Section 82-33 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

PUBLISH: March 28, 1991

37
14,62

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

WHEREAS, Michael J. Desiderio ("the Applicant") has applied to the Town of Cheektowaga for an environmental review of his request to rezone and obtain a special permit for 13.9 acres of land known as 2911 William Street from RA-Apartment District to CM-General Commercial District for the construction of the Liberty Park Inn and Entertainment Center ("the Project") pursuant to the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, there has been agreement by the appropriate governmental agencies (State, County, Local) that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning the Project, and

WHEREAS, by resolution dated June 18, 1990, this Town Board requested the Applicant to prepare and submit a Supplemental Environmental Impact Statement ("SEIS") for the Project to the Town concerning the following:

> Comprehensive drainage study of all sources contributing to the flow in the NYSTA easement and detailing the impacts of the Project on such easement and the surrounding area, and

WHEREAS, on January 28, 1991, the Applicant submitted a SEIS for the Project, and

WHEREAS, the Town Environmental Review Advisory Committee and this Town Board reviewed the proposed SEIS and feel it is adequate to begin review by the public and involved and interested agencies, NOW, THEREFORE, BE IT

RESOLVED, that the SEIS submitted by the Applicant for the Project be and hereby is determined to be satisfactory with respect to scope, content and adequacy by this Town Board, the lead agency for the Project, and BE IT FURTHER

RESOLVED, that the Building Inspector be and hereby is directed to file a notice of completion of the SEIS and a copy of the SEIS in accordance with Section 617.10(c) and (d) of the SEQRA regulations, and BE IT FURTHER

RESOLVED, that the public comment period on this SEIS shall begin and shall run until May 3, 1991, and BE IT FURTHER

RESOLVED, that a public hearing on the SEIS and the revised rezoning and special permit applications shall be held on April 1, 1991, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 6:00 P.M. and the notice of such hearing shall be filed, published and made available in accordance with Sections 617.10(a)(2) and 617.10(e) of the SEQRA regulations and the Town Law of the State of New York, and BE IT FURTHER

RESOLVED, that the Town Clerk shall publish the attached Notice of Public Hearing on the rezoning and special permit in the Cheektowaga Times, the official Town newspaper at least fourteen (14) but no more than twenty (20) days prior to such public hearing.

* *

MOTION BY COUNCILMAN KULYK, SECONDED BY SUPERVISOR SWIATEK 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

* *

Item No. 3 continued

Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, Michael J. Desiderio ("the Applicant") has applied to the Town of Cheektowaga for an environmental review of his request to rezone and obtain a special permit for 13.9 acres of land known as 2911 William Street from RA-Apartment District to CM-General Commercial District for the construction of the Liberty Park Inn and Entertainment Center ("the Project") pursuant to the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, there has been agreement by the appropriate governmental agencies (State, County, Local) that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning the Project, and

WHEREAS, by resolution dated June 18, 1990, this Town Board requested the Applicant to prepare and submit a Supplemental Environmental Impact Statement ("SEIS") for the Project to the Town concerning the following:

> Comprehensive drainage study of all sources contributing to the flow in the NYSTA easement and detailing the impacts of the Project on such easement and the surrounding area, and

WHEREAS, on January 28, 1991, the Applicant submitted a SEIS for the Project, and

WHEREAS, the Town Environmental Review Advisory Committee and this Town Board reviewed the proposed SEIS and feel it is adequate to begin review by the public and involved and interested agencies, NOW, THEREFORE, BE IT

RESOLVED, that the SEIS submitted by the Applicant for the Project be and hereby is determined to be satisfactory with respect to scope, content and adequacy by this Town Board, the lead agency for the Project, and BE IT FURTHER

RESOLVED, that the Building Inspector be and hereby is directed to file a notice of completion of the SEIS and a copy of the SEIS in accordance with Section 617.10(c) and (d) of the SEQRA regulations, and BE IT FURTHER

RESOLVED, that the public comment period on this SEIS shall begin and shall run until May 3, 1991, and BE IT FURTHER

RESOLVED, that a public hearing on the SEIS and the revised rezoning and special permit applications shall be held on April 15, 1991, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 6:00 P.M. and the notice of such hearing shall be filed, published and made available in accordance with Sections 617.10(a)(2) and 617.10(e) of the SEQRA regulations and the Town Law of the State of New York, and BE IT FURTHER

RESOLVED, that the Town Clerk shall publish the attached Notice of Public Hearing on the rezoning and special permit in the Cheektowaga Times, the official Town newspaper at least fourteen (14) but no more than twenty (20) days prior to such public hearing.

* *

State Environmental Quality Review

NOTICE OF COMPLETION OF SUPPLEMENTAL EIS
AND
NOTICE OF SEQR HEARING

Lead Agency: Town of Cheektowaga — Project Number 88050

Address: Broadway & Union Road, Cheektowaga, New York 14227 — Date: March 5, 1991

Item No. 3 continued

This notice is issued purusant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Supplemental Environmental Impact Statement has been completed and accepted for the proposed action described below. Comments on the Supplemental EIS are requested and will be accepted by the contact person until May 3, 1991. A public hearing on the Supplemental EIS will be held on April 15, 1991, at 6:00 P.M. at Cheektowaga Town Hall.

Name of Location: Liberty Park Inn and Entertainment Complex

Description of Action: (Revised From Original EIS)
Construction of a Hotel/Dining/Entertainment complex of approximately 99,500 square feet. The hotel rooms will be located in two "towers" of four and three stories in height.

- Total Site Area: 13.01 acres; 566,715.6 feet
- Total Building Footprint: 1.41 acres; 61,500.0 square feet
- Total Green Area: 3.44 acres; 150,000.0 square feet
- Total Parking and Sidewalk Area: 8.16 acres; 355,449.6 square feet
- Building Data (total square feet - 99,500):
  - Hotel - 118 rooms; 50,900 square feet
  - Dinner Theatre - 733 seats; 11,000 square feet
  - Dinner Lounge - 200 seats; 3,000 square feet
  - Banquet Rooms - 500 seats; 7,500 square feet
  - Retail Shops - 1,500 square feet
  - Kitchen, receiving, laundry, common area, atrium, etc. - 22,000 square feet
  - Parking for 710 Vehicles

Location: South side of William Street (known as 2911 William Street) between the New York State Thruway (I-90) and Cayuga Creek Road.

Notice of Completion of Supplemental EIS

Potential Environmental Impacts:

1. substantial potential for adverse changes in traffic levels.
2. substantial potential for adverse changes in noise levels.
3. subject of SEIS - substantial potential for adverse effects on drainage.
4. substantial adverse impact upon the character of the existing residential areas through intrusion of a commercial use.
5. significant potential for increase air pollution.
6. significant affect by height of building.
7. affect on residences caused by outside lighting.

A Copy of the Supplemental EIS may be obtained from:

Contact Person: Thomas Adamczak, Building Inspector

Address: Broadway & Union Road, Cheektowaga, New York 14227

Telephone Number: (716) 686-3470

A Copy is also on file for review at:

* Buffalo Erie County Public Library - 2660 William Street, Cheektowaga, NY 14227

Item No. 3 continued

A Copy of this Notice and the Supplemental EIS Sent To:

* Commissioner, Dept. of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
* New York State Dept. of Transportation, 125 Main Street, Buffalo, New York 14203
* Erie County Dept. of Environmental and Planning, 95 Franklin Street, Buffalo, New York 14202
* New York State Dept. of Environmental Conservation, Region 9, 600 Delaware Avenue, Buffalo, New York 14202
* New York State Thruway Authority, 200 Southern Boulevard, P.O. Box 189, Albany, New York 12201-0189
* New York State Thruway Authority, Buffalo Division, P.O. Box 121, Buffalo, New York 14225-0121

* *

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Bid Proposals were received for the Leasing and Servicing of Portable Chemical Toilets on February 19, 1991, AND

WHEREAS, said Proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby award said Bid for the Leasing and Servicing of Portable Chemical toilets to:

1) Category I - Single Units - $1.37 per day per unit to:

Modern Portable Toilets, Inc.
P.O. Box 209
Model City, New York 14107

2) Category II - Multiple Units - $20.00 per day per unit to:

Rural Sanitation Service, Inc.
10100 County Road
Clarence Center, New York 14031

3) Category III - Handicapped Units - $2.94 per day per unit to:

Modern Portable Toilets, Inc.
P.O. Box 209
Model City, New York 14107

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

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

WHEREAS, as a result of advertisement, bids were received on February 19, 1991 for the furnishing of equipment and operators for public works projects during the calendar year of 1991 in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 1, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga be awarded to Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14059 for submission of the lowest bid meeting the specifications as per the unit bid prices of:

Item 1	Hydraulic Backhoe	$ 600.00 per 8 hour day
Item 2	Tractor with Front End Loader	$ 700.00 per 8 hour day
Item 3	Dozer	$ 520.00 per 8 hour day
Item 4	Dozer	$ 560.00 per 8 hour day
Item 5	Dozer	$ 560.00 per 8 hour day
Item 6	Tandem Dump Truck	$ 352.00 per 8 hour day
Item 7	Landscape Type Tractor	$ 400.00 per 8 hour day
Item 8	Hydraulic Backhoe	$ 560.00 per 8 hour day
Item 9	Laborers	$ 230.00 per 8 hour day
Item 10	Hydraulic Backhoe	$ 440.00 per 8 hour day
Item 11	8-10 Ton Static Roller	$ 500.00 per 8 hour day
Item 12	Dual Drum Vibratory Roller	$ 600.00 per 8 hour day
Item 13	Paver	$1100.00 per 8 hour day
Item 14	Front End Loader	$ 700.00 per 8 hour day
Item 15	Hydraulic Backhoe	$1400.00 per 8 hour day

AND, BE IT FURTHER

Item No. 4b continued

RESOLVED, that payment for said equipment and operators for public works projects is to be chargeable on an as-needed basis by any Town departments who wish to avail themselves of this service within their appropriated budget items, AND, BE IT FURTHER

RESOLVED, that the foregoing Tom Greenauer Development, Inc. equipment plus operators must be used exclusively for budgeted public works not otherwise bid.

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

Chester L. Bryan, P.E.
Town Engineer

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

March 1, 1991

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing of Equipment
and Operators for Public
Works Projects - 1991

Gentlemen:

Bids were received and opened on February 19, 1991 for the furnishing of equipment and operators for public works projects. Two (2) bids were received and their totals are as follows:

BIDDER	TOTAL BID
Tom Greenauer Development, Inc., Elma, NY	$3,262.00
Chaffee Construction, Inc., Chaffee, NY	$4,100.00

It is, therefore, recommended that the bid be awarded to Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14059 for their submission of the lowest bid meeting the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Item No. 5 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 TOPSOIL for the 1991 Season (regular, shredded and screened), to be used by the Town of Cheektowaga.

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

RESOLVED, that the Town Clerk is hereby designated as the office to open bids on the aforesaid item at 11:00 A.M. on March 15, 1991.

* *

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 TOPSOIL for use by the Town of Cheektowaga at a public bid opening March 15th, 1991 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, New York. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR TOPSOIL".

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

RICHARD M. MOLESKI
Town Clerk

Dated: March 4, 1991

Published: March 7, 1991

* *

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 7, 1991; last publication March 7, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 7th day of March, 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 NOTICE
TOWN OF CHEEKTOWAGA
HIGHWAY DEPARTMENT
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 TOPSOIL for use by the Town of Cheektowaga at a public bid opening March 15th, 1991 at 11 AM 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 TOPSOIL."

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: March 4, 1991
PUBLISH: March 7, 1991

30
11.85

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

WHEREAS, Governor Cuomo's proposed budget drastically reduces funding for prevention (Youth & Service & Recreation) programs and seriously cripples the present youth service delivery system (Youth Bureaus) and

WHEREAS, the Town of Cheektowaga through its involvement in the County Comprehensive Planning System could lose up to $230,000 in state aid if the State Legislature adopts this budget, and

WHEREAS, Executive Law, Article 19A, Section 420 guarantees a formula where every County and Municipality receives funding based on their youth population for "Youth Development and Delinquency Prevention" programs; further requires a $1.00 local investment for every $1.00 a program receives in state funding, ensuring local involvement and support; and also requires monitoring and evaluation of funded programs to insure accountability; and

WHEREAS, the State's commitment to "Youth Development & Delinquency Prevention" through the N.Y.S Division for Youth amounts to 13 cents per week per youth, AND HASN'T SEEN A COST OF LIVING INCREASE IN CLOSE TO A DECADE; and

WHEREAS, the proposed state budget would reduce this minimal contribution to A NICKEL A WEEK PER YOUTH, and

WHEREAS, the Governor's proposed state budget would ignore the fair and equitable system guaranteed in Executive Law, and would levee a disproportionate burden on youth programs to address the budget deficit, and

WHEREAS, such adoption would severely curtail or eliminate programs such as the Cheektowaga Youth Engaged in Service Program, the School Intervention Service, the Youth Counseling Program, summer playground recreational programming, and services such as Liberty Enrichment Program, the Conservation Corps and the Adapted Recreation Programs, THEREFORE BE IT

RESOLVED, that the Town of Cheektowaga strongly supports the preservation of Executive Law Article 19A, Section 420 and vehemently opposes the draconian cuts suggested by the Governor, and BE IT

FURTHER RESOLVED, that the Legislature restores the appropriation for the N.Y.S. Division for Youth's "Aid to Localities", specifically the Local Services Budget, in order to meet the obligations for programs that began January 1, 1991 and BE IT

FURTHER RESOLVED, that a certified copy of this resolution be sent to Senator Dale Volker, Assemblyman Paul Tokasz, Speaker of the Assembly Melvin Miller, Assembly Majority Leader James R. Tallon, Jr., Assembly Minority Leader Clarence D. Rappleyea, Jr., Assemblyman Al Vann, Chairman, Committee on Children & Families, Assemblyman Saul Weprin, Chairman, Way & Means Committee, Senate Majority Leader Ralph J. Marino, Senate Minority Leader Manfred Ohrenstein, Senator Mary B. Goodhue, Chairperson, Committee on Child Care, Senator Tarky Lombardi, Jr., Chairman, Finance Committee and Governor Mario Cuomo.

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 Blachowski

WHEREAS, the Town Engineering Department requested the owners of 26 Bert Road to convey a drainage easement through such property to the Town, and

WHEREAS, such a drainage easement was submitted to the Town by the property owner, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned drainage easement be and hereby is accepted by this Town Board, and BE IT FURTHER

Item No. 7 continued

RESOLVED, that the Town Attorney be and hereby is directd to record such easement 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. 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 February 15, 1991, rendered the determinations shown on the attached memo dated February 21, 1991, and

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

RESOLVED, that this Town Board hereby affirms the recommendations (including stipulations, if any) made by the Advisory Committee with respect to the following referenced items which appear on the February 21, 1991 memo attached hereto:

Item XI St. Stanislaus Cemetery

Item XII Rehm Road

*SEE NEXT PAGE(S) 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

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

M E M O

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

RECEIVED
FEB 26 1991
TOWN ATTORNEY

FROM: Thomas Adamczak
Building Inspector

DATE: February 21, 1991

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 February 15, 1991, in the Town Hall Council Chambers.

ITEM I 2911 William Street - Liberty Park Inn And Entertainment Center

Applicant: Michael Desiderio, Jr.

Review of Supplemental Environmental Impact Statement (SEIS)

The Environmental Quality Review Advisory Committee met to discuss the SEIS that was submitted by the applicant as directed by resolution dated June 18, 1990 by the Town Boari. Present at this meeting were attorneys for the applicant and for the residents in the area.

The attorney for the applicant noted that there a number of changes listed on page 3-1 of the SEIS that dealt with the building itself and also considerable drainage changes which directed storm waters away from the Thruway Authority easement. The Town Engineer noted the New York State Thruway Authority letter of February 7, 1991 and the comments (copy attached). The applicant's attorney indicated that the Dunn Geo Science report of 1989-90 addressed comment #2 and the SEIS, in its entirety, addresses comment #1. The drainage system would continue to accept waters from the Trudy/Ceil area, the Town Engineer, at this point, indicated that the SEIS appears to be complete as to its addressing of the drainage issue.

At this point, Arthur Giacalone, attorney for the residents, spoke regarding the SEIS and the project in general. Some of the items that were discussed are listed here and he indicated would be in a forthcoming letter to the Town Board.

° He questioned if the drainage study compared the new system and the old. The point to be made was that the "good neighbor" improvements that were included in the original drainage study appear to have been removed in the newest document. The rear yard drainage, flood control, etc., was removed from the plan and in his opinion such removal "worsened" the overall site plan.

° The mitigations sited in the document by the applicant were, in his opinion, insignificant. The reasoning was that the size and use had not been changed to the degree that the applicant has indicated since the elimination of the so called "nightclub/disco" square footage had been added to the banquet area and lounge. Therefore the usable square footage remains essentially the same.

° The establishing of a buffer, as shown on the newest site plan, along the southern and southeast boundries is not, in his opinion, a mitigation measure but an attempt to circumvent the required three-fourths of the Town Board vote for approval for the project.

° The building height has not changed since March of 1990 and therefore is not a new mitigation measure.

° The size of the building has varied from the beginning of the project review and when comparing the present size to past submissions it would appear that the building has not been reduced to any significant degree.

° The idea of restricted parking at the rear of the property is not, in his opinion, a new mitigation measure and was originally proposed in April of 1990. Also it was noted that only 118 spaces are needed for the hotel use whereas 360 spaces are within the restricted parking area. The question was raised as to access to those parking spaces since the spaces would be needed for accomodation of patrons of the lounge and dinner theater.

°In a general note on the drainage, the attorney indicated that no further field work was conducted since June of 1990 and questions whether or not this is acceptable.

° The 1990 DEIS indicates hydric soils are on-site and that a good portion, up to 90%, of the site is poorly drained. The attorney urges the Advisory Committee to recommend that the developer approach the Army Corps of Engineers for their review of the project.

A discussion ensued between the residents attorney and the Town Engineer regarding the elimination of the "good neighbor" drainage improvements. The Town Engineer indicated that this had been requested with the original plan and that since the new plan indicated that no water would be going to the Thruway Authority easement, coupled with the establishing of a large buffer area, the good neighbor improvements were no longer necessary to the project. He also indicated that one of the residents had shown no interest in the system.

Mr. Giacalone indicated that as a result of this change the project is not as beneficial as it originally was proposed to be and also by-passes the Thruway Authority's request for a more detailed drainage study. The Town Engineer repeated his original comments that the drainage plan in the SEIS was acceptable but that it must be reviewed by the New York State Department of Environmental Conservation and U.S. Army Corps of Engineers with regards to wetlands. The wetlands question must be addressed because of the existence of hydric soils on the site and the applicnat's admission of existing poor drainage.

The Environmental Quality Review Advisory Committee unanimously moved for acceptance of the document for public review and does recommend to the Town Board that a public hearing be held. Also that the applicant be directed to contact New York State DEC and U.S. Army Corps of Engineers to solicit their comments.

NOTE: At the close of the meeting on February 15, 1991 an additional document was submitted to the committee by the applicant. This document is dated February 14, 1991 and is an attachment to the SEIS with additional drainage data requested by the Town Engineer.

ITEM II Union Near Floral - Proposed Rick's Hardware Store

Applicant: Rick Laspisa

Update:
The committee was informed that the Planning Board, at their February 14, 1991 meeting, did not accept the proposed site plan.

The committee was also informed that the resolution for this project had been withdrawn and was being resubmitted to the committee for their consideration with regard to the shared parking arrangement at C.J.'S and Rick's Hardware.

The applicant had submitted a site plan which eliminated the need for some of the variances that he had applied for. The loading dock and dumpster location were placed at the rear of the site and additional landscaping was established between the parking area and the Autotune at the corner of Genesee Street and Union Road. A discussion ensued regarding the shared parking arrangement and the committe was referred to a memo from the Town Attorneys Office dated June 8, 1990 regarding the shared parking situation. In this memo (copy attached) the attorney indicates that under the present regulations the lot that was acquired by the owner of the C.J'S property was acquired subsequent to the original purchase of C.J.'S. Therefore the Town could not direct the owner of this lot to establish a parking area for the C.J.'S restaurant.

After discussing the new site and the attorneys memo the committee again found the proposal non-significant.

ITEM III Former Bison Yard - N/S Intermodal, Roadrailer, Bulk and Auto Facility

Applicant: Norfolk Southern Railway Company

Determination: Tabled.
The proposal from the Norfolk Southern Railway Company is to develop the sites which they presently occupy in the Village of Sloan and the Town of Cheektowaga into an Intermodal facility which handles container and semi-trailer-on-freight-car service. The present facility for this site is within the Village of Sloan and would result in a increase in truck traffic from 6 to 12 trips per hour and an increase within one year of the facility completion to 24 trips per hour. The average traffic is 60 trips per day at the present and is expected to double to 120 within the year.

The Roadrailer or Triple Crown facility handles specially built semi-trailers transported on dedicated trains. This is more commonly known as container service. The average traffic is expected to be 49 trips a day. New to this area would be the bulk facility which would handle the transferring of masonry and lumber products from rail cars to trucks.

Storage for the items would be located in the area presently used for the Intermodal trailer storage.

The auto facility is presently located within the Town of Cheektowaga and plans call for increasing the amount of storage area for automobiles by more than 1,000 spaces. The traffic would also increase with this expansion.

The property within the Village of Sloan that would be developed is approximately 82.5 acres and in the Town of Cheektowaga approximately 48.5 acres. The number of parking space within the Town would increase from 1,152 to 2,851. The spaces would be mostly for new motor vehicles awaiting shipment to dealers. There would also be spaces available for the shipping trailers. The project will also result in paving within the Village of Sloan approximately 28 acres and in the Town approximately 29 acres of land.

The project has been referred to a number of agencies including the New York State Department of Transportation, Village of Sloan, the Doyle and Sloan Fire Departments and the New York State Department of Environmental Conservation.

At the meeting were representatives of the Village of Sloan who indicated that the Town might best be suited to be lead agency with active participation by Village representatives. The Town Engineer recommended a solicitation to the Buffalo Sewer Authority because of the interconnetion with their storm sewer system. Sgt. Nacke expressed concern with the traffic situation and developments in the area but suggested that traffic might be studied from the Harlem/William intersection to the Harlem/Walden intersection because of the future 55 acre Industrial Park to be developed by the Town, the Norfolk/Southern proposal, and future Conrail development.

This item will remain tabled until comments are received from the various agencies. The deadline for comments is March 11, 1991.

ITEM IV 27 Park Street - Proposed Rezoning From R-Residential To RA-Apartment For Construction Of A Two-Family Dwelling

Applicant: Theodore Kulbacki

Determination: Tabled

The Chairman of the Planning Board, Mr. LaGreca, indicated that the applicant wishes to have this item tabled at this time.

(No Public Comment Received)

ITEM V 170 French Road - Proposed Addition To Rosina Foods

Applicant: Rosina Food Products Incorporated

Determination: Tabled.
The applicants architect was present and explained the proposal to the committee.

At the present time Rosina Foods occupies 75 Industrial Parkway and has recently purchased 170 French Road. The proposal is to connect the two buildings with a 6,135 square foot addition. The entire operation would be redesigned so that all shipping and receiving would be on Industrial Parkway. The French Road access will become "overflow" for shipping and receiving if, the need should arise. As part of the overall project a new compactor system will be installed for waste handling, the driveway at French Road would be better defined with additional landscaping and drainage would also be improved. A new grease interceptor would be installed for the entire food processing plant as part of the project. The committee tabled this item so that the public may have the opportunity to comment and for Traffic Safety to review the proposal.

(No Public Comment Received)

ITEM VI 3786 Broadway - Proposed 5,500 Sq. Ft. Office/Garage

Applicant: Joseph Oddo

Determination: Tabled.
The applicant is proposing to construct an office/garage towards the rear of the property. The facility would be used by Town's Ambulance Service for the storage and maintenance of the various vehicles used in its operation.

The maintenance would consist generally of oil changes, brake work, minor collision work with no provisions for painting and for vehicle washing. The improvements to the property will include paving of the parking and driveway areas, new drainage system to handle storm water and additional landscaping at the front (Broadway) end of the property.

The present building on the site is a combination house/office and would continue to be used as an office on completion of the new building. The applicant indicated that he would designate the Broadway driveway as both in and out and the Ellicott Road driveway as an out driveway only. Ambulance units would use the Ellicott Road driveway when responding to calls.

The Planning Board has tabled this item and has requested additional landscaping for the site. No recommendation has yet been made on the Special Permit for the maintenance facility.

The neighbor at 3780 Broadway, Mr. Janiga, inquired as to the drainage of the site and whether he would be affected. Also he made comment to the fact that lights and sirens are used by the units even before they roll out onto Broadway and that the applicant has also placed vehicles for sale at the front of the property in violation of the Zoning Ordinances.

Another neighbor at 3788 Broadway, Michael Juilano, indicated that he is not opposed to the project but wants strict compliance with ordinances and regulations. He indicated that there were some initial problems with the property line location which has since been corrected but the detention pond location, as shown on the site plan, but he believes would be detrimential to his property. He is requesting that the applicant study the possibility of locating this detention basin at the front of the property as he had done on his property. He indicated that at present, when vehicles are washed, drainage goes onto adjacent properties and that the easterly property line of the project site should restored to a treed/landscaped appearance.

The committe tabled this item so that the applicant may provide:

- Drainage calculations and details.
- Parking calculations.
- A floor plan of the building indicating the number of ambulance units parked inside.
- Other site plan revisions with landscaping and driveway changes as discussed.

ITEM VII 792 Losson Road - Proposed Rezoning From R-Residential To RA-Apartment For Construction Of A Two-Family Dwelling

Applicant: Mary Angelo

Determination: Non-Significant.
The applicant proposes to construct a two-family home on a lot that is located on the north side of Losson Road, west of the Stiglmeier Park entrance. The present design calls for one driveway on the west side of the property with the garage to be located either at the rear of the property or on this west side. The building will be of brick veneer on the front and the applicant indicated that as many trees as possible will remain on the site.

The committe found no adverse impact since this property will continue to be used for residential purposes.

(No Public Comment Received)

ITEM VIII 680 Cayuga Creek Road - Proposed Rezoning From R To RA For Construction Of A Two-Family Dwelling

Applicant: Zbigniew Bielinski

Determination: Tabled.
The applicant wishes to rezone this property to construct a two-family dwelling alongside several other existing two-family homes.

The Town Engineer indicated that no map cover could be found for this subdivision and after some discussion it was determined that apparently the map cover had not been filed with the County Clerk and therefore this rezoning cannot be considered at this time.

Several neighbors were in attendance and objected, not because of the fact that a two-family dwelling would constructed on the lot, but they would prefer to see the styling of the building itself changed. Also they do not like the idea of an absentee landlord.

The applicant was told that this item will remain tabled so that the map cover could be properly filed with the County Clerk, a plan showing the location of the driveway and drainage of the lot be submitted and also that a elevation of the proposed building be shown to the committee.

ITEM IX French And Transit - Proposed Expansion Of K-Mart

Applicant: K-Mart Store #7171

Determination: Tabled
The K-Mart Corporation proposes to construct a 19,000 square foot addition to their facility at the French and Transit Roads Plaza. The addition would upgrade the retail space of the store and bring it into comformance with other K-Mart Stores in the area. The applicant was questioned with regard to parking. The plan indicates parking in compliance with Zoning Ordinance requirements but it was noted that a large number of parking spaces would be located at the rear of the stores. The committee had some concerns regarding those spaces since the required Zoning Ordinance parking spaces are intended to be used by the public, the employee parking is not addressed at the present time by the ordinance. The spaces, although intended to show compliance with the Zoning Ordinance, could not be used by the public since no rear entrances exist for those plaza stores

The landscaping has not yet been reviewed by the Planning Board.

This item will remain tabled for public comment and for Planning Board review of landscaping. The applicant was also instructed to review the parking situation and to make revisions if necessary.

ITEM X 200 Sonwil Drive - Proposed Addition (See Attached Memo)

ITEM XI St. Stanislaus Cemetary - Proposed Construction Of A 9700 Sq. Ft./2,082 Crypt Mausoleum

Applicant: St. Stanislaus R.C. Church Society Inc.

Determination: Non-Significant.
The applicant is proposing to construct the mausoleum in the "newer" section of the cemetary, north of the Kensington Expressway. The structure will be completely above ground and will be approximately 90 feet high to the top of the spire. The applicant was informed that a variance will be needed from the Zoning Board of Appeals for such a height.

The site at t he present time is vacant and partly developed cemetary with typical plots. The mausoleum will be located in the approximate center of this area and will be no closer than 215 feet to the nearest residential lot. No adverse impacts were anticipated with this construction.

(No Public Comment Received)

ITEM XII Rehm Road - Sale Of .9 Acres Of Rehm Road Park

Applicant: Town of Cheektowaga

Determination: Non-Significant.
This proposal is part of the overall land acquisition/adjustment in the Rehm Road area for development of the municipal golf course. The Town had acquired some property from various owners in the area and in the realignment of property lines found that this acreage could be disposed of in this manner with no adverse impact to either the golf course or existing park.

ITEM XIII 501 Losson Road - Proposed Rezoning From Residential R To Restricted Business RC

Applicant: John Lorek

Determination: Non-Significant.
The applicant is proposing to rezone this property for development as offices. At the present time he does not have a tenant and therefore will not be making immediate improvements to the site. The site plan that was submitted indicates existing conditions.

The proposed zoning allows, in addition to residential uses, use of the property for offices. The committee did not see any adverse impacts connected with the establishing of offices. It should be noted that at the time of development, should the rezoning be approved, the developer must submit a landscaping plan to the Planning Board for their review and a drainage plan to the Town Engineer for his approval with regard to drainage of the site and paving.

(No Public Comment Received)

ITEM XIV 1314 Como Park Boulevard - Rezoning From R Residential To RA Apartment For Construction Of A Two-Family Dwelling

Applicant: Henry Kowalski

Determination: Non-Significant.
The applicant proposes the rezoning to construct a two-family dwelling on the property. At the present time there are a number of two-family dwellings in the area and this would be a continuation of the two-family use.

The committee did not find any adverse impacts associated with this rezoning for a two-family dwelling. It should be noted that one or members of the public, present at the Planning Board meeting, indicated that there may be deed restrictions which will limit the use of this property to one-family dwellings only.

(No Public Comment Received)

ITEM XV 100 Warsaw - Proposed Rezoning From R Residential To M2 General Manufacturing

Applicant: Stradtman Associates Incorporated

Determination: Tabled.
This item has been tabled by the committee to allow for public comment which will end February 25, 1991.

A proposal to rezone this parcel of property which fronts on Warsaw so that the applicant may attempt to construct an addition to the building. The addition as proposed would require variances from the Zoning Board of Appeals.

Encl.

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THE NEXT MEETING OF THE ENVIRONMENTAL QUALITY REVIEW ADVISORY COMMITTEE WILL BE HELD ON FRIDAY, MARCH 1, 1991 AT 9:30 A.M. IN THE TOWN HALL COUNCIL CHAMBERS.

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Item No. 9a Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, a project for improvement of the interesections at Kensington Avenue, Cleveland Drive and Century Road, Town of Cheektowaga, funded under the Federal Aid Highway Program as provided for by the appropriate sections of Title 23 U.S. Code and the appropriate sections of the New York State Highway Law and Budget Bills applicable thereto, calls for state or local participation, AND

WHEREAS, the Town of Cheektowaga desires to advance the project which is not, or portions of which are not, on the state highway system by authorizing the municipality to participate in a share of the cost of preliminary engineering and/or right-of-way incidental work, including review of final design, right-of-way acquisition and construction and construction engineering of the project or portions of the project not on the state highway system, NOW, THEREFORE, BE IT

RESOLVED, that it is understood that this statement in no way diminishes the Town of Cheektowaga's rights under present procedures to review and comment on specific stages of the project, AND, BE IT FURTHER

RESOLVED, that it is understood that the Town shall provide 100% of the non-federal share of the cost of preliminary engineering and/or right-of-way incidental work, right-of-way acquisition, construction and construction engineering and 100% of any non-federal aid participating costs of the subject project, estimated to be $142,500, AND, BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town of Cheektowaga to participate in the cost of preliminary engineering, including final design of the subject project or portions of the subject project that are not on the state highway system, and/or in the costs of the right-of-way incidental work, right of-way acquisition, construction and construction engineering by providing the local share of the cost, AND, BE IT FURTHER

RESOLVED, that this authorization shall commit the Town of Cheektowaga to an amount not to exceed $142,500 for the local share of the preliminary engineering, including review of the final design of the project and/or for the right-of-way incidental work, right-of-way acquisition, and construction and construction engineering, AND, BE IT FURTHER

RESOLVED, that this Town Board directs and authorizes the Supervisor to execute all necessary agreements on behalf of the Town of Cheektowaga with the New York State Department of Transportation approving of the above-subject project and providing for the municipality's participation in the cost of the local share of the subject project, including deposits as required at a total cost of design, right-of-way acquisition, construction and construction engineering not to exceed $142,500, and to execute all agreements and necessary documents as required in Article 6 of the Highway Law, and any other applicable agreements as required for the project.

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

Item No. 9b Motion by Councilman Kulyk, Seconded by Supervisor Swiatek

WHEREAS, this Town Board, by resolution dated January 21, 1991, accepted a proposal from Marsh and McLennan for Risk Control Services for the period 1/1/91 to 12/31/91 for 100 hours of service for an annual fee of $5,200, and

WHEREAS, Marsh and McLennan has stated that it will perform such risk control services until 12/31/93 for the same annual fee of $5,200, and

WHEREAS, the Town's Insurance Consultant has recommended that the Town accept such proposal, NOW, THEREFORE, BE IT

Item No. 9b continued

RESOLVED, that the Town accepts the Marsh and McLennan proposal for Risk Control Services for the period 1/1/91 to 12/31/91, for 100 hours of service for an annual cost of $5,200, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to execute the attached Agreement with Marsh and McLennan, and BE IT FURTHER

RESOLVED, that monies for such services shall be appropriated from budget line item numbers 1000-1710-4258 and 1000-1710-4529.

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

MEMORANDUM OF UNDERSTANDING

Marsh & McLennan, Inc. hereby agrees to provide the following risk management services to the Town of Cheektowaga for the period January 1, 1991 through December 31, 1993:

- Monthly site consultations and/or surveys of departments, work sites, etc.
- Conduct employee and management training seminars on hazard control topics as requested.
- Provide technical assistance and research on compliance with occupational safety and health standards and regulatory matters as requested.
- Conduct field interviews of lost time cases to assist with the Town's Return to Work Program, when requested by Town or Consultant.
- Provide claim reviews of Workers' Compensation cases where appropriate and requested by Town or Consultant.
- Will assist in administrating and servicing any New York State Department of Labor grant programs.

Fees

- A service fee for the above services will be on a flat annual fee basis as follows:
  - Up to 100 hours of consulting time a $5,200 fee. For services in excess of 100 hours up to 150 hours in any year an additional fee of $2,600 will be charged subject to Town Board approval.
  - Additional expense items for supplies, materials, and other professional services will be on an actual expense basis and subject to Town Board approval.

These services can be discontinued at any time by either party with thirty days written notice. Accepted by:

MARSH & MCLENNAN	TOWN OF CHEEKTOWAGA
Manager - Risk Services	Supervisor
TITLE	TITLE
2/7/91	2/22/91
DATE	DATE

Marsh & McLennan

Item No. 9c Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

WHEREAS, grant monies are available through New York State Council on the Arts - Architecture, Planning and Design program to support activities associated with the revision of the Town's Master Plan, and

WHEREAS, the Town is in need of financial assistance to offset professional architectural and planning fees incurred to undertake this project, and

WHEREAS, the Town desires to submit a grant application in an amount not to exceed $16,000; 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, and BE IT FURTHER

RESOLVED, the Town's share of any required matching funds, in an amount to be determined upon approval of the grant, is available from the Town's Outside Village Fund budget line #0800-8010-4683 and Capital Projects Fund 5821-8010-1106 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. 10a Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, previously, this Town Board retained the law firm of Hiscock & Barclay to represent the Town with respect to the condemnation proceedings entitled "Town of Cheektowaga v. Starlite Builders, et al." and the appeal of such proceedings which was initiated by the condemnees, and

WHEREAS, previously approved payments to such law firm 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 Hiscock & Barclay on the above-referenced condemnation proceeding and appeal for an additional amount not to exceed $10,000 without further Town Board authorization, and BE IT FURTHER

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

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

Item No. 10b Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

WHEREAS, the Town Board, in its conern for potential flooding in the Town of Cheektowaga, has in the past requested the services of an erosion control specialist, AND

WHEREAS, there is a continuing need for obtaining technical services that are not included in the scope of any current project, and such services are needed in resolving erosion control problems, AND

Item No. 10b continued

WHEREAS, the Town of Cheektowaga has an agreement with the New York State Department of Environmental Conservation in the maintenance of Scajaduada Creek and its tributaries, this maintenance also being necessary on all other creeks and tributaries located within the Town, AND

WHEREAS, all of said ditch/creek improvements will be using the successful bidder from the most recent Equipment & Operators for Public Works Projects bid, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer is hereby authorized to secure the services of Merriman Conservation Consultants, 504 Ridge Avenue, East Aurora, New York 14052 (652-8270) as needed at the rate of thirty dollars ($30.00) per hour for said services, AND, BE IT FURTHER

RESOLVED, that payment for said services shall be made only where authorized by the Town Engineer in writing to said consultant and that services are chargeable to accounts #05-1440-8905-1107 and #05-1440-8905-1103.

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

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

WHEREAS, the Town is currently involved in an assessment review proceeding relating to Adcor Realty Corp. (Kaufmann's Department Store) in the Walden Galleria, and

WHEREAS, the Assessor is in need of a preliminary appraisal on the said property, and

WHEREAS, the cost of the preliminary appraisal is $3800. However, the Town of Cheektowaga has an accumulated contractual credit which will result at no cost to the Town for this project, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to contract with GAR Associates, Inc. to make the necessary appraisal.

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

Item No. 11 Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, a temporary vacancy exists in the position of Accountant, AND

WHEREAS, there currently exists no valid Civil Service list for said position, AND

WHEREAS, the Town reviewed applications and conducted interviews for such position, AND

WHEREAS, Angela Lynn Nenni applied for this position and meets all the requirements, NOW, THEREFORE, BE IT

RESOLVED, that Angela Lynn Nenni of Williamsville, New York 14221, be and hereby is appointed to the temporary position of Accountant, on a provisional basis, pending the results of a future Civil Service exam for such position, AND, BE IT FURTHER

Item No. 11 continued

RESOLVED, that said temporary appointment is made effective March 5, 1991 and at an annual salary of $27,000, AND, BE IT FURTHER

RESOLVED, that in compliance with the Local Law known as Residency Law, Angela Lynn Nenni be and hereby is ordered to obtain residency within the Town of Cheektowaga within ninety (90) days of this resolution.

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

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

BE IT RESOLVED, that the following seasonal employees be and hereby are terminated as listed:

	EFFECTIVE
SANITATION DEPARTMENT	
Lawrence Wheeler	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 Town has established a relationship with Supportive Services Corporation of Buffalo, New York, AND

WHEREAS, Supportive Services Corporation administers the National Council of Senior Citizens Senior AIDES Program under the New York State Office for the Aging, AND

WHEREAS, by virtue of these programs, Supportive Services will pay the wages of clients over the age of 55, with economic hardship, at the rate of $4.25 per hour up to 20 hours a week, NOW, THEREFORE, BE IT

RESOLVED, that Virginia Dankowski, Cheektowaga, New York 14227, a client of Supportive Services Corporation, be and hereby is hired as a Part-Time File Clerk in the Assessor's Office, effective immediately. Compensation is to be a total of $4.25 per hour, which will be provided by Supportive Services.

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 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:

Item No. 13b continued

	EFFECTIVE
SANITATION DEPARTMENT - $5.00 per hour	
Lisa Marie DeMont (P.T. Clerical)	Immediately

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

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

WHEREAS, by resolution, this Town Board temporarily assigned Francis T. Keefe to the position of Cleaner, due to the loss of his driver's license, AND

WHEREAS, this Town Board is now interested in reinstating Francis T. Keefe to his position of General Mechanic, due to the reissuance of his Class 3 driver's license, NOW, THEREFORE, BE IT

RESOLVED, that Francis T. Keefe be and hereby is reinstated to his position of General Mechanic, effective immediately.

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

Item No. 15a Motion by Councilman Solecki, Seconded by Supervisor Swiatek

WHEREAS, the New York State Bar Association is presenting a continuing legal education program on Real Property Tax Assessments - Issues and Developments in Valuing Properties and Challenging Assessments in Rochester, New York on March 22, 1991, and

WHEREAS, said program is given at no cost to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that Assessor, Casimir A. Kozminski be and hereby is authorized to attend said Program on March 22, 1991 and shall be provided the use of a Town vehicle.

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 Supervisor Swiatek

WHEREAS, the New York State Recreation & Parks Society is conducting its annual training conference at Ellenville, New York from Sunday, April 7th thru April 10th, 1991, and

WHEREAS, a one day training session is being presented by the American Institute for Leisure Resources on a comprehensive strategy to retain revenue other than those supported by the general tax base and the general budget, and

WHEREAS, the Town of Cheektowaga is desirous of exploring alternative sources of revenue to support youth, senior and recreational activities within the community, BE IT

Item No. 15b continued

RESOLVED, that Kenneth J. Kopacz, Executive Director of the Youth & Recreational Services Department, be reimbursed the necessary transportation and lodging expenses to attend said meeting at a cost not to exceed $500.00. (Line Item No. 01-1910-0004-4082); training fees not to exceed $115 (Line Item 01-7310-0004-4681).

* *

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY SUPERVISOR SWIATEK 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 Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the New York State Recreation & Parks Society is conducting its annual training conference at Ellenville, New York from sunday, April 7th thru April 10th, 1991, and

WHEREAS, a one day training session is being presented by the American Institute for Leisure Resources on a comprehensive strategy to retain revenue other than those supported by the general tax base and the general budget, and

WHEREAS, the Town of Cheektowaga is desirous of exploring alternative sources of revenue to support youth, senior and recreational activities within the community, BE IT

RESOLVED, that Kenneth J. Kopacz, Executive Director of the Youth & Recreational Services Department, be reimbursed the necessary transportation and lodging expenses to attend said meeting at a cost not to exceed $250.00 and the use of a town vehicle if available (Line Item 01-7310-0004-4681).

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

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

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

HIGHWAY FUND

FROM:	0300-5150-4178	Blacktop	$40,000.00
TO:	0300-5142-4029	Salt	$40,000.00

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 January 21, 1991 are hereby approved and made a part hereof:

GENERAL FUND	$155,553.83
HIGHWAY FUND	30,602.68
TRUST & AGENCY	1,015.63
CDBG HUD FUND	6,820.52
PART TOWN FUND	3,482.80
RISK RETENTION FUND	44,075.00
STATE AHC FUND	4,058.80
HUD REHABILITATION	7,599.82
SPECIAL DISTRICTS	121,446.56
CAPITAL FUND	85,538.02
	==========
TOTAL	$460,193.66

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

II. DEPARTMENTAL COMMUNICATION

Item No. 18 Building Permits.
Received and Filed.

Item No. 19a Minutes of Meeting - Traffic Safety Commission/February 1991.
Received and Filed.

Item No. 19b Minutes of Meeting - Cheektowaga Public Library/January 1991.
Received and Filed.

III. GENERAL COMMUNICATION

Item No. 20a Summons and Complaint: Michael and Sandra D'Addetta vs Town of Cheektowaga and William Betz
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Dept. and Allied Claims Service, Insurance Carrier
Received and Filed.

Item No. 20b Summons and Complaint: Kim Marie Schmidt vs Town of Cheektowaga, Mark A. Jedd and David P. Draper
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Dept. and Allied Claims Service, Insurance Carrier
Received and Filed.

Item No. 20c — Summons & Complaint: Suzanne Wozniak, as Executrix of the Estate of Allen R. Karns, deceased vs Peter D. Dipirro, Town of Cheektowaga and County of Erie
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher J. Kowal, Highway Dept. and Allied Claims Service, Insurance Carrier
Received and Filed.

Item No. 21 — Notice of Claim: Gary J. Szczesny vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Sanitation Dept. and Allied Claims Service, Insurance Carrier
Received and Filed.

Item No. 22 — Request to Speak from Cheektowaga Fire Chiefs Association.
Received and Filed.

Item No. 23a — Petition Regarding Special Permit/Rezoning of 3786 Broadway.
Received and Filed.

Item No. 23b — Petition Regarding Rezoning of 1314 Como Park Boulevard.
Received and Filed.

* *

MOTION BY COUNCILMAN KULYK, SECONDED BY COUNCILMAN GABRYSZAK 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. 24 — Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, Mary M. Angela has made application and requested the Rezoning from R-Residence District to RA-Apartment District for property located at 792 Losson Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 18, 1991 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

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 7, 1991; last publication March 7, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 7th day of March, 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 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 18th day of March, 1991 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of MARY M. ANGELO to rezone from R-RESIDENCE District to RA-APARTMENT District on property located at 792 LOSSON 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 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. 55, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

Beginning at a point in the center line of Losson Road distant one hundred three and twenty hundredths (103.20) feet west of the east line of Lot No. 55, being also the southwest corner of lands conveyed to the Town of Cheektowaga by deed recorded in Erie County Clerk's Office in liber 10146 of Deeds page 696: thence northerly and along the said westerly line of lands so conveyed to the Town of Cheektowaga two hundred ninety-nine and thirty-three hundredths (299.33) feet to a point on the south line of lands conveyed to the Town of Cheektowaga by deed recorded in said Clerk's Office in liber 7519 of Deeds page 137: thence westerly and along the southerly line of the Town of Cheektowaga by deed aforesaid to the northeast corner of lands conveyed to Lucette Napieralski by deed recorded in said Clerk's Office in liber 10130 of Deeds page 41: thence southerly parallel to the east line of Lot No. 55 and along the said east line of Lucette Napieralski a distance of two hundred ninety-nine and seventy-one hundredths (299.71) feet ot the center line of Losson Road: thence easterly and along the center line of Losson Road a distance of one hundred two (102) feet to the point of beginning.

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

PUBLISH. March 7, 1991

76
30.02

Item No. 25 *Motion by Supervisor Swiatek, Seconded by Councilman Blachowski to adjourn meeting in memory of Chester Nowacki, former Cheektowaga Central School Board Member and Karl Kubiak, former City of Buffalo Fire Commissioner.*

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 6
March 18, 1991

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of March, 1991 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; Robert Kaczmarek, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Ronald Marten, Building & Plumbing Inspector; James Kirisits, Town Attorney; John Schaller, Assistant Chief of Police; Chester L. Bryan, Town Engineer; and Kenneth Kopacz, Director of Youth and Recreation Services.

I. RESOLUTIONS

Item No. 2a Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, bids were received on February 19, 1991 for the application of chemical fertilizers and herbicides, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 14, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the application of chemical fertilizers and herbicides for the year 1991 be awarded to Wright-Frontier Tree & Lawn Care, Inc., 1014 Rein Road, Cheektowaga, New York 14225 (634-3431) at the following total and unit bid prices:

ITEM 1	Nitrogen Fertilizers	$5697.30
ITEM 2	Weed Control	3267.25
ITEM 3	Chemical Trimming	990.13
ITEM 4	Retention Basins	4264.22
ITEM 5	Nitrogen Fertilizer	.00440 per sq. ft.
ITEM 6	Weed Control	.00557 per sq. ft.
ITEM 7	Chemical Trimming	.02587 per sq. ft.
ITEM 8	Weed & Feed Lawn Areas	.00311 per sq. ft.
ITEM 9	Chemical Trimming of Fence Lines	49.57
ITEM 10	Grass Growth Regulator	289.61
ITEM 11	Brush Control	1837.72
Total bid for Items 1, 2, 3 and 4:		$14,218.90

AND, BE IT FURTHER

RESOLVED, that payment for the application of chemical fertilizers and herbicides shall be charged to Account No. 018-540-4587.

* SEE ATTACHED LETTER

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

Chester L. Bryan, P.E.
Town Engineer

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

March 14, 1991

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Chemical Fertilizers
and Herbicides

Gentlemen:

Bids were received and opened on February 19, 1991 for the application of chemical fertilizers and herbicides for the year of 1991. Two (2) bids were received with the totals as follows:

BIDDER	TOTAL BID
Wright-Frontier Tree & Lawn Care Inc.	$14,218.90
Turf Tek of Western New York Inc.	$24,253.00

It is, therefore, recommended that the bid be awarded to Wright-Frontier Tree & Lawn Care Inc., 1014 Rein Road, Cheektowaga, New York 14225 for their submission of the lowest bid meeting the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Item No. 2b Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received by the Town Board at a bid opening on March 15, 1991, for topsoil for use by the Town of Cheektowaga, as a result of advertising thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED, that the bid for Topsoil be awarded to Custom Topsoil Inc., 320 Crabapple Lane, Cheektowaga, NY 14227, the lowest responsible bidder meeting specificaitons as set forth in the letter attached and made a part hereof, and

BE IT, ALSO RESOLVED that payment of topsoil be charged to line item 0300-5110-4186

* SEE NEXT PAGE

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

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

March 15, 1991

SUPERVISOR FRANK E SWIATEK
TOWN BOARD MEMBERS
CHEEKTOWAGA NY 14227

Re: Award of Bids for Topsoil

Dear Town Board Members:

Whereas, bids were opened March 15th, 1991, for Topsoil to be used by the Town of Cheektowaga and Custom Topsoil Inc. of 320 Crabapple Lane, Cheektowaga NY being the lowest responsible bidder meeting specifications, I recommend that the bid be awarded to Custom Topsoil Inc.

Listed below tabulation of bids submitted:

	Custom Topsoil Inc.		Tomani's Eastern Cons. Co., Inc.	
Regular	$12.95 delivered	$10.00 picked-up*	$16.00 delivered	$13.00 picked-up
Screened	$15.95 delivered	$11.50 picked-up*	$18.85 delivered	$15.85 picked-up
Shredded	$15.95 delivered	$11.50 picked-up*	$18.85 delivered	$15.85 picked-up

*Indicated location of Topsoil if picked-up by Highway Department 320 Crabapple Lane, Cheektowaga

Trusting this meets with your approval.

Very truly yours,

CHRISTOPHER J. KOWAL
HIGHWAY SUPERINTENDENT

cc: Town Board
Town Clerk
Law Office

Item No. 3 Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, it is in order that bids be advertised to cover the purchase of traffic control signs, street name signs and brackets for the 1991 calendar year, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of traffic control signs, street name signs and brackets, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 8th day of April, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 8, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, street name signs and brackets for the 1991 calendar year.

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

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

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

RICHARD M. MOLESKI,
TOWN CLERK

DATED: MARCH 18, 1991

* *

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 21, 1991; last publication March 21, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 21st

day of March, 19 91

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 12/31/91

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 8, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, street name signs and brackets for the 1991 calendar year.

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

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

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

Richard M. Moleski
Town Clerk
DATED: March 18, 1991
PUBLISH: March 21, 1991

30
11.85

Item No. 4 Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1991 to the Erie County Board of Elections, and

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, and

WHEREAS, there are 111 Election Districts in the Town of Cheektowaga located in 43 Polling Places, all of which provide proper accessibility, NOW, THEREFORE, BE IT

RESOLVED that the attached list of Town of Cheektowaga polling places for 1991 be approved for submittal to the Erie County Board of Elections.

* SEE NEXT PAGES FOR LIST

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

TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, NEW YORK
POLLING PLACES

We the undersigned composing the Board of the Town Officers of the Town of Cheektowaga, New York do hereby designate the following Polling Places in said Town of Cheektowaga for the Primary Election and General Election for the year 1991.

District #1 - St. Mary's Greek Orthodox Church, 940 Losson Road

District #2 - Bellevue Fire Station, Como Park & Bennett Road

District #3 - Amvets Post #14, 4721 Broadway, Depew

District #4 - Forks Fire Hall No. 2, Nagel Dr. & South Creek Drive

District #5 - U-Crest Fire Hall, 255 Clover Place

District #6 - Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.

District #7 - Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.

District #8 - Maryvale Community Center, 3409 Genesee Street

District #9 - Maryvale Continuing Educ. Bldg. 777 Maryvale Dr.

District #10 - Cerebral Palsy Assoc., North Hill Elementary, 4635 Union Road

District #11 - Cerebral Palsy Assoc., North Hill Elementary, 4635 Union Road

District #12 - Infant of Prague School Hall, 921 Cleveland Drive

District #13 - Cleveland Drive Presbyterian Church, 735 Cleveland Drive

District #14 - Cleveland Hill Fire Hall, 440 Cleveland Drive

District #15 - St. Aloysius School, 157 Cleveland Drive

District #16 - St. Aloysius School, 157 Cleveland Drive

District #17 - St. Aloysius School, 157 Cleveland Drive

District #18 - St. Aloysius School, 157 Cleveland Drive

District #19 - St. Aloysius School, 157 Cleveland Drive

District #20 - Cleveland Hill High School, Mapleview Drive

District #21 - Cleveland Hill High School, Mapleview Drive

District #22 - Cleveland Hill High School, Mapleview Drive

District #23 - Infant of Prague School Hall, 921 Cleveland Drive

District #24 - Cerebral Palsy Assoc. North Hill Elementary School, 4635 Union Rd.

District #25 - Maryvale Continuing Education Bldg., 777 Maryvale Dr.

District #26 - Maryvale Community Center, 3409 Genesee Street

District #27 - Mother of Divine Grace Church, 500 Maryvale Drive

District #28 - Mother of Divine Grace Church, 500 Maryvale Drive

District #29 - Cleveland Hill Primary School, 7 Community Drive

District #30 - Cleveland Hill Primary School, 7 Community Drive

District #31 - Pine Hill Elementary School, 1635 East Delavan

District #32 - Pine Hill Elementary School, 1635 East Delavan

District #33 - Villa Maria College, 240 Pine Ridge

District #34 - Pine Hill Volunteer Hose Company, 2435 Genesee Street

District #35 - Cheektowaga Recreation Center, Town Park, Harlem Road

District #36 - Queen of Martyrs School, 180 George Urban Blvd.

District #37 - Maryvale Community Center, 3409 Genesee Street

District #38 - U-Crest Fire Hall, 255 Clover Place

District #39 - U-Crest Fire Hall, 255 Clover Place

District #40 - Anna M. Reinstein Memorial Library, 2580 Harlem Road

District #41 - Anna M. Reinstein Memorial Library, 2580 Harlem Road

District #42 - St. John Gualbert Hall 120 Alexander Avenue

District #43 - St. John Gualbert Hall
120 Alexander Avenue

District #44 - Rescue Fire Hall,
20 Pine Ridge Road

District #45 - Rescue Fire Hall,
20 Pine Ridge Road

District #46 - Sloan Fire Hall,
55 Gates Street, Sloan

District #47 - Sloan Fire Hall,
55 Gates Street, Sloan

District #48 - Sloan Fire Hall,
55 Gates Street, Sloan

District #49 - Sloan Fire Hall,
55 Gates Street, Sloan

District #50 - Sloan Fire Hall,
55 Gates Street, Sloan

District #51 - Theodore Roosevelt
School, 2495 William Street

District #52 - Theodore Roosevelt
School, 2495 William Street

District #53 - Ukrainian Holy Trinity
Orthodox Hall, 200 Como Park Blvd.

District #54 - Theodore Roosevelt
School, 2495 William Street

District #55 - Doyle Fire Hall No. 1,
William & Alaska

District #56 - Grover Cleveland School,
Rossler & Dingens

District #57 - Doyle Fire Hall No. 2,
Willowlawn & Griswold Street

District #58 - South Branch Library,
2660 William Street

District #59 - Sciole Elementary
School, 86 Alys Drive, Depew

District #60 - Sciole Elementary
School, 86 Alys Drive, Depew

District #61 - Forks Fire Hall No. 2,
Nagel & South Creek Drive

District #62 - Hy-View Fire Hall,
8 Airport Drive

District #63 - Hy-View Fire Hall,
8 Airport Drive

District #64 - Forks Fire Hall
(Memorial Hall), 3340 Broadway

District #65 - St. Barnabas
School, 2099 George Urban Blvd.

District #66 - Maryvale Primary
Bldg., 1 Nagel Drive

District #67 - Knights of St. John
Christian Club, 2379 Union Road

District #68 - West End Hose Co. No. 6
2325 George Urban Blvd.

District #69 - Queen of Martyrs,
180 George Urban Blvd.

District #70 - Cheektowaga Recreation
Center, Town Park, Harlem Road

District #71 - Cleveland Hill High
School, Mapleview Drive

District #72 - Cleveland Hill Fire
Hall, 440 Cleveland Drive

District #73 - Cleveland Heights
Christian Church, 4774 Union Road

District #74 - Bellevue Fire Hall
Como Park Blvd. & Bennett Road

District #75 - Maryvale Continuing
Education Bldg., 777 Maryvale Dr.

District #76 - Our Lady of the Blessed
Sacrament School, 2620 George Urban Blvd.

District #77 - Ukrainian Holy Trinity
Orthodox Church Hall, 200 Como Park Blvd.

District #78 - Doyle Fire Hall No. 1
William & Alaska Street

District #79 - Southline Fire Hall,
1049 French Road

District #80 - Knights of St. John
Christian Club, 2379 Union Road

District #81 - Southline Fire Hall,
1049 French Road

District #82 - St. Mary's Greek
Orthodox Church, 940 Losson Road

District #83 - Dartwood Community Center
222 Autumnwood Drive

District #84 - Dartwood Community Center
222 Autumnwood Drive

District #85 - Bellevue Fire Hall,
Como Park Blvd. & Bennett Road

District #86 - Amvets Post # 14, 4721
Broadway, Depew

District #87 - St. Barnabas School
2099 George Urban Blvd.

District #88 - West End Hose Co. No. 6
2325 George Urban Blvd.

District #89 - Maryvale East Apartments,
Moorman Drive

District #90 - Infant of Prague School
Hall, 921 Cleveland Drive

District #91 - Maryvale East Apartments
Moorman Drive

District #92 - Maryvale Primary
Bldg., 1 Nagel Drive

District #93 - U-Crest Fire Hall,
255 Clover Place

District #94 - Ukrainian Holy Trinity
Orthodox Hall, 200 Como Park Blvd.

District #95 - Doyle Fire Hall No. 1
William & Alaska Streets

District #96 - Maryvale Primary
Bldg., 1 Nagel Drive

District #97 - South Branch Library
2660 William Street

District #98 - Forks Fire Hall No. 2
Nagel & South Creek Drive

District #99 - Cleveland Heights
Christian Church, 4774 Union Road

District #100 - Maryvale Continuing
Education Bldg., 777 Maryvale Dr.

District #101 - Queen of Martyrs
School, 180 George Urban Blvd.

District #102 - Sky Harbor Community
Building, 4795 Genesee Street

District #103 - Our Lady of the Blessed
Sacrament School, 2620 George Urban Blvd.

District #104 - Ukrainian Holy Trinity
Orthodox Hall, 200 Como Park Blvd.

District #105 - John F. Kennedy School,
305 Cayuga Creek Road

District #106 - Knights of St. John
Christian Club, 2379 Union Road

District #107 -Knights of St. John
Christian Club, 2379 Union Road

District #108 - Dartwood Community Center,
222 Autumnwood Drive

District #109 - Dartwood Community Center,
222 Autumnwood Drive

District #110 - Southline Fire Hall,
1049 French Road

District #111 - Southline Fire Hall,
1049 French Road

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD
Supervisor:
Frank E. Swiatek
Councilmen:
Patricia A. Jaworowicz
Dennis H. Gabryszak
Andrew A. Kulyk
Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

Item No. 5 Motion by Councilman Blachowski Seconded by Unanimous

WHEREAS, volunteer firemen risk their lives every day to save other people's lives and property, and

WHEREAS, this Town Board wishes to honor those volunteer firemen who loyally perform these services for the benefit of the Town and its residents, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby proclaims Sunday, June 23, 1991 as "Cheektowaga Volunteer Firemen's Recognition Day", and BE IT FURTHER

RESOLVED, that, in honor of such day, special events will be scheduled at the Cheektowaga Town Park on Harlem Road to recognize such volunteer firemen, and BE IT FURTHER

RESOLVED, that Town residents be and hereby are encouraged to honor volunteer firemen on this day.

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

Item No. 6 Motion by Councilman Gabryszak Seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Youth and Recreational Services Department's Adapted Recreation Program has requested permission to conduct an overnight campout on April 12th and 13th, 1991 at the Alexander Community Center, and

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise, the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed", NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, said waiver extended to the Cheektowaga Youth and Recreational Services Department's Adapted Recreation Program for the use of the Alexander Community Center on April 12th and 13th, 1991, and BE IT FURTHER

RESOLVED, that a copy of said resolution be forwarded to the Chief of Police and the Facilities Department Director.

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

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

WHEREAS, the Cheektowaga Youth Bureau is desirous of renting campground facilities known as Camp Aloha for a summer camp for handicapped Cheektowaga youths from August 18-24, 1991, and

WHEREAS, said facilities are owned by the Camp Fire Council of Buffalo and Erie County, Inc. and are located in Wales Center, New York, and

WHEREAS, the Camp Fire Council of Buffalo and Erie County, Inc. is willing to rent such facilities to the Town provided that the Town execute an appropriate agreement for such rental of said property at a cost of $1,500 and a meals cost not to exceed $62 per person, and

WHEREAS, such agreement has been prepared and is acceptable between said parties, NOW, THEREFORE, BE IT

Item No. 7 continued

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with the Camp Fire Council of Buffalo and Erie County, Inc. for the rental of the aforementioned campground facilities, and BE IT FURTHER

RESOLVED, that the Cheektowaga Youth Bureau, as in the past, seek reimbursement from any appropriate state and charitable sources, in addition to any camper fees to cover the necessary costs of said activity.

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

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

WHEREAS, the Public Improvement Permit Ordinance of the Town of Cheektowaga requires that all improvements that are to be dedicated to the Town and be maintained by the Town, be installed under a Public Improvement Permit, AND

WHEREAS, Robert E. Mariacher, the developer of the Gardenville Industrial Park, has submitted the required Public Improvement Permit Application, plans and specifications and permit fee for the Phase II extension of the Innsbruck Drive pavement, curbing and storm sewer system, NOW, THEREFORE, BE IT

RESOLVED, that the Public Improvement Permit be approved for the Phase II extension of Innsbruck Drive, AND, BE IT FURTHER

RESOLVED, that the subject permit fee amounting to $2,150.70 be deposited in the Public Improvement Permit Account established for the receipt and disbursement of public improvement permit fees.

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

Item No. 9 Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, G & M Electrical Contracting has submitted a proposal to make various changes to their electrical contract at the Alexander Community Center, And

WHEREAS, the firm of Scaffidi & Moore Architects has reviewed and approved said proposal as submitted by G & M Electrical Contracting, Inc., as being in the best interest of the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order E #1 in the amount of $399.00 to G & M Electrical Contracting, Inc. as follows:

1.	Delete 3 new 125A, 3 pole breakers and reuse existing equipment	Deduct	$435.00
2.	Add battery back-up to exit sign	Add	$111.00
3.	Delete existing elevator car connection	Deduct	$ 64.00
4.	Add new 20-A-120V fused disconnect	Add	$787.00
		Total Add	$399.00

Item No. 9 continued

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

Item No. 10 Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, Stradtman Associates, Inc. ("the Applicant") has applied to the Town of Cheektowaga for an environmental review of its request to rezone land known as 100 Warsaw Street from R-Residence District to M2-General Manufacturing District for the use of such property for an electrical contracting business ("the Project") pursuant to the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, there has been agreement by the appropriate governmental agencies (State, County, Local) that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning the Project, and

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

1. Traffic. Applicant must address the issues regarding access to Warsaw and Linden Streets and future traffic patterns in the event this parcel is sold separately from 49 Stradtman Street parcel.

2. Applicant must address the concerns about the affect undesirable uses (i.e. outside storage, automotive) may have on the adjoining residential area.

3. Applicant must address how the following will affect the neighborhood.
   a. Business intrusion into a residential area
   b. Increase in height of the proposed buildilng
   c. Increase in vehicle traffic

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

RESOLVED, that Stratdman Associates, Inc. be directed to submit a Draft Environmental Impact Statement to the Town Environmental Advisory Committee and this Town Board for review, and BE IT FURTHER

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

RESOLVED, that the Town Building Inspector, as Intake Officer for the Town, notify Applicant 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. 11 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 March 1, 1991, rendered the determinations shown on the attached memo dated March 4, 1991, and

WHEREAS, this Town Board has reviewed the applications submitted and recomendations 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 March 4, 1991 memo attached hereto:

Item I 170 French Road

* SEE NEXT PAGE

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

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

M E M O

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

RECEIVED
MAR 6 1991
TOWN ATTORNEY

FROM: Thomas Adamczak
Building Inspector

DATE: March 4, 1991

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 March 1, 1991, in the Town Hall Council Chambers.

ITEM I 170 French Road - Proposed Addition To Rosina Foods

Applicant: Rosina Food Products Incorporated

Determination: Non-Significant.
The committee looked at this item at their previously meeting and found the use to be compatible with the uses found in that area, those being Light Manufacturing and food processing. The tabling was a result of the need for the Traffic Safety committee to look at the access to French Road and to allow the time period for public comment to expire.

The Traffic Safety Commission reviewed the revised access plan at French Road and found it acceptable. The plan calls for additional landscaping and concrete curbing to be installed. The existing driveway will be reduced to a width of 35 feet.

(No Public Comment Received)

ITEM II 680 Cayuga Creek Road - Proposed Rezoning From R To RA For Construction Of A Two-Family Dwelling

Applicant: Zbigniew Bielinski

Determination: Tabled

Item No. 12 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, the term of Bernice Snyder, as member of the Cheektowaga Library Board of Trustees, expired on January 1, 1991, and

WHEREAS, this Board wishes to renew the appointment of Bernice Snyder to such board, NOW, THEREFORE, BE IT

RESOLVED, that Bernice Snyder, , Cheektowaga, New York be and hereby is reappointed to the Cheektowaga Library Board of Trustees, said term to expire on January 1, 1996.

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

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

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

SANITATION DEPARTMENT	EFFECTIVE
Cheryl Wright	Immediately
CENTRAL GARAGE	
Carol Weber	3/2/91
YOUTH & RECREATIONAL SERVICES - Adapted Recreation Program	
Amy Furminger	Immediately
Denise Bogdan	"
Bonnie Lynch	"
Kelly Goeckel	"
Beth Wood	"
Jennifer Stock	"

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

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

BE IT RESOLVED that the salary rates for the below listed individuals be adopted as follows, to reflect the new minimum wage law, effective April 1, 1991 (01-7310-0001-1803):

PROGRAM COORDINATOR - $7.75 per hour	
Deborah Ann Fleetwood	14043
ASSISTANT PROGRAM COORDINATOR - $6.75 per hour	
Paulette Mecca	14225
ACTIVITY DIRECTOR I - $6.25 per hour	
David Imiola	14227
ACTIVITY DIRECTOR II - $6.10 per hour	
Barbara Zielinski	14225

Item No. 14 continued

SENIOR COUNSELORS - $5.00 per hour

Paul Marchewka	14227
Anne Priester	14225
Christy Male	14225
Kathy Miller	14227

COUNSELOR III - $4.75 per hour

Cindy Principato	14225
Elizabeth Gagola	14227
Colleen Schaub	14227
David Topor	14225

COUNSELOR II - $4.50 per hour

Linda Mutka	14225
Laura Mutka	14225
Kirsten Weir	14043

COUNSELOR I - $4.25 per hour

Tracy Hoerner	14043
Karen Noworyta	14043
Kristen Loughlin	14225
Amy Wetmore	14227
Jennifer Tobolski	14227

ADMINISTRATIVE INTERN PROGRAM - 01-7310-0001-1804 - $7.00 per hour

Amy Meyers	14227

01-7310-0001-1804 - $6.00 per hour

Jason Backes	14043

PROGRAM COORDINATOR - 01-7310-0001-1811- $9.75 per hour

Ellen Fischer	14225

RECREATION ATTENDANTS - $4.25 per hour - 01-7140-0001-1612

Donna Bartochowski	14227
Joanne Haas	14225

WRESTING INSTRUCTORS - CHEEKTOWAGA CENTRAL HIGH SCHOOL -$4.25 per hour
01-7140-0001-1615

Todd Burkard	14225
Erik Bojarski	14215
Jason Wartinger	14225
John Wanat	14211
James Okun	14043

J.F.K. High School Recreation Attendants - $4.15 per hour -01-7140-0001-1615

Jeffrey Bakowski	14206
Kevin Burke	14206
Jason Cwiklinski	14227
Jason Dauscher	14206
Brian Hondzinski	14227
Jason Kenjockety	14206
Mark Ostempowski	14206
Jeffrey Pula	14206
Keith Sokolowski	14206
Michael Stachura	14206
Shawn Surdej	14212

Item No. 14 continued

J.F.K. High School Recreation Attendants -continued

Greg Wazny 14227
Jeffrey Wheeler 14206

ATTENDANT - SCHOOL SWIM PROGRAM - $4.25 per hour - 01-7410-0001-1615

Keith Bova 14225

BE IT FURTHER RESOLVED that the below listed individual be hired as Soccer Instructor in the Youth and Recreational Services Soccer Program at a salary rate of $4.25 per hour (01-7140-0001-1611):

Matthew J. Haberl 14225

* *

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. 15 Motion by Supervisor Swiatek Seconded by Councilman Rogowski

WHEREAS, the Town, in its 1991 budget, allocated moneys to cultural groups which are involved in activities which benefit the Town, and

WHEREAS, agreements between the Town and the cultural groups have been prepared, and

WHEREAS, due to the present fiscal situation, the Town, at this point in time, is prepared to authorize only 50% of the funding allocated to such groups, with additional funding possibly to be approved in the future, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves agreements with the cultural groups listed below for the amounts listed, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreements with the following referenced cultural groups for the listed amounts, which amounts represent 50% of the amounts shown in the 1991 Town budget:

CULTURAL GROUP	FUNDING APPROVED
Cheektowaga Historical Society	$ 731.00
Cheektowaga Cultural Society	1,350.00
Cheektowaga Symphony Orchestra	3,955.00
Cheektowaga Art Guild	693.00
Cheektowaga Patriotic Commission	6,200.00
Cheektowaga Community Chorus	5,955.00
Cheektowaga Stamp & Coin Society	277.00

* SEE NEXT PAGES FOR AGREEMENTS

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

AGREEMENT

This AGREEMENT, dated 2/12/91, is made by and between the CHEEKTOWAGA HISTORICAL ASSOCIATION, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations or performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of ~~funds~~ in the sum of ~~One Thousand Four Hundred sixty-Two~~ Seven Hundred Thirty-one and no/100 Dollars ($731.00) ~~($1,462.00)~~ for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board under the provisions of the Town Law of the State of New York known as Section 64, Subdivision 17-b.

THEREFORE, for and in consideration of the promises and the mutual covenants contained in this agreement, the Party of the Second Part and the Party of the First Part hereby agree as follows:

FIRST: That the Party of the First Part shall hold various programs, as listed on the attached Schedule A, within the boundaries of

CHEEKTOWAGA TOWN CLERK'S OFFICE
BOX # 40
NO. 83

the Town of Cheektowaga for the benefit and cultural development of the residents of the Town of Cheektowaga. That the various programs shall take place from January 1, 1991 to December 31, 1991, and said period shall constitute the term of this Agreement,

SECOND: That the Party of the Second Part agrees to make available to the Party of the First Part a sum not to exceed ~~One Thousand Four Hundred Sixty-Two~~ Seven Hundred Thirty-One and No/100 Dollars ($~~1,462.00~~ 731.00).

THIRD: That the Party of the First Part shall expend the funds provided by the Party of the Second Part exclusively for all programs which shall take place within the boundaries of the Town of Cheektowaga and said events performed exclusively for the benefit of the residents of the Town of Cheektowaga.

FOURTH: That full payment shall be made upon approval by the Party of the Second Part and audit and warrant by the Town's Accounting Department of a voucher executed by an authorized officer of the Party of the First Part.

FIFTH: That the Party of the First Part shall keep accurate and separate accounting and fiscal records in accordance with Generally Accepted Accounting Practices, maintain an efficient and accurate cost keeping system for records of all receipts and disbursements (including adequate supporting documentation, i.e., invoices) of all funds attributable to this agreement, and shall produce such records for examination at such reasonable time or times as may be designated by the Party of the Second Part or its duly authorized representatives and shall permit extracts therefrom and copies thereof to be made by the Party of the Second Part or its duly authorized representatives.

SIXTH: That the Party of the First Part agrees to indemnify, save and hold harmless the Party of the Second Part, its agents and employees of and from any and all claims, demands, actions, or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the work and services provided for in this agreement, and further agrees to defend at its own cost and expense, any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising out of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

CHEEKTOWAGA HISTORICAL ASSOCIATION

By Elaine Roesch

TOWN OF CHEEKTOWAGA

By Dennis H Gabryszak
Deputy Supervisor

SCHEDULE A

CULTURAL ACTIVITIES TO BE PERFORMED

1. Our Association opens the museum every Sunday To the public. We aquire items, clean and change exhibits, catalog all items.

2. We give group Tours to scout groups, handicap, School groups etc. on request.

3. We compete on behalf of the Town each year in the Erie County Fair Historical competition.

4. We put on Apple Fest in October which is growing in size every year.

5. We participate in Cultural Weekend and actually started it. This year we plan on having a bus tour To historic areas in Town as part of the weekend.

ADDENDUM TO AGREEMENT
DATED FEBRUARY 12, 1991
BETWEEN CHEEKTOWAGA HISTORICAL ASSOCIATION (PARTY OF THE FIRST PART)
AND TOWN OF CHEEKTOWAGA (PARTY OF THE SECOND PART)

WHEREAS, the Party of the Second Part entered into an agreement dated February 12, 1991 with the Party of the First Part, and

WHEREAS, pursuant to the terms of such agreement, the Party of the Second Part authorized the appropriation and expenditure of funds to the Party of the First Part and the Party of the First Part agreed to engage in certain activities for the benefit of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part is now able to provide additional funding to the Party of the First Part,

THEREFORE, for and in consideration of the promises and mutual covenants contained in the aforementioned agreement, the parties hereby agree as follows:

1. The Party of the Second Part shall provide the Party of the First Part with additional funding in the amount of Five Hundred Forty-Eight and 25/100 ($548.25) Dollars.

2. The Party of the First Part shall continue to hold the various activities as listed on Schedule A to the aforementioned agreement during the 1991 calendar year and shall comply with all other terms of such agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 5th day of August, 1991.

CHEEKTOWAGA HISTORICAL ASSOCIATION

By Elaine Rosenthal

TOWN OF CHEEKTOWAGA

By Frank E Sedita
Supervisor

AGREEMENT

This AGREEMENT, dated January 10, 1991, is made by and between the CHEEKTOWAGA CULTURAL SOCIETY, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

CHEEKTOWAGA TOWN CLERK'S OFFICE
RECD. FOR RECORD
1991 JAN 10 PM 4:40
NO. 87

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations or performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of ~~Two Thousand Seven Hundred~~ One Thousand Three Hundred Fifty and no/100 Dollars ~~($2,700.00)~~ $1,350.00 for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board under the provisions of the Town Law of the State of New York known as Section 64, Subdivision 17-b.

THEREFORE, for and in consideration of the promises and the mutual covenants contained in this agreement, the Party of the Second Part and the Party of the First Part hereby agree as follows:

FIRST: That the Party of the First Part shall hold various programs, as listed on the attached Schedule A, within the boundaries of

the Town of Cheektowaga for the benefit and cultural development of the residents of the Town of Cheektowaga. That the various programs shall take place from January 1, 1991 to December 31, 1991, and said period shall constitute the term of this Agreement,

SECOND: That the Party of the Second Part agrees to make available to the Party of the First Part a sum not to exceed ~~Two Thousand Seven~~ One Thousand Three Hundred Fifty ~~Hundred~~ and No/100 Dollars ($~~2,700.00~~ #1,350.00).

THIRD: That the Party of the First Part shall expend the funds provided by the Party of the Second Part exclusively for all programs which shall take place within the boundaries of the Town of Cheektowaga and said events performed exclusively for the benefit of the residents of the Town of Cheektowaga.

FOURTH: That full payment shall be made upon approval by the Party of the Second Part and audit and warrant by the Town's Accounting Department of a voucher executed by an authorized officer of the Party of the First Part.

FIFTH: That the Party of the First Part shall keep accurate and separate accounting and fiscal records in accordance with Generally Accepted Accounting Practices, maintain an efficient and accurate cost keeping system for records of all receipts and disbursements (including adequate supporting documentation, i.e., invoices) of all funds attributable to this agreement, and shall produce such records for examination at such reasonable time or times as may be designated by the Party of the Second Part or its duly authorized representatives and shall permit extracts therefrom and copies thereof to be made by the Party of the Second Part or its duly authorized representatives.

SIXTH: That the Party of the First Part agrees to indemnify, save and hold harmless the Party of the Second Part, its agents and employees of an from any and all claims, demands, actions, or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the work and services provided for in this agreement, and further agrees to defend at its own cost and expense, any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising out of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

CHEEKTOWAGA CULTURAL SOCIETY

By Diana M. Jaworski
President

TOWN OF CHEEKTOWAGA

By Dennis A. Gabryszak
Deputy Supervisor

SCHEDULE A

CULTURAL ACTIVITIES TO BE PERFORMED

Entertainment and other expenses (advertisements, office expenses, printing etc.) for a 3 day Cultural Weekend in July (generally 2-3 wks. after the 4th of July). This year (1991) the dates are Friday July 12th, Saturday, July 13th and Sunday, July 14th.

The purpose of the Cheektowaga Cultural society is to bring culture into the town. We are the only organization of its kind in New York State.

AGREEMENT

This AGREEMENT, dated February 1, 1991, is made by and between the CHEEKTOWAGA SYMPHONY ORCHESTRA, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

CHEEKTOWAGA TOWN CLERK'S OFFICE
Bid #
NO. 40
25

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations or performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of ~~Seven Thousand Nine Hundred~~ Three Thousand Nine Hundred Fifty-Five ~~Ten~~ and no/100 Dollars ($~~7,910.00~~ $3,955.00) for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board under the provisions of the Town Law of the State of New York known as Section 64, Subdivision 17-b.

THEREFORE, for and in consideration of the promises and the mutual covenants contained in this agreement, the Party of the Second Part and the Party of the First Part hereby agree as follows:

FIRST: That the Party of the First Part shall hold various programs, as listed on the attached Schedule A, within the boundaries of

the Town of Cheektowaga for the benefit and cultural development of the residents of the Town of Cheektowaga. That the various programs shall take place from January 1, 1991 to December 31, 1991, and said period shall constitute the term of this Agreement,

SECOND: That the Party of the Second Part agrees to make available to the Party of the First Part a sum not to exceed ~~Seven Thousand Nine~~ Three Thousand Nine Hundred Fifty-five ~~Hundred Ten~~ and No/100 Dollars (~~$7,910.00~~ $3,955.00).

THIRD: That the Party of the First Part shall expend the funds provided by the Party of the Second Part exclusively for all programs which shall take place within the boundaries of the Town of Cheektowaga and said events performed exclusively for the benefit of the residents of the Town of Cheektowaga.

FOURTH: That full payment shall be made upon approval by the Party of the Second Part and audit and warrant by the Town's Accounting Department of a voucher executed by an authorized officer of the Party of the First Part.

FIFTH: That the Party of the First Part shall keep accurate and separate accounting and fiscal records in accordance with Generally Accepted Accounting Practices, maintain an efficient and accurate cost keeping system for records of all receipts and disbursements (including adequate supporting documentation, i.e., invoices) of all funds attributable to this agreement, and shall produce such records for examination at such reasonable time or times as may be designated by the Party of the Second Part or its duly authorized representatives and shall permit extracts therefrom and copies thereof to be made by the Party of the Second Part or its duly authorized representatives.

SIXTH: That the Party of the First Part agrees to indemnify, save and hold harmless the Party of the Second Part, its agents and employees of an from any and all claims, demands, actions, or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the work and services provided for in this agreement, and further agrees to defend at its own cost and expense, any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising out of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

CHEEKTOWAGA SYMPHONY ORCHESTRA

By Agnes Zepko,
President

TOWN OF CHEEKTOWAGA

By Dennis H. Gabryszak
Deputy Supervisor

SCHEDULE A

CULTURAL ACTIVITIES TO BE PERFORMED

Concert 1 January 23, 1991
Concert 2 May 5, 1991
Concert 3 June 16, 1991
Concert 4 October 6, 1991
Concert 5 December 1, 1991

ADDENDUM TO AGREEMENT
DATED FEBRUARY 1, 1991
BETWEEN CHEEKTOWAGA SYMPHONY ORCHESTRA (PARTY OF THE FIRST PART)
AND TOWN OF CHEEKTOWAGA (PARTY OF THE SECOND PART)

WHEREAS, the Party of the Second Part entered into an agreement dated February 1, 1991 with the Party of the First Part, and

WHEREAS, pursuant to the terms of such agreement, the Party of the Second Part authorized the appropriation and expenditure of funds to the Party of the First Part and the Party of the First Part agreed to engage in certain activities for the benefit of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part is now able to provide additional funding to the Party of the First Part,

THEREFORE, for and in consideration of the promises and mutual covenants contained in the aforementioned agreement, the parties hereby agree as follows:

1. The Party of the Second Part shall provide the Party of the First Part with additional funding in the amount of Two Thousand Nine Hundred Sixty-Six and 25/100 ($2,966.25) Dollars.

2. The Party of the First Part shall continue to hold the various activities as listed on Schedule A to the aforementioned agreement during the 1991 calendar year and shall comply with all other terms of such agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 2nd day of August, 1991.

CHEEKTOWAGA SYMPHONY ORCHESTRA

By Anna S Zephro

TOWN OF CHEEKTOWAGA

By Frank E Smith
Supervisor

AGREEMENT

This AGREEMENT, dated July 10, 1991, is made by and between the CHEEKTOWAGA ART GUILD, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

CHEEKTOWAGA TOWN CLERK'S OFFICE
ENT. 40
NO. 86

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations and performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of Six Hundred Ninety-Three and No/100 Dollars ($693.00) for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board under the provisions of the Town Law of the State of New York known as Section 64, Subdivision 17-b.

THEREFORE, for and in consideration of the promises and the mutual covenants contained in this agreement, the Party of the Second Part and the Party of the First Part hereby agree as follows:

FIRST: That the Party of the First Part shall hold various programs, as listed on the attached Schedule A, within the boundaries of

the Town of Cheektowaga for the benefit and cultural development of the residents of the Town of Cheektowaga. That the various activities shall take place from January 1, 1991 to December 31, 1991, and said period shall constitute the term of this Agreement,

SECOND: That the Party of the Second Part agrees to make available to the Party of the First Part a sum not to exceed Six Hundred Ninety-Three and No/100 Dollars ($693.00).

THIRD: That the Party of the First Part shall expend the funds provided by the Party of the Second Part exclusively for all activities as specified in Schedule A attached hereto, said events performed exclusively for the benefit of the residents of the Town of Cheektowaga.

FOURTH: That full payment shall be made upon approval by the Party of the Second Part and audit and warrant by the Town's Accounting Department of a voucher executed by an authorized officer of the Party of the First Part.

FIFTH: That the Party of the First Part shall keep accurate and separate accounting and fiscal records in accordance with Generally Accepted Accounting Practices, maintain an efficient and accurate cost keeping system for records of all receipts and disbursements (including adequate supporting documentation, i.e., invoices) of all funds attributable to this agreement, and shall produce such records for examination at such reasonable time or times as may be designated by the Party of the Second Part or its duly authorized representatives and shall permit extracts therefrom and copies thereof to be made by the Party of the Second Part or its duly authorized representatives.

SIXTH: That the Party of the First Part agrees to indemnify, save and hold harmless the Party of the Second Part, its agents and employees of and from any and all claims, demands, actions, or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the work and services provided for in this agreement, and further agrees to defend at its own cost and expense, any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising out of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

CHEEKTOWAGA ART GUILD

By Terence Dunkee
Pres. CAG.

TOWN OF CHEEKTOWAGA

By Frank E. Swanton
Supervisor

SCHEDULE A

CULTURAL ACTIVITIES TO BE PERFORMED

The Purposes of the Organization known as the Cheektowaga Art Guild are as follows:
a) to encourage and stimulate interest in all phases of the creative arts.
b) to help foster and support cultural activities in our community.
c) to afford members the opportunity to exhibit and sell their works.

In compliance with the above, the Cheektowaga Art Guild organizes and conducts:
1) a regular monthly meeting, from September to June, featuring a paid demonstrator, such meetings being open to the public, and free of charge.
2) holds an Annual Outdoor Show, within the Town of Cheektowaga, open to artists and craftsmen. The Outdoor Show features money and ribbon awards, as voted upon by the CAG Board of Directors, and awarded per decision of paid judge(s).
3) holds an Annual Indoor Show, at a suitable location, open to its members, with money and ribbon awards, as voted upon by the CAG Board of Directors, and per decision of paid judge(s).
4) holds an Annual Show-and-Sell Winter Show, at a suitable location, open to its members. This Show is judged, and with awards, if so voted upon by the membership.
5) affords its members the opportunity to display and sell their works at various Town of Cheektowaga locations (banks, libraries, auto bureau, etc.) as such locations are available, free of charge.
6) sponsors study groups (per excursions) to art-related sites (museums, art galleries, etc.) outside the Town of Cheektowaga, but open to all residents, and publicized as such.
7) attends Cultural Affairs (Spirit of Sharing Dinner, Installation of Officers, etc.) held by other Cultural Organizations within the Town of Cheektowaga.
8) publicizes all of the above events, where applicable, per Town of Cheektowaga newspapers, as well as other available publications.
9) may maintain and use for its own purposes, a separate account of monies, as generated through membership dues, fund-raisers, etc., these funds not to be considered part of its assets, and separate from the monies granted to it by the Town of Cheektowaga. The Treasurer will keep an accurate and written account of all receipts and disbursements pertaining to this account in a separate book provided for this purpose by the CAG.

ADDENDUM TO AGREEMENT
DATED JULY 10, 1991
BETWEEN CHEEKTOWAGA ART GUILD (PARTY OF THE FIRST PART)
AND TOWN OF CHEEKTOWAGA (PARTY OF THE SECOND PART)

WHEREAS, the Party of the Second Part entered into an agreement dated July 10, 1991 with the Party of the First Part, and

WHEREAS, pursuant to the terms of such agreement, the Party of the Second Part authorized the appropriation and expenditure of funds to the Party of the First Part and the Party of the First Part agreed to engage in certain activities for the benefit of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part is now able to provide additional funding to the Party of the First Part,

THEREFORE, for and in consideration of the promises and mutual covenants contained in the aforementioned agreement, the parties hereby agree as follows:

1. The Party of the Second Part shall provide the Party of the First Part with additional funding in the amount of Five Hundred Nineteen and 75/100 ($519.75) Dollars.

2. The Party of the First Part shall continue to hold the various activities as listed on Schedule A to the aforementioned agreement during the 1991 calendar year and shall comply with all other terms of such agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 6th day of August, 1991.

CHEEKTOWAGA ART GUILD

By _____

TOWN OF CHEEKTOWAGA

By _____
Supervisor

AGREEMENT

This AGREEMENT, dated January 14, 1991, is made by and between the CHEEKTOWAGA PATRIOTIC COMMISSION, INC., being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

CHEEKTOWAGA TOWN CLERK'S OFFICE
NO. 18
BOOK 40

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations or performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of ~~Twelve Thousand Four Hundred~~ Six Thousand Two Hundred and no/100 Dollars (~~$12,400.00~~ $6,200.00) for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board under the provisions of the Town Law of the State of New York known as Section 64, Subdivision 17-b.

THEREFORE, for and in consideration of the promises and the mutual covenants contained in this agreement, the Party of the Second Part and the Party of the First Part hereby agree as follows:

FIRST: That the Party of the First Part shall hold various programs, as listed on the attached Schedule A, within the boundaries of

the Town of Cheektowaga for the benefit and cultural development of the residents of the Town of Cheektowaga. That the various programs shall take place from January 1, 1991 to December 31, 1991, and said period shall constitute the term of this Agreement,

SECOND: That the Party of the Second Part agrees to make available to the Party of the First Part a sum not to exceed ~~Twelve Thousand~~ Six Thousand Two Hundred ~~Four Hundred~~ and no/100 Dollars (~~$12,400.00~~ $6,200.00).

THIRD: That the Party of the First Part shall expend the funds provided by the Party of the Second Part exclusively for all programs which shall take place within the boundaries of the Town of Cheektowaga and said events performed exclusively for the benefit of the residents of the Town of Cheektowaga.

FOURTH: That full payment shall be made upon approval by the Party of the Second Part and audit and warrant by the Town's Accounting Department of a voucher executed by an authorized officer of the Party of the First Part.

FIFTH: That the Party of the First Part shall keep accurate and separate accounting and fiscal records in accordance with Generally Accepted Accounting Practices, maintain an efficient and accurate cost keeping system for records of all receipts and disbursements (including adequate supporting documentation, i.e., invoices) of all funds attributable to this agreement, and shall produce such records for examination at such reasonable time or times as may be designated by the Party of the Second Part or its duly authorized representatives and shall permit extracts therefrom and copies thereof to be made by the Party of the Second Part or its duly authorized representatives.

SIXTH: That the Party of the First Part agrees to indemnify, save and hold harmless the Party of the Second Part, its agents and employees of an from any and all claims, demands, actions, or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the work and services provided for in this agreement, and further agrees to defend at its own cost and expense, any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising out of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

CHEEKTOWAGA PATRIOTIC COMMISSION, INC.

By Frank Orlikowski Pres.
FRANK ORLIKOWSKI, PRESIDENT

TOWN OF CHEEKTOWAGA

By Dennis H Gabryszak
Deputy Supervisor

Amended contract accepted
Frank Orlikowski

SCHEDULE A

CULTURAL ACTIVITIES TO BE PERFORMED

1. Flag Day - June 9th - Town Park - People attending 1,500 to 2,000

2. Beauty Pageant - June 19th - Senior Citizen Center - people attending 300

3. Independence Day - July 4th - Town Park - people attending 55,000

4. Tree Lighting - Dec. 11th - Senior Citizen Center - people attending 500

5. Various Parades - 25 to 50 people attend.

6. Building of Town Float - if money allows.

AGREEMENT

This AGREEMENT, dated 1/14/91, is made by and between the CHEEKTOWAGA COMMUNITY CHORUS, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

CHEEKTOWAGA TOWN CLERK'S OFFICE
BOOK 74 PAGE 40

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations or performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of ~~Eleven Thousand Nine Hundred~~ Five Thousand Nine Hundred ~~Ten~~ Fifty-five and no/100 Dollars (~~$11,910.00~~ $5,955.00) for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board under the provisions of the Town Law of the State of New York known as Section 64, Subdivision 17-b.

THEREFORE, for and in consideration of the promises and the mutual covenants contained in this agreement, the Party of the Second Part and the Party of the First Part hereby agree as follows:

FIRST: That the Party of the First Part shall hold various programs, as listed on the attached Schedule A, within the boundaries of

the Town of Cheektowaga for the benefit and cultural development of the residents of the Town of Cheektowaga. That the various programs shall take place from January 1, 1991 to December 31, 1991, and said period shall constitute the term of this Agreement,

SECOND: That the Party of the Second Part agrees to make available to the Party of the First Part a sum not to exceed ~~Eleven Thousand Nine Hundred Ten~~ Five Thousand Nine Hundred Fifty-five and No/100 Dollars (~~$11,910.00~~ $5,955.00).

THIRD: That the Party of the First Part shall expend the funds provided by the Party of the Second Part exclusively for all programs which shall take place within the boundaries of the Town of Cheektowaga and said events performed exclusively for the benefit of the residents of the Town of Cheektowaga.

FOURTH: That full payment shall be made upon approval by the Party of the Second Part and audit and warrant by the Town's Accounting Department of a voucher executed by an authorized officer of the Party of the First Part.

FIFTH: That the Party of the First Part shall keep accurate and separate accounting and fiscal records in accordance with Generally Accepted Accounting Practices, maintain an efficient and accurate cost keeping system for records of all receipts and disbursements (including adequate supporting documentation, i.e., invoices) of all funds attributable to this agreement, and shall produce such records for examination at such reasonable time or times as may be designated by the Party of the Second Part or its duly authorized representatives and shall permit extracts therefrom and copies thereof to be made by the Party of the Second Part or its duly authorized representatives.

SIXTH: That the Party of the First Part agrees to indemnify, save and hold harmless the Party of the Second Part, its agents and employees of an from any and all claims, demands, actions, or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the work and services provided for in this agreement, and further agrees to defend at its own cost and expense, any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising out of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

CHEEKTOWAGA COMMUNITY CHORUS

By Joanne Basil, President

TOWN OF CHEEKTOWAGA

By Dennis A Gabryszak
Deputy Supervisor

SCHEDULE A

CULTURAL ACTIVITIES TO BE PERFORMED

CHEEKTOWAGA COMMUNITY CHORUS

PERFORMANCE SCHEDULE--1991

April(date undecided)-St. Stephen's Bethlehem Church
750 Wehrle Dr.
Sacred Music Concert, approx. 70
participants, approx. 300 attendees

June 29(Spring-Summer
Concert) -Maryvale High School Auditorium
1050 Maryvale Dr.
We will present a preview of our
European Concert Tour for residents
of Cheektowaga
participants, approx. 80
attendees, approx. 850

July 3(Ecumenical
Service) -Our Lady Help of Christians
4125 Union Rd.
A combination of Christian/Patriotic
Music to begin July 4th celebration
participants, approx. 70
attendees, approx. 400

December(date unknown)Tree Lighting
Town Hall, Cheektowaga
Carols sung to light Christmas Tree
participants, approx. 60
attendees, approx.200

December(date undecided)
Annual Christmas Concert
Maryvale High School Auditorium
1050 Maryvale Dr.
particiapnts,approx.80
attendees, approx. 1250

We will forward an itinerary for our European Tour Concert when all dates have been confirmed.

ADDENDUM TO AGREEMENT
DATED JANUARY 14, 1991
BETWEEN CHEEKTOWAGA COMMUNITY CHORUS (PARTY OF THE FIRST PART)
AND TOWN OF CHEEKTOWAGA (PARTY OF THE SECOND PART)

WHEREAS, the Party of the Second Part entered into an agreement dated January 14, 1991 with the Party of the First Part, and

WHEREAS, pursuant to the terms of such agreement, the Party of the Second Part authorized the appropriation and expenditure of funds to the Party of the First Part and the Party of the First Part agreed to engage in certain activities for the benefit of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part is now able to provide additional funding to the Party of the First Part,

THEREFORE, for and in consideration of the promises and mutual covenants contained in the aforementioned agreement, the parties hereby agree as follows:

1. The Party of the Second Part shall provide the Party of the First Part with additional funding in the amount of Four Thousand Four Hundred Sixty-Six and 25/100 ($4,466.25) Dollars.

2. The Party of the First Part shall continue to hold the various activities as listed on Schedule A to the aforementioned agreement during the 1991 calendar year and shall comply with all other terms of such agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 6th day of August, 1991.

CHEEKTOWAGA COMMUNITY CHORUS

By Joanne Basly President

TOWN OF CHEEKTOWAGA

By Frank E Sedita
Supervisor

AGREEMENT

This AGREEMENT, dated January 7, 1991, is made by and between the CHEEKTOWAGA COIN & STAMP CLUB, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

CHEEKTOWAGA TOWN CLERK'S OFFICE
FEB 7 '91
40
84

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations or performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of ~~Five Hundred Fifty-Four~~ Two Hundred Seventy-Seven and no/100 Dollars (~~$554.00~~ $277.00) for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board under the provisions of the Town Law of the State of New York known as Section 64, Subdivision 17-b.

THEREFORE, for and in consideration of the promises and the mutual covenants contained in this agreement, the Party of the Second Part and the Party of the First Part hereby agree as follows:

FIRST: That the Party of the First Part shall hold various programs, as listed on the attached Schedule A, within the boundaries of

the Town of Cheektowaga for the benefit and cultural development of the residents of the Town of Cheektowaga. That the various programs shall take place from January 1, 1991 to December 31, 1991, and said period shall constitute the term of this Agreement,

SECOND: That the Party of the Second Part agrees to make available to the Party of the First Part a ~~sum~~ not to exceed ~~Five Hundred~~ Two Hundred Seventy-Seven ~~Fifty-Four~~ and No/100 Dollars ($~~554.00~~ $277.00).

THIRD: That the Party of the First Part shall expend the funds provided by the Party of the Second Part exclusively for all programs which shall take place within the boundaries of the Town of Cheektowaga and said events performed exclusively for the benefit of the residents of the Town of Cheektowaga.

FOURTH: That full payment shall be made upon approval by the Party of the Second Part and audit and warrant by the Town's Accounting Department of a voucher executed by an authorized officer of the Party of the First Part.

FIFTH: That the Party of the First Part shall keep accurate and separate accounting and fiscal records in accordance with Generally Accepted Accounting Practices, maintain an efficient and accurate cost keeping system for records of all receipts and disbursements (including adequate supporting documentation, i.e., invoices) of all funds attributable to this agreement, and shall produce such records for examination at such reasonable time or times as may be designated by the Party of the Second Part or its duly authorized representatives and shall permit extracts therefrom and copies thereof to be made by the Party of the Second Part or its duly authorized representatives.

SIXTH: That the Party of the First Part agrees to indemnify, save and hold harmless the Party of the Second Part, its agents and employees of an from any and all claims, demands, actions, or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the work and services provided for in this agreement, and further agrees to defend at its own cost and expense, any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising out of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

CHEEKTOWAGA COIN & STAMP CLUB

By Edward W. LeBarron
PRESIDENT + CHAIRMAN OF THE BOARD

TOWN OF CHEEKTOWAGA

By Dennis A Gabryszak
Deputy Supervisor

CHEEKTOWAGA STAMP & COIN SOCIETY, INC.

RECEIVED
JAN 7 1991
FRANK E SWIATEK
SUPERVISOR

SCHEDULE "A"

JANUARY 1991

1) Regular meetngs held the 2nd and 4th Monday of each month. Excluding July and August.

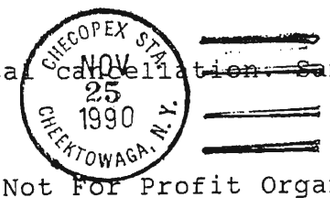
2) Conduct a Stamp and Coin Bourse and coin auction every 4th Sunday. Free to the public. VFW 2429.

3) Attend Cultural Week end each year. Members that partici-pat= 8 to 12. Our booth atracts from 100 to 150 people.

4) Hold a two day stamp and coin exibition every year on Thanksgiving Weekend. Place Rescue Hose Hall.This will be our 27th annual show for 1991. Participants from 12 to 16. Attendance from 1200 to 1500 for the two days. This is free to the public. We bring in the US and United Nations Postal Administration and in past years the Canadian Post Office.

Each year we issue a special cachet cover . We are also recognized aS Number 56 of a world wide Stamp and Coin Organization of 500.

Each year we have our own postal cancellation. Sample as thus:



We are also Incorporated as a Not For Profit Organization in New York State.

Respectfully

Donald W. LeBarron

Donald W. LeBarron 1/7/91

President & Chairman of the Board

Enc: Cachet Samples

ADDENDUM TO AGREEMENT
DATED JANUARY 7, 1991
BETWEEN CHEEKTOWAGA COIN & STAMP CLUB (PARTYOF THE FIRST PART)
AND TOWN OF CHEEKTOWAGA (PARTY OF THE SECOND PART)

WHEREAS, the Party of the Second Part entered into an agreement dated January 7, 1991 with the Party of the First Part, and

WHEREAS, pursuant to the terms of such agreement, the Party of the Second Part authorized the appropriation and expenditure of funds to the Party of the First Part and the Party of the First Part agreed to engage in certain activities for the benefit of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part is now able to provide additional funding to the Party of the First Part,

THEREFORE, for and in consideration of the promises and mutual covenants contained in the aforementioned agreement, the parties hereby agree as follows:

1. The Party of the Second Part shall provide the Party of the First Part with additional funding in the amount of Two Hundred Seven and 75/100 ($207.75) Dollars.

2. The Party of the First Part shall continue to hold the various activities as listed on Schedule A to the aforementioned agreement during the 1991 calendar year and shall comply with all other terms of such agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 6th day of August, 1991.

CHEEKTOWAGA COIN & STAMP CLUB

By Donald W. LeBarron

TOWN OF CHEEKTOWAGA

By Frank E. Smith
Supervisor

AGREEMENT

This AGREEMENT, dated August 5, 1991, is made by and between the DEBONAIRES DRUM & BATON CORPS, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

CHEEKTOWAGA TOWN CLERK'S OFFICE
FILED
NO. 40
90

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations and performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of One Thousand Dollars ($1,000.00) for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board under the provisions of the Town Law of the State of New York known as Section 64, Subdivision 17-b.

THEREFORE, for and in consideration of the promises and the mutual covenants contained in this agreement, the Party of the Second Part and the Party of the First Part hereby agree as follows:

FIRST: That the Party of the First Part shall hold various programs, as listed on the attached Schedule A, within the boundaries of

the Town of Cheektowaga for the benefit and cultural development of the residents of the Town of Cheektowaga. That the various activities shall take place during the 1991 calendar year, and said period shall constitute the term of this Agreement,

SECOND: That the Party of the Second Part agrees to make available to the Party of the First Part a sum not to exceed One Thousand Dollars ($1,000.00).

THIRD: That the Party of the First Part shall expend the funds provided by the Party of the Second Part exclusively for all activities as specified in Schedule A attached hereto, said events performed exclusively for the benefit of the residents of the Town of Cheektowaga.

FOURTH: That full payment shall be made upon approval by the Party of the Second Part and audit and warrant by the Town's Accounting Department of a voucher executed by an authorized officer of the Party of the First Part.

FIFTH: That the Party of the First Part shall keep accurate and separate accounting and fiscal records in accordance with Generally Accepted Accounting Practices, maintain an efficient and accurate cost keeping system for records of all receipts and disbursements (including adequate supporting documentation, i.e., invoices) of all funds attributable to this agreement, and shall produce such records for examination at such reasonable time or times as may be designated by the Party of the Second Part or its duly authorized representatives and shall permit extracts therefrom and copies thereof to be made by the Party of the Second Part or its duly authorized representatives.

SIXTH: That the Party of the First Part agrees to indemnify, save and hold harmless the Party of the Second Part, its agents and employees of and from any and all claims, demands, actions, or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the work and services provided for in this agreement, and further agrees to defend at its own cost and expense, any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising out of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

DEBONAIRES DRUM & BATON CORPS

By Deborah M. Laski, President

TOWN OF CHEEKTOWAGA

By Frank E. Summers
Supervisor

SCHEDULE A

ACTIVITIES TO BE PERFORMED

T Debonaires Baton and Drum Corps represent the Town of Cheektowaga every time they perform or compete in local parades or at indoor baton competitions. It is announced each time that they are from the Town of Cheektowaga and are a member of the Cheektowaga Cultural Society. Therefore they are acting as ambassadors to the Town of Cheektowaga bringing recognition to the town.

02/10/91	Indoor Competition	Father Belle Community Center- Buffalo,NY
02/23/91	Indoor Competition	N.Tonawanda High School- N. Tonawanda,NY
03/17/91	Indoor Competition	Williamsville E. High School-Williamsville,NY
04/07/91	Indoor Competition	Sheridan Youth Center- Tonawanda,NY
04/13/91	Indoor Competition	Midlakes High School- Phelps, NY
04/14/91	Indoor Competition	Mt. St. Mary's High School- Tonawanda, NY
04/27-28/91	Indoor Competition	Miss Majorette of New York - Williamsville,NY
05/11-12/91	Indoor Competition	Northeast Regionals- Springfield, MA.
05/26/91	Parade	Darien Lake Pageant of Bands- Darien, NY
05/27/91	Parade	Memorial Day- Williamsville, NY
06/09/91	Parade	War of 1812 Memorial- Cheektowaga, NY
06/22/91	Parade	American Legion Convention- S. Buffalo, NY
06/29/91	Parade	W.Seneca Community Days- West Seneca, NY
06/29/91	Parade	Marilla Fire Company Picnic- Marilla, NY
07/04/91	Parade	Fourth of July- Cheektowaga, NY
07/04/91	Parade	Fourth of July- Lancaster, NY
[illegible]13/91	Performance	Cheektowaga Cultural Weekend- Cheektowaga, NY
[illegible]16/91	Parade	Old Home Days- Williamsville, NY
[illegible]20/91	Parade	Alexander Fire Co. Picnic- Alexander, NY
07/22-28/91	Indoor Competition	World Championships- South Bend, Indiana
08/02/91	Parade	Elba Fire Co. Picnic- Elba, NY
08/03/91	Indoor Competition	NY-Penn. Championships - Eden, NY
08/04/91	Parade Championships	Eden Corn Festival- Eden, NY
08/10/91	Parade	Wendelville Fire Co. Picnic- Wendelville,NY
08/11/91	Parade	Erie County Fair- Hamburg, NY
08/17/91	Parade	Annunciation Church Picnic- Elma, NY
08/24/91	Parade	Wilson Fire Co. Picnic- Wilson, NY
09/02/91	Parade	Labor Day- Cheektowaga, NY
09/07/91	Parade	Peach Festival - Lewiston, NY
09/14/91	Parade	Pulaski Day - Buffalo, NY
09/22/91	Parade	Festival of Grapes - Silvercreek, NY
11/10/91	Indoor Competition	New York State Championships- Stoneridge,NY

SCHEDULE A

ACTIVITIES TO BE PERFORMED

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:	0100-3120-2655	Crime Forefeiture Revenue	$ 695.00
TO:	0100-3120-4093	Police Training	695.00

PART TOWN FUND

FROM:	0800-8010-1052	Zoning Board Chairman	$2400.00
TO:	0800-3620-1165	Fire Inspector	2400.00

* *

MOTION BY COUNCILMAN JAWOROWICZ AND SECONDED BY SUPERVISOR SWIATEK TO AMEND THE ABOVE RESOLUTION TO DELETE THE GENERAL FUND TRANSFER OF $695.00 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 Supervisor Swiatek Seconded by Councilman Gabryszak

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

PART TOWN FUND

FROM:	0800-8010-1052	Zoning Board Chairman	$2400.00
TO:	0800-3620-1165	Fire Inspector	2400.00

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 are submitted to the Town of Cheektowaga prior to March 18, 1991 are hereby approved and made a part hereof:

GENERAL FUND	$2,551,972.13
HIGHWAY FUND	749,648.26
TRUST AND AGENCY	15,164.45
CDBG HUD FUND	10,212.45
PART TOWN FUND	39,831.87
RISK RETENTION FUND	113,919.15
STATE AHC FUND	8,528.80
HUD REHABILITATION	18,282.81
SPECIAL DISTRICTS	1,699,475.79
CAPITAL FUND	521,914.38
TOTAL	$5,728,950.09
	==========

Item No. 17 continued

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/February, 1991
Received and Filed

III. GENERAL COMMUNICATIONS

Item No. 19a Notice of Order: Access to Qualifying Highway System S.H. 9411, Walden Avenue between Exit 52 of the Rt. 90 and Rt. 240
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Members; Chief of Police; Highway Department.
Received and Filed

Item No. 19b Notice of Order: Rt. 130 between Union Road and Harlem Road and Rt. 240 between Walden Avenue and Rt. 130 designated for tandem trailer combinations
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Members; Chief of Police; Highway Department.
Received and Filed

Item No. 20a Notice of Claim: Kenneth L. Ruppert vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed

Item No. 20b Notice of Claim: Mary Ann DiChristopher vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed

Item No. 20c Notice of Claim: Robert A. Davis, Jr. vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed

Item No. 20d Notice of Claim: Barbara Achman vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed

Item No. 21 Request to speak from Cheektowaga Little Loop Athletic Association
Received and Filed

Item No. 22 Motion by Supervisor Swiatek and seconded by Councilman Kulyk to adjourn the meeting.

RICHARD M. MOLESKI,
Town Clerk