

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 5th day of April, 1993 at 7:30 o'clock P.M., Eastern Daylight Savings Time there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Kenneth Kopacz, Director of Youth and Recreational Services; John Schaller, Assistant Chief of Police; Ronald Marten, Building and Plumbing Inspector, Patricia Wojcik, Director of Senior Services and Leonard Szymanski, Foreman-Facilities Department.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, Helen and Alexander Petroski have petitioned for the rezoning from M1-Light Manufacturing District to NS-Neighborhood Services District for a day care facility ("Little Treasures") of property owned by them and located at 3523 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 2nd day of November, 1992 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 Law"), 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 recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment, and

WHEREAS, at the request of the Cheektowaga Conservation Advisory Council, this Town Board, by resolution dated January 4, 1993, retained the professional services of Occupational Safety and Environmental Associates, Inc. ("OSEA") to perform an environmental risk assessment for this proposed rezoning, and

WHEREAS, OSEA has prepared and submitted such report to the Town for its review, and such report contains findings and recommendations, and

WHEREAS, as recommended by OSEA, the Town's traffic consultant, EMS Consulting, has reviewed traffic safety aspects of the proposed use for this area of Broadway, and has concluded that there is no problem with applicant's proposal, and

WHEREAS, the petitioners must receive approval from the N.Y.S. Department of Social Services for operation of a child day care facility on this property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby issues a "Negative Declaration" for this project under S.E.Q.R.A., subject to the conditions appended to the OSEA report, and BE IT FURTHER

Item No. 2 continued

RESOLVED, that the application of Helen and Alexander Petroski for the rezoning from M1-Light Manufacturing District to NS-Neighborhood Services District of the property specified in the attached legal description be and the same is hereby granted subject to the following conditions:

1. Applicant must comply with the conditions developed by OSEA, Irish Propane and the Town, said conditions being appended to the OSEA Report.
2. Applicant must obtain the necessary license, approval, etc. from the N.Y.S. Department of Social Services for the operation of a child day care facility.

and BE IT FURTHER

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

RESOLVED, that the Town Clerk be and hereby is directed to forward a copy of this resolution and the OSEA report to the N.Y.S. Department of Social Services.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

Witnesseth, that the said Grantor(s), in consideration of ONE AND MORE Dollars (\$1.00 & More) lawful money of the United States, paid by the Grantee(s), does hereby grant and release unto the Grantee(s), their heirs and assigns forever.

All that Tract or Parcel of Land, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number ten (10), Township eleven (11), Range seven (7) of the Holland Land Company's Survey bounded and described as follows:-

BEGINNING at a point in the center line of Broadway distant one thousand two hundred eighty-five and ninety-eight hundredths (1285.98) feet easterly from its intersection with the west line of the middle one-third (1/3) part of Lot Number ten (10), said point also being the northeast corner of lands conveyed to Louis A. DiRienzo and Michael A. DiRienzo by deed recorded in the Erie County Clerk's Office in Liber 4579 of deeds at page 321; thence southerly along the east line of lands conveyed to said DiRienzo three hundred six and two hundredths (306.02) feet to a point distant eight hundred twelve and fifty-four hundredths (812.54) feet northerly from the north line of lands conveyed to the Niagara Lockport & Ontario Power Company by deed recorded in the Erie County Clerk's Office in Liber 3293 of Deeds at page 138; thence easterly parallel with the center line of Broadway one hundred seventy and forty-two hundredths (170.42) feet to a point in the west line of lands conveyed to Casimer Lerczak and Celia his wife by deed recorded in the Erie County Clerk's Office in Liber 5569 of Deeds at page 502; thence northerly along the west line of lands conveyed to said Lerczak three hundred six and two hundredths (306.02) feet to the center line of Broadway; thence westerly along the center line of Broadway one hundred seventy and forty-two hundredths (170.42) feet to the point or place of beginning.

CONDITIONS

The following conditions reflect reports from OSEA, Inc., EMS Consulting, Inc. and discussions with Irish Propane, Inc. and the New York State Department of Transportation.

1) The guard-rail barrier around the propane tank located at Curtiss Auto and Truck Repair shall be reinforced by the applicant in accordance with the attached sketch supplied by Irish Propane, Inc.

2) Applicant must ensure that a comprehensive contingency/evacuation plan is in place that addresses the pertinent issues (propane leak, ammonia leak, Conrail or highway spill accident, fires, etc.). Such plan must be approved by the Town Disaster Coordinator and NYS Division of Social Services before a Certificate of Occupancy can be issued by the Town.

3) Applicant must ensure that any playground gate is a double-width, two-way swing gate (no center post) to permit rapid evacuation to the east as an option to entering the proposed building to be constructed on the playground's south boundary.

4) Applicant shall install glass blocks with vents in all basement windows along the west side of the existing building, and on the north and west side of any future construction to the south of the playground that includes basement windows.

5) Applicant shall install gas leak or fume detectors in the future day care building that will shut down the HVAC units and sound an alarm for ammonia, propane.

6) Applicant shall develop and file a training plan for employees, that addresses responses to ammonia and propane leaks or spills, rail and highway incidents, fires, etc. Such plan shall be acceptable to the Town Disaster Coordinator, Forks Volunteer Fire District and NYS Division of Social Services.

7) Applicant shall comply with all applicable State and local Fire Code and Building Code Regulations, and any regulations specifically applicable to child care (day care) facilities.

Additionally, the Town of Cheektowaga should ensure that Holiday Twin Rinks will be responsive in mitigating the leak problems associated with its anhydrous ammonia system. OSEA, Inc. highly recommends that the current system be retrofitted with an automatic ammonia sensor which would alert facility personnel to

leaks. If feasible, this system should be configured to concurrently alert local emergency responders in the event of a leak.

Further, the Town of Cheektowaga should direct its Traffic Consultant to conduct a traffic study in conjunction with the Department of Transportation (Ken Kozmarkowski and Craig Walek, Traffic Engineers) at and near the area where the day care center will be located. This study should address but not be limited to, left hand turns entering and exiting the facility, appropriate signs, and the possibility of signaling to facilitate the anticipated increased traffic flow at the site.

NOTE: see also attached report of EMS Consulting responsive to this last condition.

TMJ/ko



PROPOSED DAY

NEW 3"x6" I BEAM SUPPORTS

OLD WATER GALLON CAP.
PROPANE TANK

BROADWAY

CURTIS GARAGE PARK

IRISH PROPANE COMPANY
852 - 3335

SCALE: $\frac{1}{8}" = 1'-0"$

MARCH 31, 1993



CONSULTING

ENGINEERING · MANAGEMENT · SURVEYS

1863 Clinton Street, Buffalo, New York 14206, (716) 822-1007

March 24, 1993

Mr. Thomas Johnson, Councilman
Town of Cheektowaga
Town Hall
Broadway at Union Road
Cheektowaga, New York 14227

Re: Child Day Care Center
3523 Broadway
Town of Cheektowaga

Dear Mr. Johnson:

I have reviewed the Risk Assessment study report for the subject proposed Child Day Care Center expansion per your request. The study was conducted by Occupational Safety & Environmental Associates. I offer the following comments as a result of my review.

Comment - Having reviewed the petitioner's blueprints for the proposed Day Care Center (the new building to be offset from Broadway approximately 180 feet), traffic exposure to the children and the facility would not pose an undue danger. The transportation of materials over Route 130 is typical to that of other main thoroughfares, which transect populous areas. However, given the anticipated higher traffic volume in and out of the facility, statistical probability would indicate increased chances of vehicular accidents.

Response - This statement is generically correct. There does not appear to be any potential danger to Day Care Center visitors that could be considered unusual or significant. The existing traffic volume on Broadway is not excessive for a four lane arterial highway. As a comparison, traffic volumes on two lane sections on Transit Road exceed 20,000 Vehicles per day compared to the 17,265 vehicles per day on the four lane sections of Broadway. A copy of the traffic volume distribution for Broadway for an average day is attached.

Observations indicated that the existing traffic signals at the Union Road ramp/Ellicott Road intersection and at Dick Road appear to generate sufficient gaps in Broadway traffic to permit safe and convenient ingress and egress for abutting land development. Accident records from the NYSDOT were reviewed for years 1989, 1990, and 1991 for Broadway. The total accidents on record for the three year period are shown on the attached sketch for each NYSDOT milepost location. The number of accidents are very low for an arterial highway. There does

Mr. Johnson
March 24, 1993
Page 2 of 2

not appear to be an accident problem at the present time. The minor traffic volumes that the Day Care Center is expected to generate should not have a significant impact on the accident rate.

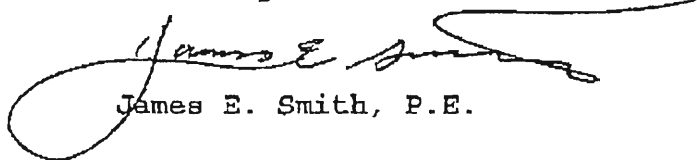
The estimated trips for employees and the 60 children that are expected to use the Day Care Center on a daily bases are considered to be minor. The majority of the businesses along Broadway or even a typical business would normally generated more trips than a Day Care Center. The existing businesses would not warrant a traffic signal at their driveway despite substantially higher traffic volumes and the presence of tractor trailer traffic. The traffic signal for ARO Manufacturing was warranted when there were many employees and considerable truck traffic at the plant. The signal is presently not warranted and the NYSDOT would not authorize it's installation under todays conditions. The signal is presently on Flashing operation except between the hours of 4:00 PM to 5:30 PM on week days when the remaining employee traffic exiting the driveway.

Comment - To mitigate or reduce these situation, OSEA suggests that only right hand turns should be allowed for vehicles exiting the facility. Standard D. O. T. markings should be in place and signaling should be considered (either a flashing caution signal or a traffic light). OSEA also recommends that the Town officials request that a D. O. T. traffic study be performed for the area involved, at the earliest possible time.

Response - There does not appear to be any justification from a capacity of safety standpoint to limit traffic outbound from the Day Care Center driveway to right turns only. The traffic volumes are not significant and the gaps in Broadway traffic appear to be sufficient for a safe egress from the driveway. If vehicles had to turn right only, vehicles wanting to go west from the driveway would have to turn around somewhere which may cause more of a hazard. A traffic signal does not appear to be warranted nor dose the time and expense of a detailed traffic study based on the existing traffic volumes and accident history.

Please call me if addition information is needed or if you have any question.

Sincerely,



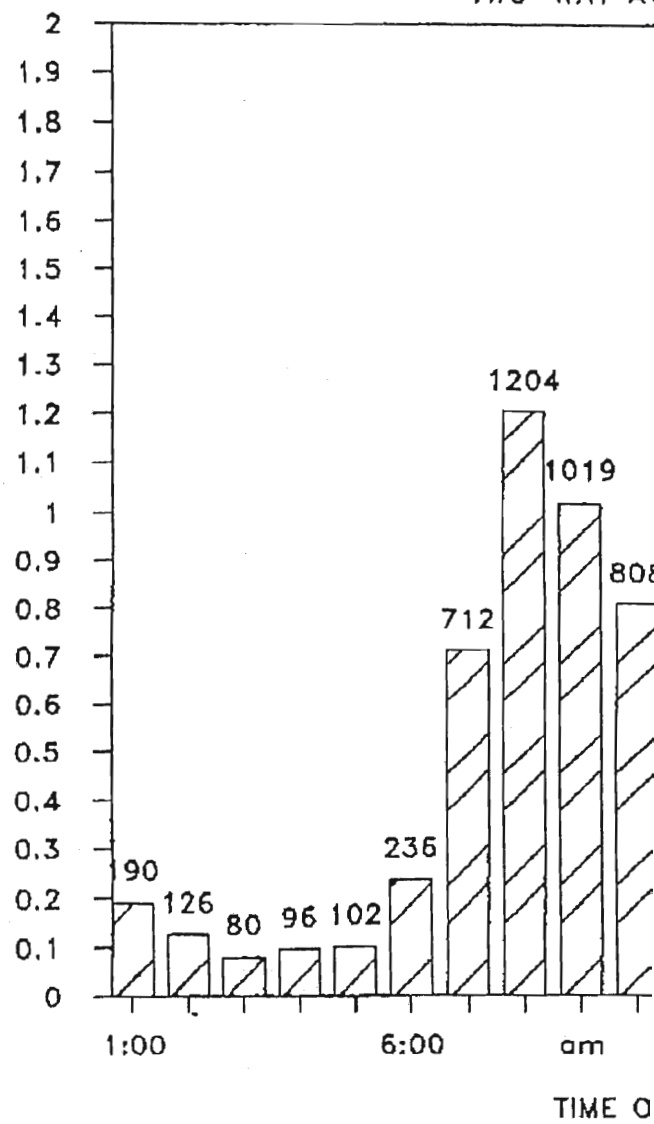
James E. Smith, P.E.

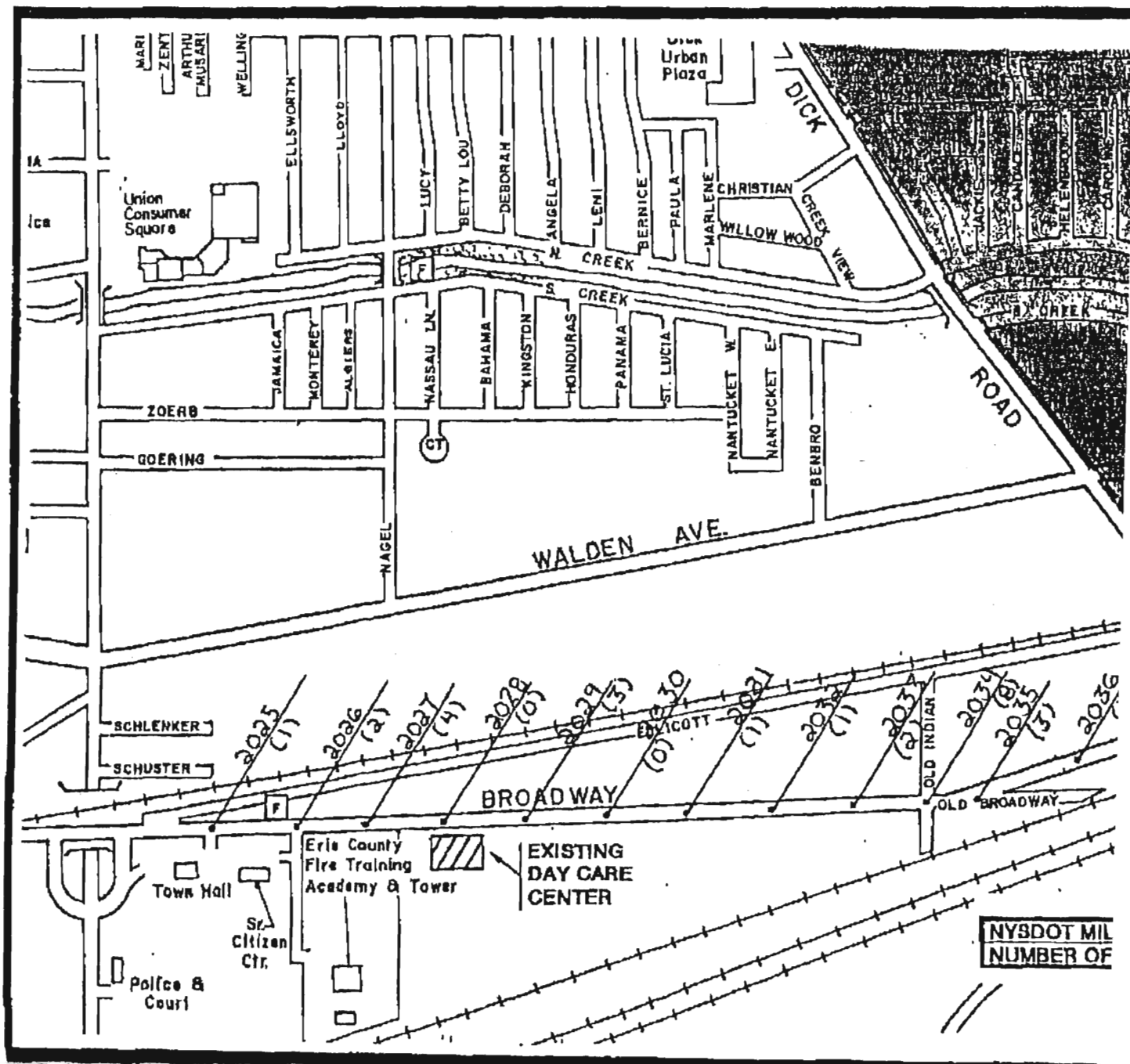
JES/ej

BROADWAY

TWO-WAY AV

TRAFFIC VOLUME (per hour) AADT 17,265
(Thousands)





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

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 8, 1993..... ;
last publication.....April 8, 1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 19⁹³...

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 12/11/9 3

LEGAL NOTICE

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

AT A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK HELD AT THE TOWN HALL, CORNER OF BROADWAY AND UNION ROADS, IN SAID TOWN ON THE 5TH DAY OF APRIL, 1993 AT 7:30 O'CLOCK P.M. EASTERN DAY-LIGHT SAVING TIME THERE WERE:

PRESENT: SUPERVISOR Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.

ABSENT: 0

Motion by Councilman Johnson, seconded by Councilman Solecki

WHEREAS, Helen and Alexander Petroski have petitioned for the rezoning from M1-Light Manufacturing District to NS-Neighborhood Services District for a day care facility ("Little Treasures") of property owned by them and located at 3523 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 2nd day of November, 1992 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 Law"), 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 recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment, and

WHEREAS, at the request of the Cheektowaga Conservation Advisory Council, this Town Board, by resolution dated January 4, 1993, retained the professional services of Occupational Safety and Environmental Associates, Inc. ("OSEA") to perform an environmental risk assessment for this proposed rezoning, and

WHEREAS, OSEA has prepared and submitted such report to the Town for its review, and such report contains findings and recommendations, and

WHEREAS, as recommended by OSEA, the Town's traffic consultant, EMS Consulting, has reviewed traffic safety aspects of the proposed use for this area of Broadway, and has concluded that there is no problem with applicant's proposal, and

WHEREAS, the petitioners must receive approval from the N.Y.S. Department of Social Services for operation of a child day care facility on this property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby issues a "Negative Declaration" for this project under S.E.Q.R.A., subject to the conditions appended to the OSEA report, and BE IT FURTHER

RESOLVED, that the application of Helen and Alexander Petroski for the rezoning from M1-Light Manufacturing District to NS-Neighborhood Services District of the property specified in the attached legal description be and the same is hereby granted subject to the following conditions:

1. Applicant must comply with the conditions developed by OSEA, Irish Propane and the Town, said conditions being appended to the OSEA report.

2. Applicant must obtain the necessary license, approval, etc. from the N.Y.S. Department of Social Services for the operation of a child day care facility.

and BE IT FURTHER

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

RESOLVED, that the Town Clerk be and hereby is directed to forward a copy of this resolution and the OSEA report to the N.Y.S. Department of Social Services.

UPON ROLL CALL....

Supervisor Swiatek voting AYE
Councilman Jaworowicz voting AYE

AYE
Council Gabryszak voting AYE
Councilman Solecki voting AYE
Councilman Rogowski voting AYE
Councilman Blachowski voting AYE

Councilman Johnson voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number ten (10), Township eleven (11), Range seven (7) of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point in the center line of Broadway distant one thousand two hundred eighty-five and ninety-eight hundredths (1285.98) feet easterly from its intersection with the west line of the middle one-third (1/3) part of Lot Number ten (10), said point also being the northeast corner of lands conveyed to Louis A. DiRienzo and Michael A. DiRienzo by deed recorded in the Erie County Clerk's Office in Liber 4579 of deeds at page

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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 April 5, 1993, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 5th day of April, 1993.

Richard M. Moleski
Town Clerk

PUBLISH: April 8, 1993

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

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication.....April 8, 1993..... ;
last publication.....April 8, 1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 19⁹³.....
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 12/11/9 ³

LEGAL NOTICE

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PRESENT: SUPERVISOR Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.

ABSENT: 0

Motion by Councilman Johnson, seconded by Councilman Solecki

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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 recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment, and

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WHEREAS, OSEA has prepared and submitted such report to the Town for its review, and such report contains findings and recommendations, and

WHEREAS, as recommended by OSEA, the Town's traffic consultant, EMS Consulting, has reviewed traffic safety aspects of the proposed use for this area of Broadway, and has concluded that there is no problem with applicant's proposal, and

WHEREAS, the petitioners must receive approval from the N.Y.S. Department of Social Services for operation of a child day care facility on this property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby issues a "Negative Declaration" for this project under S.E.Q.R.A., subject to the conditions appended to the OSEA report, and BE IT FURTHER

RESOLVED, that the application of Helen and Alexander Petroski for the rezoning from M1-Light Manufacturing District to NS-Neighborhood Services District of the property specified in the attached legal description be and the same is hereby granted subject to the following conditions:

1. Applicant must comply with the conditions developed by OSEA, Irish Propane and the Town, said conditions being appended to the OSEA report.

2. Applicant must obtain the necessary license, approval, etc. from the N.Y.S. Department of Social Services for the operation of a child day care facility.

and BE IT FURTHER

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

RESOLVED, that the Town Clerk be and hereby is directed to forward a copy of this resolution and the OSEA report to the N.Y.S. Department of Social Services.

UPON ROLL CALL....

Supervisor Swiatek voting AYE
Councilman Jaworowicz voting AYE
Council Gabryszak voting AYE
Councilman Solecki voting AYE
Councilman Rogowski voting AYE
Councilman Blachowski voting AYE
Councilman Johnson voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number ten (10), Township eleven (11), Range seven (7) of the Holland Land Company's Survey bounded and described as follows:

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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 April 5, 1993, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 5th day of April, 1993.

Richard M. Moleski
Town Clerk

PUBLISH: April 8, 1993

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of all tools, equipment, labor and appurtenances for storm sewer televising for 1993, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED, that the contract for the furnishing of all tools, equipment, labor and appurtenances for storm sewer televising for 1993 be awarded to Robinson Pipe Cleaning Company, P.O. Box 396, Eighty Four, PA 15330 (412) 228-5600 for the following bid prices:

<u>ITEM</u>	<u>STORM SEWER TELEVISIONING</u>	<u>PRICE PER FOOT</u>
I	8" - 12"	\$.92
II	15" - 24"	.92
III	30" - 36"	.92
IV	Flusher Crew	No Charge*

*Based on minimum 5000 lineal feet

AND, BE IT FURTHER

RESOLVED, that funds have been appropriated in account #4200-8142-4432, 4400-8144-4432, 4500-8145-4432 and 4600-8146-4432.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



March 23, 1993

TO SUPERVISOR SWIATEK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Storm Sewer Televising

Gentlemen:

Bids were received and publicly opened on March 1, 1993 for the televising of storm sewers in the Town of Cheektowaga. Four (4) bids were submitted and are as follows:

	<u>ITEM I</u>	<u>ITEM II</u>	<u>ITEM III</u>	<u>ITEM IV</u>
	Televising 8"-12" per ft	Televising 15"-24" per ft	Televising 30"-36" per ft	Flusher & Crew 8 hr day
Robinson Pipe Cleaning	\$.92 *	\$.92 *	\$.92 *	No Charge
Skanex	\$1.00 **	\$1.00 **	\$1.00 **	\$600
Amadori	\$1.00	\$1.25	\$1.50	\$750
Drain Doctor	\$1.25	\$1.25	\$1.50	\$988

* Based on 5000 feet minimum call out

** Based on 2000 feet minimum call out

It is recommended that the bid be awarded to Robinson Pipe Cleaning for submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

A handwritten signature in dark ink, appearing to read "Allan B. Blachowski".

Allan B. Blachowski
Principal Engineer Assistant

ABB:dms

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning for 1993, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED, that the contract for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning for 1993 be awarded to Integrated Waste Special Services, 131 Industrial Drive, Grand Island, New York 14072, (716) 773-0131 for the following bid prices:

<u>ITEM</u>	<u>STORM SEWER DIAMETER TO BE CLEANED</u>	<u>PRICE PER CREW PER 8 HOUR DAY</u>
I	8" - 12"	\$549.00
II	15" - 24"	565.00
III	30" - 48"	589.00
IV	Flusher & Crew	75.00/hr.

AND, BE IT FURTHER

RESOLVED, that funds have been appropriated in Account #4200-8142-4432, 4400-8144-4432, 4500-8145-4432 and 4600-8146-4432.

Upon Roll Call....

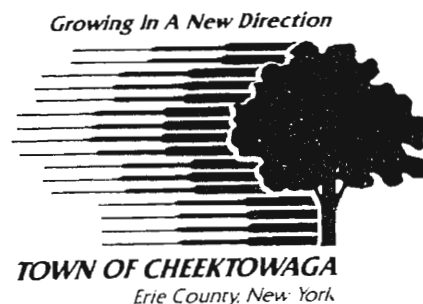
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Solecki, Rogowski, Blachowski and Johnson

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



March 23, 1993

TO SUPERVISOR SWIATEK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Storm Sewer Cleaning

Gentlemen:

Bids were received and publicly opened on March 1, 1993 for the cleaning of storm sewers in the Town of Cheektowaga. Three (3) bids were received and are as follows:

	<u>ITEM I</u>	<u>ITEM II</u>	<u>ITEM III</u>	<u>ITEM IV</u>
	8-12" dia per crew/ 8 hr day	15-24" dia per crew/ 8 hr day	30-48" dia per crew/ 8 hr day	Flusher & Crew per hour
Integrated Waste Special Services	\$549.00	\$565.00	\$589.00	\$75/hour
Superior Pipe Cleaning	\$680.00	\$705.00	\$730.00	\$78/hour
Robinson Pipe Cleaning	\$1136.00	\$1136.00	\$1136.00	Included

It is recommended that the bid be awarded to Integrated Waste Special Services for submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

A handwritten signature in dark ink, appearing to read "Allan B. Blachowski", is written over the printed name.

Allan B. Blachowski
Principal Engineer Assistant

ABB:dms

Item No. 3c Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, bids were received and opened by the Town Clerk at a bid opening on March 12, 1993 for the replacement of existing sidewalks in the Town, and

WHEREAS, said bids were reviewed and tabulated by the Highway Superintendent and the Town Attorney, and an analysis, tabulation and report are attached and made part of these minutes, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the construction of sidewalks, including incidental piping and landscaping be and hereby is awarded to:

M. PASSUCCI GENERAL CONST. INC.
4085 Walden Avenue
Lancaster, New York 14086

for their submission of the lowest responsible bid total of \$465,200.00, with the award being made at the following unit prices:

Item 1	4" thick sidewalk	\$ 2.20/sq.ft.
Item 2	6" thick sidewalk	2.75/sq.ft.
Item 3	Excess fill or excavation	5.00/cu.ft.
Item 4	4" diameter P.V.C. underdrain	1.00/lin.ft.
Item 5	6" sidewalk reinforced 6x6x10 mesh	2.75/sq.ft.
Item 6	Landscaping beyond Item 1	.10/sq.yd.
Item 7	Fine asphalt mix beyond Item 1	5.00 sq.yd.
Item 8	6" reinforced driveway apron	2.50/sq.ft.
Item 9	Root Cutting	1.00/lin.ft.
Item 10	Traffic Control	100.00

RESOLVED, that the Supervisor on behalf of this Town Board, sign the agreement with said contractor for the construction of area sidewalks and the related work, and BE IT FURTHER

RESOLVED, that funding for this work is to be made under Bond Resolution of the Town of Cheektowaga, New York, adapted August 6, 1990, authorizing the reconstruction of various sidewalks within said Town, line item 5013-5410-1100.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

SIDEWALK BI

	#1	#2	#3	#4	#5
PASSUCCI INC.	2.20	2.75	5.00	1.00	2.75
	\$264,000.	165,000.	1,000.	500.	22,000
COMPOBELLO	2.24	2.62	14.00	2.50	2.75
CONS. CO. INC.	268,800.	157,200.	2,800.	1,250.	22,000
SUNSHINE	2.24	2.55	25.00	2.00	2.60
CONCRETE CO INC	268,880.	153,000.	5,000.	1,000.	20,800
CEMULINI	2.29	2.70	5.00	5.00	2.90
PECARARO CONS.	274,800.	162,000.	1,000.	2,500.	23,200
CORP.					
DESTRO & BROS.	2.20	3.00	10.00	4.00	3.05
CONC. CO. INC.	264,000.	180,000.	2,000.	2,000.	24,400

Item No. 4 Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, the Town and its insurance consultant have received and evaluated proposals for its various property insurance to be effective March 30, 1993, NOW, THEREFORE, BE IT

RESOLVED, that the Property (Building and Contents), Contractors and Data Processing Equipment, Voting Machines, Valuable Papers and Auto Fire) Insurance, including an extension to cover costs about replacement value for improved construction, be awarded to Clauss & Company and The Hartford Companies for an expected cost of \$40,082 with New York's "fire fee" included, and BE IT FURTHER

RESOLVED, that the Boiler and Machinery Insurance be awarded to Clauss & Company and Kemper Companies for an annual cost of \$3,629.

Upon Roll Call....

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

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

WHEREAS, this Town Board had authorized the preparation of plans and specifications for projects at the Main Pump Station location, one of which is the repair of fire damages suffered by the Sewer Maintenance Garage and the other is the enclosure of three digesters so as to provide for additional storage space, AND

WHEREAS, the Town Engineer advises that plans and specifications have been completed and both projects are ready for receipt of bids, which bids are combined to take advantage of economies to be achieved by combining into a larger project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby authorized to publish a Notice to Bidders in connection with said Maintenance Garage Restoration and Conversion of Digesters at Plant No. 5, notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 22nd day of April, 1993 at 11:00 A.M., Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

Upon Roll Call....

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

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 22nd day of April, 1993, at 11:00 A.M. local time in the Cheektowaga Town Hall, for furnishing all tools, equipment, materials and labor for the Maintenance Garage Restoration and Conversion of Digesters at Plant No. 5: Contract A - General Construction, Contract B - HVAC, Contract C - Plumbing, and Contract D - Electrical, including appurtenances and related work, complete in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Clerk in the Town Hall.

Item No. 5a continued

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office at the office of the Engineers at Gateway Executive Park, 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219-1494, from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be in the form of two \$25.00 checks made payable to the Town of Cheektowaga.

The envelope containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Maintenance Garage Restoration and Conversion of Digesters at Plant No. 5."

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

Any bidder returning such plans and specifications in good condition within 30 days following the award of the contract or the rejection of the bids, will be refunded the full amount of deposit. Similarly, non-bidders will be refunded one-half of the deposit. Material suppliers and anyone returning the bid documents before the bid opening will also be classed as non-bidders. Any bidder requesting more than one (1) set of plans and specifications may purchase the excess, but it is understood that they are not returnable.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of a the bid, payable to the Town of Cheektowaga, or bid bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the Contract award.

Attention of the bidder is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

Bidders on this work will be required to comply with the President's Executive Order No. 11246. The requirements for bidders and contractors under this Order, which concerns non-discrimination in employment, are explained in the Specifications.

The Town of Cheektowaga, New York is an exempt organization under tax laws and is exempt from payment of Sales and Compensating Use Taxes of the State of New York and Cities and Counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in this bid.

This contract shall be completed within 150 consecutive calendar days, to begin five (5) days following the "Notice to Commence Work" by the Owner.

BY ORDER OF: RICHARD M. MOLESKI
TOWN CLERK, TOWN OF CHEEKTOWAGA

Dated: April 5, 1993

* * * * *

Item No. 5a continued

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

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The envelope containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Maintenance Garage Restoration and Conversion of Digesters at Plant No. 5."

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

Any bidder returning such plans and specifications in good condition within 30 days following the award of the contract or the rejection of the bids, will be refunded the full amount of deposit. Similarly, non-bidders will be refunded one-half of the deposit. Material suppliers and anyone returning the bid documents before the bid opening will also be classed as non-bidders. Any bidder requesting more than one (1) set of plans and specifications may purchase the excess, but it is understood that they are not returnable.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bid bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled date for the opening of bids.

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Attention of the bidder is further called Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

Bidders on this work will be required to comply with the President's Executive Order No. 11246. The requirements for bidders and contractors under this Order, which concern non-discrimination in employment, are explained in the Specifications.

The Town of Cheektowaga, New York is an exempt organization under tax laws and is Exempt from payment of Sales and Compensating Use Taxes of the State of New York and Cities and Counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THIS BID.

This contract shall be completed within 150 consecutive calendar days, to begin five (5) days following the "Notice to Commence Work" by the Owner.

BY ORDER OF: RICHARD M. MOLESKI

TOWN CLERK, TOWN OF CHEEKTOWAGA

DATED: April 5, 1993

PUBLISHED: APRIL 8, 1993

**STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA**

ss.

.....Melissa Guglinzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication.....April 8, 1993.....;
last publication.....April 8, 1993.....;
and that no more than six days intervened be-
tween publications.

Melissa Guglinzza

Sworn to before me this8th.....

day ofApril....., 19..93..

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 12/11/93

LEGAL NOTICE

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 22nd day of April, 1993, at 11:00 A.M. local time in the Cheektowaga Town Hall, for furnishing all tools, equipment, materials and labor for the Maintenance Garage Restoration and Conversion of Digesters at Plant No. 5: Contract A - General Construction, Contract B - HVAC, Contract C - Plumbing, and Contract D - Electrical, including appurtenances and related work, complete in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Clerk in the Town Hall.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bid bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the Contract award.

Attention of the bidder is further called Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

Bidders on this work will be required to comply with the President's Executive Order No. 11246. The requirements for bidders and contractors under this Order, which concern non-discrimination in employment, are explained in the Specifications.

The Town of Cheektowaga, New York is an exempt organization under tax laws and is Exempt from payment of Sales and Compensating Use Tax of the State of New York and City and Counties of the State on all materials which are to be incorporated in the project, pursuant to the provision of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

This contract shall be completed within 150 consecutive calendar days to begin five (5) days following the "Notice to Commence Work" by the Owner.

BY ORDER OF: RICHARD M. MOLESKI
TOWN CLERK, TOWN OF CHEEKTOWAGA
DATED: April 5, 1993

PUBLISHED: APRIL 8, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

.....Melissa Gugliuzza....., of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she)

.....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 said paper once a week for¹..... week

first publication.....April 8, 1993.....

last publication.....April 8, 1993.....

and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 1993.....

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 12/11/93

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

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of football equipment for the Town of Cheektowaga Department of Youth and Recreational Services. 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 April 19, 1993 at 11:00 A.M., Daylight Savings 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 April 19, 1993 at 11:00 A.M. Eastern Daylight Savings Time at Town Hall, corner of Broadway and Union Road for various football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAY OR LESS from the date of order and to notify the Town of Cheektowaga Department of Youth and Recreational Services at once in the event the manufacturer or supplier causes a delay and the bidder cannot comply. Bidder may be requested to present in writing reasons for 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. For any item which is bid as equal, bidder must submit documentation to prove the equality of the item. Said documentation must be submitted along with the bid.

The Town Board reserves the right to consider information 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 lower 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 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, Solecki,
Rogowski, Blachowski and Johnson

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE
NOTICE TO BIDDERS

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Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and 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: April 8, 1993

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 8, 1993..... ;
last publication.....April 8, 1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 19⁹³.....

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 12/11/92

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

LEGAL NOTICE

NOTICE TO BIDDERS

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Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and 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: April 8, 1993

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 8, 1993.....;
last publication.....April 8, 1993.....;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 19..93...

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 12/11/92

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

BE IT RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of clothing for the Town of Cheektowaga Department of Youth and Recreational Services. 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 April 16, 1993 at 11:00 A.M. Daylight Savings 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 April 16, 1993 at 11:00 A.M. Eastern Daylight Savings Time at Town Hall, corner of Broadway and Union Road for various recreational clothing.

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 the bidder cannot comply. Bidder may be requested to present in writing reasons for 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. For any item which is bid as equal, bidder must submit documentation to prove the equality of the item. Said documentation must be submitted along with the bid.

The Town board reserves the right to consider information 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 lower 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 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, Solecki, Rogowski, Blachowski and Johnson

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 16, 1993 at 11:00 a.m. Eastern Daylight Savings Time at Town Hall, corner of Broadway and Union Road for various recreational clothing.

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 the bidder cannot comply. Bidder may be requested to present in writing reasons for delays.

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to consider information 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 lower 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 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: April 8, 1993

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 8, 1993..... ;
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Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 19⁹³.....

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 12/31/93

LEGAL NOTICE
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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 the bidder cannot comply. Bidder may be requested to present in writing reasons for delays.

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

Richard M. Moleski
Town Clerk

PUBLISH: April 8, 1993

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

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of Cheektowaga, in said County of Erie, being
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Margaret J. Bourdette
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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 12/11/93

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

WHEREAS, it is in order that bids be advertised for a Preventive Maintenance and Service Agreement for Heat, Ventilation, Air Conditioning, Generators and Elevators at various Town owned buildings, AND

WHEREAS, bid specifications are available for a Preventive Maintenance and Service Agreement, which specifications involve temperature controls and energy efficient equipment, Heat, Ventilation and Air Conditioning and mechanical equipment consisting of pumps, air handling, fans, boilers, air conditioning equipment, thermostats, air compressors, valves, generators, elevators, energy monitoring equipment and related devices used to control HVAC equipment in Town buildings, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Preventive Maintenance and Service Agreement, said Notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 29th day of April, 1993 at 11:00 A.M. Eastern Daylight Savings Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 29th day of April, 1993 at 11:00 A.M., Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, New York, for a Preventive Maintenance Agreement for Various Town Municipal Buildings. Work under this agreement is to encompass building temperature control and energy saving equipment, HVAC and mechanical equipment consisting of pumps, air handling units, fans, boilers, air conditioning equipment, thermostats, air compressors, valves and related devices used to control HVAC equipment in buildings throughout the Town. Work includes scheduled inspection of system components, record keeping and report generation. Work required on an "as needed" basis will include trouble-shooting and repair of system components.

Documents are on file in the office of the Town Engineer of Cheektowaga, Alexander Community Center, Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents and Instructions to Bidders may be examined at the above office. Specifications may be obtained from the Town Clerk at his office in said Town upon payment of \$50.00 per set of document. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelope containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for a Preventive Maintenance Agreement for Various Town Municipal Buildings".

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

Any bidder returning the documents in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the documents before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of documents may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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

Item No. 5d continued

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which required a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid proposal form and, unless complied with such bid will not be accepted.

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

Richard M. Moleski
Town Clerk

DATED: April 5, 1993

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE
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The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for A Preventative Maintenance Agreement for Various Town Municipal Buildings".

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

Any bidder returning the documents in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the documents before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of documents may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

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

Richard M. Moleski
Town Clerk

DATED: April 5, 1993

PUBLISH: April 8, 1993

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

.....Melissa Gugliuzza....., of the town
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day ofApril....., 1993....

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 12/11/93

LEGAL NOTICE

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Richard M. Moleski
Town Clerk

DATED: April 5, 1993

PUBLISH: April 8, 1993

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

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duly sworn, deposes and says that he (she) is
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the annexed printed slip, taken from said news-
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Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 19⁹³.....

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 12/1/98

Item No. 5e Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, it is in order that bids be advertised to cover the purchase of a Portable Alternative Light Source for the Police Department, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of a Portable Alternative Light Source, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 14th day of April, 1993 at 11:30 A.M., Eastern Daylight Savings Time at a public bid opening to be held in the Cheektowaga Chambers at the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on April 14, 1993 at 11:00 A.M., Eastern Daylight Savings Time at Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) Portable Alternative Light Source.

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

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

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

Richard M. Moleski
Town Clerk

DATED: April 5, 1993

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE

NOTICE TO BIDDERS

Scaled proposals will be received by the Town of Cheektowaga on April 14, 1993 at 11:00 AM Eastern Daylight Savings Time at Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) Portable Alternative Light Source.

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

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

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

Richard M. Moleski
Town Clerk

Dated: April 5, 1993

PUBLISH: April 8, 1993

.....Melissa Gugliuzza....., of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) isclerk..... 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 for¹..... weeks: first publication.....April 8, 1993..... ; last publication.....April 8, 1993..... ; and that no more than six days intervened between publications.

.....Melissa Gugliuzza.....

Sworn to before me this8th.....

day ofApril....., 19⁹³.....

.....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 12/11/97

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

LEGAL NOTICE

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

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

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

Richard M. Moleski
Town Clerk

Dated: April 5, 1993

PUBLISH: April 8, 1993

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NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/97

Item No. 5f Construction of Cheektowaga Municipal Golf Course
This item was withdrawn.

Item No. 6a Bond Resolution: Construction of Sidewalks Along Union Road

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

April 5, 1993

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A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on April 5, 1993 at 7:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor,
and

Councilmen: Patricia A. Jaworowicz
Dennis H. Gabryszak
Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Thomas M. Johnson, Jr.

There were absent:

Also present: Richard Moleski, Town Clerk
James J. Kiristis, Town Attorney

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Councilman Rogowski offered the following resolution
and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED APRIL 3, 1993, AUTHORIZING
THE CONSTRUCTION OF SIDEWALKS ALONG UNION
ROAD, IN THE TOWN, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$104,400,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$104,400 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
construct sidewalks along Union Road, in the Town, including
engineering studies and plans required in connection therewith.
The estimated maximum cost thereof, including preliminary costs
and costs incidental thereto and to the financing thereof, is
\$104,400 and said amount is hereby appropriated therefor. The
plan of financing includes the issuance of \$104,400 serial bonds
of the Town to finance said appropriation, and the levy and
collection of taxes on all the taxable real property in the Town
to pay the principal of said bonds and the interest thereon as
the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$104,400 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said \$104,400 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 24. of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.103-18 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and

interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication,

or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by
Councilman Johnson and duly put to a vote on roll call, which
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

Councilman Rogowski offered the following resolution and
moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK,
HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga,
shall within ten (10) days after the adoption of this resolution
cause to be published, in full, in the "CHEEKTOWAGA TIMES," a
newspaper published in Cheektowaga, New York, having a general
circulation within said Town and hereby designated the official
newspaper of the Town for such publication and posted on the sign
board of the Town maintained pursuant to the Town Law, a Notice
in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on April 5, 1993, the Town Board of the Town of Cheektowaga, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted April 5, 1993, authorizing the construction of sidewalks along Union Road, in the Town, stating the estimated maximum cost thereof is \$104,400, appropriating said amount therefor, and authorizing the issuance of \$104,400 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct sidewalks along Union Road, in the Town, including engineering studies and plans required in connection therewith; and STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$104,400; APPROPRIATING said amount therefor; STATING the plan of financing includes the the issuance of \$104,400 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$104,400 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized is ten (10) years; the proceeds of said bonds may be applied to reimburse the Town for expenditures made after the effective date of said bond resolution for the purpose or purposes for which said bonds are authorized; and the proposed maturity of said \$104,400 serial bonds will exceed five (5) years;

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

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

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 5, 1993

Richard Moleski
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

*

*

*

The adoption of the foregoing resolution was seconded by
Councilman Johnson _____ and duly put to a vote on roll call, which
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on April 5, 1993, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 5th day of April,, 1993.

Richard M. Moleski
Town Clerk

(SEAL)

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

RICHARD MOLESKI, being duly sworn, deposes and says:

That he is and at all times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, State of New York;

That on April 5, 1993, he has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on April 5, 1993, a copy of which is annexed hereto and made a part hereof on the sign board of the Town maintained pursuant to the Town Law.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me

this 6th day of April, 1993.

Jean A. Rosenberry
Notary Public, State of New York

JEAN A. ROSENBERRY
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires Nov. 30, 1994

TOWN OF CHEEKTOWAGA, NEW YORK

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"Bond Resolution of the Town of Cheektowaga, New York, adopted April 5, 1993, authorizing the construction of sidewalks along Union Road, in the Town, stating the estimated maximum cost thereof is \$104,400, appropriating said amount therefor, and authorizing the issuance of \$104,400 serial bonds of said Town to finance said appropriation,"

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SECOND: AUTHORIZING the issuance of \$104,400 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized is ten (10) years; the proceeds of said bonds may be applied to reimburse the Town for expenditures made after the effective date of said bond resolution for the purpose or purposes for which said bonds are authorized; and the proposed maturity of said \$104,400 serial bonds will exceed five (5) years;

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

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

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 5, 1993

Richard Moleski
Town Clerk

LEGAL NOTICE

TOWN OF CHEEKTOWAGA,
NEW YORK

PLEASE TAKE NOTICE that on April 5, 1993, the Town Board of the Town of Cheektowaga, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted April 5, 1993, authorizing the construction of sidewalks along Union Road, in the Town, stating the estimated maximum cost thereof is \$104,400, appropriating said amount therefor, and authorizing the issuance of \$104,400 serial bonds of said Town to finance said appropriation."

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FIRST: AUTHORIZING said Town to construct sidewalks along Union Road, in the Town, including engineering studies and plans required in connection therewith; and STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$104,400; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$104,400 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$104,400 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized is ten (10) years; the proceeds of said bonds may be applied to reimburse the Town for expenditures made after the effective date of said bond resolution for the purpose or purposes for which said bonds are authorized; and the proposed maturity of said \$104,400 serial bonds will exceed five (5) years;

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

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

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 5, 1993

Richard Moleski
Town Clerk

PUBLISH: April 8, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 8, 1993..... ;
last publication.....April 8, 1993..... ;
and that no more than six days intervened be-
tween publications.

.....Melissa Gugliuzza.....

Sworn to before me this8th.....

day ofApril....., 19..93..

.....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 12/11/93

LEGAL NOTICE

TOWN OF CHEEKTOWAGA,
NEW YORK

PLEASE TAKE NOTICE that on April 5, 1993, the Town Board of the Town of Cheektowaga, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted April 5, 1993, authorizing the construction of sidewalks along Union Road, in the Town, stating the estimated maximum cost thereof is \$104,400, appropriating said amount therefor, and authorizing the issuance of \$104,400 serial bonds of said Town to finance said appropriation."

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct sidewalks along Union Road, in the Town, including engineering studies and plans required in connection therewith; and STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$104,400; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$104,400 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$104,400 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized is ten (10) years; the proceeds of said bonds may be applied to reimburse the Town for expenditures made after the effective date of said bond resolution for the purpose or purposes for which said bonds are authorized; and the proposed maturity of said \$104,400 serial bonds will exceed five (5) years;

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

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

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 5, 1993

Richard Moleski
Town Clerk

PUBLISH: April 8, 1993

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

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 8, 1993.....;
last publication.....April 8, 1993.....;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza
.....

Sworn to before me this8th.....

day ofApril....., 1993.....

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 12/11/93

Item No. 6b Partial Reconstruction of Various Town Highways

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

April 5, 1993

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A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on April 5, 1993 at 7:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor,
and

Councilmen: Patricia A. Jaworowicz
Dennis H. Gabryszak
Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Thomas M. Johnson, Jr.

There were absent:

Also present: Richard Moleski, Town Clerk
James J. Kiristis, Town Attorney

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Councilman Johnson offered the following resolution
and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED April 5, 1993, AUTHORIZING
THE PARTIAL RECONSTRUCTION OF VARIOUS TOWN
HIGHWAYS, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$180,000, APPROPRIATING SAID AMOUNT
THEREFOR, AND AUTHORIZING THE ISSUANCE OF
\$180,000 SERIAL BONDS OF SAID TOWN TO FINANCE
SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
partially reconstruct various Town highways, including widening
of highways and redesign of intersections and the partial
reconstruction of sidewalks, curbs, gutters, drainage, grading
and landscaping in connection therewith. The estimated maximum
cost thereof, including preliminary costs and costs incidental
thereto and to the financing thereof, is \$180,000 and said amount
is hereby appropriated therefor. The plan of financing includes
the issuance of \$180,000 serial bonds of the Town to finance said
appropriation, and the levy and collection of taxes on all the
taxable real property in the Town to pay the principal of said
bonds and the interest thereon as the same shall become due and
payable.

Section 2. Serial bonds of the Town in the principal amount of \$180,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said \$180,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20. (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.103-18 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and

interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication,
or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to
permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by
Councilman Rogowski and duly put to a vote on roll call, which
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

Councilman Johnson offered the following resolution and
moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK,
HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga,
shall within ten (10) days after the adoption of this resolution
cause to be published, in full, in the "CHEEKTOWAGA TIMES," a
newspaper published in Cheektowaga, New York, having a general
circulation within said Town and hereby designated the official
newspaper of the Town for such publication and posted on the sign
board of the Town maintained pursuant to the Town Law, a Notice
in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on April 5, 1993, the Town Board of the Town of Cheektowaga, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted April 5, 1993, authorizing the partial reconstruction of various Town highways, stating the estimated maximum cost thereof is \$180,000, appropriating said amount therefor, and authorizing the issuance of \$180,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to partially reconstruct various Town highways, including widening of highways and redesign of intersections and the partial reconstruction of sidewalks, curbs, gutters, drainage, grading and landscaping in connection therewith; and STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$180,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the the issuance of \$180,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$180,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized is fifteen (15) years; the proceeds of said bonds may be applied to reimburse the Town for expenditures made after the effective date of said bond resolution for the purpose or purposes for which said bonds are authorized; and the proposed maturity of said \$180,000 serial bonds will exceed five (5) years;

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

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

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 5, 1993

Richard Moleski
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

*

*

*

The adoption of the foregoing resolution was seconded by
Councilman Rogowski and duly put to a vote on roll call, which
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on April 5, 1993, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 5th day of April, 1993.

Richard M. Moleski
Town Clerk

(SEAL)

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

RICHARD MOLESKI, being duly sworn, deposes and says:

That he is and at all times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, State of New York;

That on April 5, 1993, he has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on April 5, 1993, a copy of which is annexed hereto and made a part hereof on the sign board of the Town maintained pursuant to the Town Law.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me

this 6th day of April, 1993.

Jean A. Rosenberry
Notary Public, State of New York

JEAN A. ROSENBERY
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires Nov. 30, 1994

TOWN OF CHEEKTOWAGA, NEW YORK

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

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

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 5, 1993

Richard Moleski
Town Clerk

LEGAL NOTICE

TOWN OF CHEEKTOWAGA,
NEW YORK

PLEASE TAKE NOTICE that on April 5, 1993, the Town Board of the Town of Cheektowaga, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted April 5, 1993, authorizing the partial reconstruction of various Town highways, stating the estimated maximum cost thereof is \$180,000, appropriating said amount therefor, and authorizing the issuance of \$180,000 serial bonds of said Town to finance said appropriation."

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

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 5, 1993

Richard Moleski
Town Clerk

PUBLISH: April 8, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 8, 1993..... ;
last publication.....April 8, 1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 19⁹³.....

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 12/11/93

LEGAL NOTICE

TOWN OF CHEEKTOWAGA,
NEW YORK

PLEASE TAKE NOTICE that on April 5, 1993, the Town Board of the Town of Cheektowaga, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted April 5, 1993, authorizing the partial reconstruction of various Town highways, stating the estimated maximum cost thereof is \$180,000, appropriating said amount therefor, and authorizing the issuance of \$180,000 serial bonds of said Town to finance said appropriation."

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to partially reconstruct various Town highways, including widening of highways and redesign of intersections and the partial reconstruction of sidewalks, curbs, gutters, drainage, grading and landscaping in connection therewith; and STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$180,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$180,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$180,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized is fifteen (15) years; the proceeds of said bonds may be applied to reimburse the Town for expenditures made after the effective date of said bond resolution for the purpose or purposes for which said bonds are authorized; and the proposed maturity of said \$180,000 serial bonds will exceed five (5) years;

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

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

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 5, 1993

Richard Moleski
Town Clerk

PUBLISH: April 8, 1993

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

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....April 8, 1993..... ;
last publication.....April 8, 1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this8th.....

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QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/93

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

WHEREAS, the 1987 Ethics in Government Law requires the filing of annual statements of financial disclosure for certain Town officials with either the Temporary State Commission on Local Government Ethics or with a local board of ethics, and

WHEREAS, this Town Board determined in previous years that Town officials would file their financial disclosure forms with the Temporary State Commission on Local Government Ethics, and

WHEREAS, as of December 31, 1992, the Temporary State Commission on Local Government Ethics will be terminated and this Board must create a local board of ethics to handle the filing of these forms, etc., and

WHEREAS, a draft of a Board of Ethics Law was prepared by the Town Attorneys Office, and

WHEREAS, a public hearing was held on the 4th day of January, 1993 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider the advisability of adopting a local law known as "A Local Law Establishing a Board of Ethics", and

WHEREAS, said local law has been revised and updated, and

WHEREAS, said local law has been in final form and in the possession of all Town Board members for at least the past seven days, and

WHEREAS, this Town Board feels it is in the public interest to adopt "A Local Law Establishing a Board of Ethics", NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts "A Local Law Establishing a Board of Ethics", as Local Law No. 1 of the Year 1993, and BE IT FURTHER

RESOLVED, that, within twenty (20) days of its adoption, the Town Clerk shall file one (1) certified copy of this local law in his office and three (3) copies with the Secretary of State, and BE IT FURTHER

RESOLVED, that this local law shall be effective upon its filing with the Secretary of State.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

BOARD OF ETHICS LAW

I. Purpose:

The purpose of this local law is to (i) promulgate a form of annual statement of financial disclosure which is designated to assure disclosure by certain municipal officers and employees and to assure disclosure by elected officials of such financial information as is determined by this Town Board. (ii) to continue the use of an authorized form of annual statement of financial disclosure in use on the date when such local law is adopted. (iii) designate the Board of Ethics of the Town of Cheektowaga as the Board to receive and review such filing.

II. Enactment:

This Local Law is being enacted pursuant to Section 811 subsection 1 and Section 812 subsection 3 of the General Municipal Law and any other applicable section of the General Municipal Law of the State of New York and is enacted pursuant to the authority granted therein by the State of New York to the Town of Cheektowaga.

III. Definitions

A. The term "local elected official" shall mean an elected official of the Town except judges or justices of the unified court system.

B. The term "local officer or employee" shall mean the heads (other than local elected officials) of any agency, department, division, council, board, commission, or bureau of the Town of Cheektowaga and their deputies and assistants, and the officers and employees of the Town, departments, divisions, boards, bureaus, commissions or councils who hold policymaking and advisory positions, as annually determined by the Town of Cheektowaga and set forth in a written instrument which shall be filed with the Board of Ethics during the month of February; except that the term "local officer or employee" shall not mean a judge, justice, officer or employee of the unified court system.

C. The term "spouse" shall mean the husband or wife of the reporting individual unless living separate and apart from the reporting individual with the intention of terminating the marriage or providing for permanent separation or unless separated pursuant to: (a) a judicial order, decree or judgment, or (b) a legally binding separation agreement.

D. The term "relative" shall mean such individual's spouse, child, stepchild, stepparent, or any person who is a direct descendant of the grandparents of the reporting individual or of the reporting individual's spouse.

E. The term "unemancipated child" shall mean any son, daughter, stepson or stepdaughter who is under the age of eighteen, unmarried and living in the household of the reporting individual.

IV. Board of Ethics:

A. A Board of Ethics is established and shall be known as the Town of Cheektowaga Board of Ethics.

B. The Board of Ethics shall consist of five (5) members who shall serve a five (5) year term of office, one such term expiring each year. Members shall be appointed by the Town Board. The Town Attorney shall serve as an ex-officio member of the Board of Ethics. In the event a vacancy occurs prior to the expiration of the five (5) year term, such vacancy shall be filled for the balance of such term in the same manner as members are appointed to full terms. All members shall reside within the Town of Cheektowaga. All members shall serve without compensation except that any member who is a Town of Cheektowaga officer or employee shall be entitled to his usual compensation when attending upon the business of the Board, during normal working hours.

C. No more than three (3) members of the Board may be affiliated with the same political party. No member of the Board of Ethics may hold any position in any political party (including committeeman). For purposes of this section, political party shall mean any political party which appears on the ballot in the last biennial town election. The members shall elect a chairman from among themselves and such other officers as may be deemed necessary from time to time.

D. A Board of Ethics member may be removed by the Town Supervisor with the approving consent of not less than five members of the Town Board after a finding of substantial neglect of duty, gross misconduct in office, inability to discharge the powers or duties of the office or violation of this act after written notice of the charges and an opportunity for reply.

E. The Town Clerk shall be the Clerk of the Board of Ethics and all documents filed with the Town Clerk shall be deemed for the purposes of this local law to be filings with the Board of Ethics.

F. The Board of Ethics shall have all the powers and duties as prescribed by Article 18 of the General Municipal Law. The Board of Ethics may adopt and amend such rules or procedures as are appropriate.

V. Disclosure of Financial Status:

The Town of Cheektowaga recognizes that matters of finance do exist which are so personal in nature and are so unrelated to the performance of public employees' duties that no useful purpose can be served by such disclosure. Nonetheless, certain financial information may be relevant to a public official or employee's duties and impact the integrity of the Town Government. To that extent:

A. The following Town Officers and Elected Officials shall file with the Board of Ethics of the Town of Cheektowaga annually, on or before May 15th of every year following the enactment of this law during the term of their office, a statement of their financial holdings, assets, liabilities and net worth. The time for filing such statement may be extended, pursuant to the rules of the Board of Ethics, for justifiable cause and for undue hardship upon application to the Board of Ethics pursuant to the rules and regulations set forth in this local law and, if applicable to Sections 811, 812 and 813 of General Municipal Law of the State of New York:

Supervisor
Councilmen (6)
Town Clerk
Deputy Town Clerks (2)
Receiver of Taxes and Assessments
Deputy Receiver of Taxes and Assessments
Superintendent of Highways
Deputy Superintendent of Highways
Chief Accountant
Accountant
Assessor
Real Property Appraiser
Supervising Building & Plumbing Inspector
Building Inspector
Fire Inspectors
Housing Inspectors
Assistant Plumbing Inspector
Zoning Inspectors
Assistant Building Inspector
Crew Chief, Central Garage
Automotive Mechanic Crew Chief
Director of Community Development
Town Engineer/Chairman, Environmental Advisory Committee
Assistant Town Engineer
Director, Facilities Department
Working Crew Chief, Facilities Department
General Crew Chief, Sewer Maintenance Department
Working Crew Chief, Sewer Maintenance Department
Superintendent, Wastewater Pump Station
Assistant Superintendent, Wastewater Pump Station
Town Attorney
Deputy Town Attorneys (2)
Director, J.T.P.A./Chairman, Planning Board
Members, Planning Board (6)
Members, Zoning Board of Appeals (5)
Members, Board of Assessment Review
Chairman, Emergency Medical Services Board
Chairman, Traffic Safety Commission
Director, Senior Services Department
Coordinator of Employee Relations
Chief of Police
Assistant Chief of Police
Administrative Captain, Police Department
Lieutenant in Charge of Vice, Gambling & Narcotics
Detective Captain
Director, Youth and Recreational Services Department
Senior Youth Board Supervisor
Senior Recreation Supervisor
General Crew Chief, Sanitation Department
Working Crew Chiefs (2), Sanitation Department
Members, Cheektowaga Economic Development Corporation (14)
Chairman, Cheektowaga Conservation Advisory Council
Bingo Inspectors
Members, Board of Ethics
Candidates for Local (Town) Elected Office

B. In addition to the officers and employees listed in subparagraph A. above, all elected officials of the Town of Cheektowaga and any local officer or employee who is determined by the Town Board to be a policymaker or perform any of the duties listed in paragraph VI (I) (1-4) of this local law shall be required to file a financial disclosure statement.

C. The designated officers and employees and elected officials shall file with the Board of Ethics a disclosure statement answering each and every question. The statement shall be in the form set forth in Appendix A attached hereto.

VI. Powers of the Board of Ethics

The Board of Ethics shall have the power to:

A. Adopt, amend, and rescind rules and regulations to govern procedures of the Board of Ethics, which shall include, but not be limited to, the procedure whereby a person who is required to file an annual financial disclosure statement with the Board of Ethics may request an additional period of time within which to file such statement, due to justifiable cause or undue hardship; such rules and regulations shall provide for a date beyond which in all cases of justifiable cause or undue hardship no further extension of time will be granted. The Board of Ethics may utilize or modify such rules and regulations or adopt separate rules and regulations for the purpose of paragraph (d) of subdivision one of Section 811 of the General Municipal Law.

B. Promulgate guidelines to assist the Town Board in determining which persons hold policy-making positions for purposes of Section 811 and 812 (3) of the General Municipal Law and this law.

C. Make available forms for annual statements of financial disclosure required to be filed pursuant to this Local Law.

D. Review completed financial disclosure statements in accordance with the provisions of this law, the rules and regulations of the Board of Ethics and any Local Law, Ordinance, Code of Ethics established by the Town Board of the Town of Cheektowaga.

E. Receive complaints alleging a violation of this local law or a violation of the criteria for reporting requirements established by this law, any Code of Ethics of the Town of Cheektowaga, local law, ordinance or resolution regarding the filing of completed statements with the Board of Ethics.

G. Permit any person required to file a financial disclosure statement to request the Board of Ethics to delete from the copy thereof made available for public inspection one or more items of information, which may be deleted by the Board of Ethics, upon a finding that the information which would otherwise be required to be disclosed will have no material bearing on the discharge of the reporting person's official duties. If such request for deletion is denied, the Board of Ethics, in its notification of denial, shall, inform the person of his right or her right to appeal the Board's determination pursuant to the rules governing adjudicatory

proceedings and appeals adopted pursuant to this law and any applicable section of the General Municipal Law. The Board of Ethics shall promulgate rules and regulations governing the issuance of written decisions in connection with appeals.

G. Permit any person required to file a financial disclosure statement to request an exemption from any requirement to report one or more items of information which pertain to such person's spouse or unemancipated children which item or items may be exempted by the Board of Ethics upon a finding by the majority of the total members of the Board of Ethics without vacancy that the reporting individual spouse, on his or her own behalf or on behalf of an unemancipated child, objects to providing the information necessary to make such disclosure and that the information which would otherwise be required to be reported will have no material bearing on the discharge of the reporting person's official duties.

H. Advise and assist any local official in establishing rules and regulations relating to possible conflicts between private interests and official duties of present or former elected officials, local party officials and local officers and employees.

I. Permit any person who has not been determined by the Town Board to hold a policy-making position but who is otherwise required to file a financial disclosure statement to request an exemption from such requirement in accordance with the rules and regulations governing such exemptions. Such rules and regulations shall provide for exemptions to be granted either on the application of the individual or on behalf of persons who share the same job title or employment classification which the Board of Ethics deems to be comparable for purposes of this section. Such rules and regulations may permit the granting of an exemption where, in the discretion of the Board of Ethics, the public interest does not require disclosure and the applicant's duties do not involve the negotiation, authorization or approval of:

(1) contracts, leases, franchises, revocable consents, concessions, variances, special permits, or licenses as defined in section seventy-three of the public officers law;

(2) the purchase, sale, rental or lease of real property, goods or services, or a contract therefor;

(3) the obtaining of grants of money or loans, or

(4) the adoption or repeal of any rule or regulation having the force and effect of law.

J. Prepare an annual report to the Supervisor and the Town Board summarizing the activities of the Board of Ethics and recommending changes in the laws governing the conduct of local elected officials and officers and employees of the Town covered by this act.

K. Act as a repository for completed financial disclosure forms filed pursuant to this local law.

L. Upon certification of a question by the Town Board to the Ethics Board, the Board may determine a question common to a class or defined category of persons or items of information required to be disclosed, where determination of the question will prevent undue repetition of requests for exemption or deletion or prevent undue complication in complying with the requirements of this local law.

M. The Board of Ethics shall inspect all financial disclosure statements filed with the Board of Ethics to ascertain whether any person subject to the reporting requirements of this law, Code of Ethics, local law, ordinance or resolution, has failed to file such a statement, has filed a deficient statement, or has filed a statement which reveals a possible violation of this local law, Code of Ethics, law, ordinance or resolution of the Town of Cheektowaga.

N. The Board of Ethics shall have all necessary authority to enforce the filing requirements of this local law, including the authority to promulgate such rules and regulations as the Board of Ethics determines are necessary to implement this law. The Board of Ethics shall be authorized to review requests for exceptions with respect to complying with timely filing of such disclosure statements due to justifiable cause or undue hardship.

O. The Board of Ethics shall have the power to retain or hire legal counsel to advise it on any matter arising under this law.

P. The Board of Ethics shall have the right to inspect any written disclosures of interest filed pursuant to Section 24-3 of the Code of the Town of Cheektowaga (Code of Ethics).

VII. Failure to File Report or Filing Incomplete Reports

If a person required to file a financial disclosure statement with the Board of Ethics has failed to file a disclosure statement or has filed a deficient statement, the Board of Ethics shall notify the reporting person in writing, state the failure to file or detail the deficiency, provide the person with a fifteen day period to cure the deficiency, and advise the person of the penalties for failure to comply with the reporting requirements. Such notice shall be confidential. If the person fails to make such filing or fails to cure the deficiency within the specified time period, the Board of Ethics shall send a notice of delinquency: (a) to the reporting person; and (b) to the appointing authority for such person.

VIII. Violations or Conflicts of Interest

A. If a reporting person has filed a statement which reveals a possible violation of the duly adopted code of ethics of the Town of Cheektowaga, local law, ordinance or resolution, or the Board of Ethics receives a sworn complaint alleging such a violation, or if the Board of Ethics determines on its own initiative to investigate a possible violation, the Board of Ethics shall notify the reporting person in writing, describe the possible or alleged violation of such code of ethics, local law, ordinance or resolution.

tion or this local law, and provide the person with a fifteen day period in which to submit a written response setting forth information relating to the activities cited as a possible or alleged violation of law. If the Board of Ethics thereafter makes a determination that further inquiry is justified, it shall give the reporting person an opportunity to be heard. The Board shall also inform the reporting individual of its rules regarding the conduct of adjudicatory proceedings and appeals and the due process procedural mechanisms available to such individual. If the Board determines at any stage of the proceeding, that there is no violation or that any potential conflict of interest violation has been rectified, it shall so advise the reporting person and the complainant, if any. All of the foregoing proceedings shall be confidential.

B. If the Board determines that there is reasonable cause to believe that a violation has occurred, it shall send a notice of reasonable cause; (i) to the reporting person; (ii) to the complainant if any; and (iii) to the Town Board of the Town of Cheektowaga.

IX. Penalties

A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to this local law shall be assessed a civil penalty in an amount not to exceed \$10,000. Assessment of a civil penalty hereunder shall be made by the Board of Ethics with respect to the persons subject to its jurisdiction. For a violation of this subdivision, other than for conduct which constitutes a violation of subdivision twelve of section seventy-three of Public Officers Law, the Board of Ethics may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction, but only after such referral, such violation shall be punishable as a class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is falsely understated. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal may be imposed for a failure to file, or for a false filing, of such statement, except that the Town Board of the Town of Cheektowaga may impose disciplinary action as otherwise provided by law. The Board of Ethics shall be deemed to be an agency within the meaning of article three of the state administrative procedure act and shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of civil penalties herein authorized. Such rules, which shall not be subject to the approval requirements of the state administrative procedure act, shall provide for due process procedural mechanism substantially similar to those set forth in such article three but such mechanisms need not be identical in terms or scope. Assessment of a civil penalty shall be final unless modified, suspended or vacated within thirty days of imposition, with respect to the assessment of such penalty, and upon becoming final shall be subject to review at the instance of the affected reporting individuals in a proceeding commenced against the Board of Ethics pursuant to Article 78 of the Civil Practice Law and Rules.

X. Copy of Notice

A copy of any notice of delinquency or notice of reasonable cause sent pursuant to this local law shall be included in the reporting person's file

and be available for public inspection.

XI. Advisory Opinions

Upon written request from any person who is subject to the jurisdiction of the Board of Ethics, the Board of Ethics shall render advisory opinions on the requirements of said provisions. An opinion rendered by the Board of Ethics, until and unless amended or revoked, shall be binding on the Board of Ethics in any subsequent proceeding concerning the person who requested the opinion and who acted in good faith, unless material facts were omitted or misstated by the person in the request for an opinion. Such opinion may also be relied upon by such person, and may be introduced and shall be a defense, in any criminal or civil action. Such requests shall be confidential, but the Board of Ethics may publish such opinions provided that the name of the requesting person and other identifying details shall not be included in the publication.

XII. Additional Powers and Duties

In addition to any other powers and duties specified by this law, the Board of Ethics shall have the power and duty to:

A. Administer and enforce all the provisions of this law;

B. Conduct any investigation necessary to carry out the provisions of this law. Pursuant to this power and duty, the Board may administer oaths or affirmations, subpoena witnesses, compel their attendance and require the production of any books or records which it may deem relevant or material.

XIII. Public Information

A. Notwithstanding the provisions of article six of the Public Officers Law, the only records of the Board of Ethics which shall be available for public inspection are:

(1) the information set forth in an annual statement of financial disclosure filed pursuant to this local law except the categories of value or amount which shall remain confidential and any other item of information deleted pursuant to Section VI subsection F and G of this law.

(2) notices of delinquency sent under Section VII of this law.

(3) notices of reasonable cause sent under Section VIII subsection B of this law.

B. Notwithstanding the provisions of article seven of the Public Officers Law, no meeting or proceeding of the Board of Ethics shall be open to the public, except if expressly provided otherwise by the Board of Ethics.

C. Any individual who requests to review any financial disclosure statement filed under this law must provide the Board of Ethics with his/her name, address and telephone number. The Board of Ethics shall then make an expurgated copy of such statement(s) available to such individual for review at a location chosen by the Board of Ethics. No individual shall be permitted to retain such statement or make a photocopy of same.

XIV. Expenses

Members of the Board of Ethics shall not receive compensation but shall be reimbursed for reasonable expenses incurred in the performance of their official duties.

XV. Staff

The Board of Ethics shall be empowered to request support staff, assistance from the Town Board or Supervisor in furtherance of its duties and responsibilities.

XVI. Copies to be Distributed

Upon the adoption of this local law, the Town Coordinator of Employee Relations shall cause a copy thereof to be distributed to every individual required to file an annual statement of financial disclosure. Failure to distribute such copy or failure of any Town employee to receive such copy shall have no effect on the duty of compliance with this code, nor the enforcement of the provisions hereof. The Town Coordinator of Employee Relations shall further cause a copy of this local law to be kept posted conspicuously on the sign-board maintained by the Town Clerk in the Town Hall. Failure to post this local law shall have no effect on the duty of compliance herewith, nor enforcement provisions hereof.

XVII. Filing

Within thirty days of the adoption of this local law, the Town Clerk shall file a copy thereof in the Comptroller's Office of the State of New York addressed to Michael E. Kupterman, Office of the State Comptroller, Legal Services, 6th Floor, Alfred E. Smith State Office Building, Albany, New York 12236.

XVIII. Appropriation of Funds

The Town Board may appropriate monies from the General Town Funds for the maintenance of and for personal services to the Board of Ethics established hereunder, but such Board of Ethics may not commit expenditures of Town monies except within the appropriations provided herein.

XIX. Severability

If any clause, sentence, paragraph, section or part of this local law shall be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be continued in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

XX. Effective Date

This local law shall become effective upon filing with the Secretary of State.

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR

TOWN OF CHEEKTOWAGA

FOR 199__

1. Name _____

2. (a) Title of Position _____

(b) Department, Agency or other Government Entity _____

(c) Address of Present Office _____

(d) Office Telephone Number _____

3. (a) Marital Status _____: If married, please give spouse's full name, including maiden name where applicable.

(b) List the names of all unemancipated children.

Answer each of the following questions completely, with respect to the calendar year 19____, unless another period or date is otherwise specified. If additional space is needed, attach additional pages.

Whenever a "value" or "amount" is required to be reported herein, such value or amount shall be reported as being within one of the following categories:

Category A - under \$5,000;

Category B - \$5,000 to under \$20,000;

Category C - \$20,000 to under \$60,000;

Category D - \$60,000 to under \$100,000;

Category E - \$100,000 to under \$250,000; and

Category F - \$250,000 or over.

Financial Disclosure Form
Page 2

A reporting individual shall indicate the Category by letter only.

For the purposes of this statement, anywhere the term "local agency " shall mean a local agency of the Town of Cheektowaga as defined in Section 810 of the General

4. (a) List any office, trusteeship, directorship, partnership, or position of any reporting individual with any firm, corporation, association, partnership, or other organization, including honorary positions, if known, and excluding membership positions, whether compensated or not, in the State of New York or the Town of Cheektowaga. If said entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant business or activity of said entity, did business with, or had matters other than ministerial matters with any state or local agency, list the name of any such agency.

Position	Organization	

(b) List any office, trusteeship, directorship, partnership, or position of honorary positions, if known, and excluding membership positions, whether compensated or not, of the reporting individual, with any firm, corporation, association, partnership, or organization other than the State of New York. If said entity was licensed by any state or local regulatory agency or local agency, or, as a regular and significant part of said entity, did business with, or had matters other than ministerial matters before the name of any such agency.

Position	Organization	State

5. (a) List the name, address and description of any occupation, employment, or business engaged in by the reporting individual. If such activity was licensed by any state or local regulatory agency or local agency, or, as a regular and significant part of said entity, did business with, or had matters other than ministerial matters before the name of any such agency.

Position	Name and Address of Organization	Description

(b) If the spouse or unemancipated child of the reporting individual was engaged in any occupation, employment, trade, business or profession, which activity was licensed by any state or local agency, or, as a regular and significant part of the business of any state regulatory agency or local agency, or, as a regular and significant part of the business of the said entity, did business with or had matters other than ministerial matters before any such agency, the name, address and description of such occupation, employment, trade, business or profession, and the name of such agency.

Position	Name and Address of Organization	Description

6. List any interest, in excess of \$1,000, excluding bonds and notes, held by the reporting individual, the individual's spouse or unemancipated child, or partnership of which any such person is a partner, or in any contract made or executed by a state or local agency and include the name of the entity, the interest and the relationship of the reporting individual or such individual's spouse or child to the entity and the interest in such contract. Do not list any interest in any such contract on which the reporting individual or such individual's spouse or child is not a party and all obligations under the contract except for guarantees and liabilities have been performed.

Financial Disclosure Form
Page 5

such an interest must be listed if there has been an ongoing dispute during the calendar statement is filed with respect to any such guarantees or warranties. Do not list any executed by a state agency after public notice and pursuant to a process for competitive petitive requests for proposals.

Self, Spouse or Child	Entity Which Held Interest in Contract	Relationship to Entity and Interest in Contract	Con

7. List any position the reporting individual held as an officer of any political party as a member of any political party committee, or as a political party district leader. the same meaning as "party" in the Election Law. The term "political organization" means a body as defined in the Election Law, or any organization that is affiliated with or a independent body.

Financial Disclosure Form

Page 6

8. (a) If the reporting individual practices law, is licensed by the Department of broker or agent or practices a profession licensed by the Department of Education, give the principal subject areas of matters undertaken by such individual. Additionally, if with a firm or corporation and is a partner or shareholder of the firm or corporation, of principal subject areas of matters undertaken by such firm or corporation. Do not list individual clients, customers or patients.

(b) List the name, principal address and general description or the nature of the entity in which the reporting individual or such individual's spouse had an investment investments in securities and interests in real property.

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Page 7

9. List each source of gifts, excluding campaign contributions, in excess of \$1,000, reporting period for which this statement is filed by the reporting individual or such emancipated child from the same donor, excluding gifts from a relative. Include the name of each such gift. The term "gifts" does not include reimbursements, which term is defined in item 10. Ind

Self, Spouse or Child	Name of Donor	Address

10. Identify and briefly describe the source of any reimbursements for expenditures, expenditures and expenditures in connection with official duties reimbursed by the political submittment has been filed, in excess of \$1,000 from each such source. For purposes of this item shall mean any travel-related expenses provided by non-governmental sources and for activities individual's official duties such as, speaking engagements, conferences, or fact-finding missions" does not include gifts reported under item 9.

Source	Description

Financial Disclosure Form
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11. List the identity and value, if reasonably ascertainable, of each interest in a trust, estate or other beneficial interest, including retirement plans other than retirement plans of the State of New York, and deferred compensation plans established in accordance with the Internal Revenue Code, which the reporting individual held a beneficial interest in excess of \$1,000 at any time during the reporting period. Report interests in a trust, estate or other beneficial interest established by or for, or in which the reporting individual has a beneficial interest.

Identity

*The value of such interest shall be reported only if reasonably ascertainable.

12. (a) Describe the terms of, and the parties to, any contract, promise, or other agreement, in writing or otherwise, between the reporting individual and any person, firm, or corporation with respect to the employment of such individual in any position (other than a leave of absence).

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(b) Describe the parties to and the terms of any agreement providing for continuation to the reporting individual in excess of \$1,000 from a prior employer other than the To interests in or contributions to a pension fund, profit-sharing plan, or life or health severance payments; etc.)

13. List below the nature and amount of any income in excess of \$1,000 from each source and the reporting individual's spouse for the taxable year last occurring prior to the income includes, but is not limited to, salary for government employment, income from other whether public or private, directorships and other fiduciary positions, contractual arrangements, partnerships, honorariums, lecture fees, consultant fees, bank and bond interest, dividends, trust, real estate rents, and recognized gains from the sale or exchange of real or other business or profession and real estate rents shall be reported with the source identified in the case of real estate rents and otherwise by the name of the entity and not by the customers, clients or tenants, with the aggregate net income before taxes for each building. The receipt of maintenance received in connection with a matrimonial action, alimony and not be listed.

Self/Spouse	Source	

14. List the sources of any deferred income in excess of \$1,000 from each source to be reported by the individual following the close of the calendar year for which this disclosure statement is filed. The compensation reported in item 11 hereinabove. Deferred income derived from the practice of the individual listed in the aggregate and shall identify as the source the name of the firm, corporation, partnership or other organization through which the income was derived, but shall not identify individual clients.

Source

15. List each assignment of income in excess of \$1,000, and each transfer other than that reported in item 14 during the reporting period for which this statement is filed for less than fair consideration to the individual interest in a trust, estate or other beneficial interest, securities or real property, by the individual, in excess of \$1,000, which would otherwise be required to be reported had the individual reported the same or has not been so reported.

Item Assigned or Transferred

Assigned or Transferred

16. List below the type and market value of securities held by the reporting individual from each issuing entity in excess of \$1,000 at the close of the taxable year last occurring, including the name of the issuing entity exclusive of securities held by the reporting individual or the reporting individual's spouse has transferred assets to such trust for event such securities shall be listed unless they are not ascertainable by the reporting individual. Securities of which the reporting individual or the reporting individual's spouse has no beneficial interest. Indicate percentage of ownership if the reporting person or the reporting person's spouse of the stock of a corporation in which the stock is publicly traded or more than ten per cent of the stock of a corporation in which the stock is publicly traded. Also list securities owned for investment purposes by a corporation more than ten per cent of which is owned or controlled by the reporting individual or such individual's spouse. Item the term "securities" shall mean bonds, mortgages, notes, obligations, warrants and interests in limited or general partnerships and certificates of deposits and such securities and certificates of interest as are usually referred to as securities. The market value shall be reported only if reasonably ascertainable and shall not be reported if the security is a

[contin

partnership that was listed in item 8 (a) or if the security is corporate stock, not pu
or business of a reporting individual or a reporting individual's spouse.

Self/Spouse	Issuing Entity	

17. List below the location, size, general nature, acquisition date, market value and
of any real property in which any vested or contingent interest in excess of \$1,000 is h
vidual or the reporting individual's spouse. Also list real property owned for investme
tion more than fifty percent of the stock of which is owned or controlled by the reporti

[continued...]

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individuals spouse. Do not list any real property which is the primary or secondary person reporting individual or the reporting individual's spouse, except where there is a co-owner relative.

Self/Spouse/ Other Party	Location	Size	General Nature

18. List below all notes and accounts receivable, other than from goods or services sold by an individual at the close of the taxable year last occurring prior to the date of filing a return, in the name of the debtor, type of obligation, date due and the nature of the collateral security excluding securities reported in item 16 hereinabove. Debts, notes and accounts receivable by a relative shall not be reported.

Name of Debtor	Type of Obligation, Date Due of Collateral, if any

19. List below all liabilities of the reporting individual and such individual's spouse as of the date of filing of this statement, other than liabilities to a relative. Do not list liabilities guaranteed by, the reporting individual or such individual's spouse or by any property corporation in which the reporting individual or such individual's spouse has an interest in the ordinary course of the trade, business or professional practice of the reporting individual. Include the name of the creditor and any collateral pledged by such individual to secure the liability. A reporting individual shall not list any obligation to pay maintenance in connection with divorce or child support payments. Revolving charge account information shall only be set forth for accounts in excess of \$5,000 at the time of filing. Any loan issued in the ordinary course of business by a lender for educational costs, the cost of home purchase or improvements for a primary or secondary residence, a personally owned motor vehicle, household furniture or appliances, shall be excluded. If a liability has been guaranteed by any third person, list the liability and name the guarantor.

Name of Creditor or Guarantor	Type of Liability

The requirements of law relating to the reporting of financial interests are in the public interest. No inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

Signature of Reporting Individual

Date



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

WHEREAS, in conjunction with the Town's spending plan/budget for 1993, Town department heads and support staff have attended a seminar on goals and objectives and have drafted their department's goals and objectives for 1993, and

WHEREAS, through these goals and objectives, Town citizens will have an opportunity to comment on future needs and wants, and to measure the quality of their government by the achievement of the measurable goals and objectives which have been adopted, and

WHEREAS, the public has had an opportunity to comment on the Town's goals and objectives for 1993, and

WHEREAS, this Town Board wishes to adopt the attached Goals and Objectives for 1993, NOW, THEREFORE, BE IT

RESOLVED, that the attached Goals and Objectives be and hereby are adopted by this Town Board for 1993.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

TOWN OF CHEEKTOWAGA

1993

GOALS & OBJECTIVES

*(DRAFT)**

**TO BE CIRCULATED FOR PUBLIC COMMENT*

GOALS & OBJECTIVES

OVERVIEW

Each year the Town of Cheektowaga puts together a spending plan, in the form of a budget, and presents it to the general public. The focus of the budget is the amount of money that will be spent in different areas. The budget says nothing about what will be accomplished! We communicate dollars spent but not achievements to the citizens of our community.

The Town is embarking on a new Goals & Objectives Program to eliminate this deficiency. Over the last several months over 75 town managers, supervisors and support staff attended a two-session seminar on goals & objectives. In addition, departments working with a member of the Town Board, who is chairperson of their committee, cooperated to set in writing a list of goals & objectives. These pages represent a draft list of 1993 goals & objectives. Since this was a first attempt, it was a time-consuming process while everyone got comfortable with this new direction. We will refine the process in 1993. In addition, in future years the goals & objectives will be put in place by January 1st.

This list is a draft list for public comment. Public comment should be addressed to members of the Town Board. The timetable for final adoption of the town goals & objectives is April 5th.

Through the goals & objectives program, citizens will have an opportunity to comment on future needs and wants. In addition, citizens will be able to measure the quality of their government by the achievement of the measurable goals & objectives that have been adopted.

ACCOUNTING DEPARTMENT

GOAL #1

TO ESTABLISH A FIXED ASSET INFORMATION SYSTEM FOR USE BY TOWN DEPARTMENTS.

OBJECTIVES

1. TO ACTIVATE BY COMPUTER SUPPORT PERSONNEL 100 PERCENT OF THE TOWN'S FIXED ASSET SOFTWARE PROGRAMS BY APRIL 30, 1993.
2. TO INTRODUCE THE INPUT OF 50 PERCENT OF PREVIOUSLY PURCHASED AND 100 PERCENT OF CURRENTLY PURCHASED FIXED ASSETS BY ALL TOWN DEPARTMENTS BY DECEMBER 31, 1993.
3. TO REVIEW AND REVISE 100 PERCENT OF THE FIXED ASSET REPORTS BY MANAGEMENT FOR CLARITY OF INFORMATION BY DECEMBER 31, 1993.

GOAL #2

TO DEVELOP A HUMAN RESOURCE INFORMATION SYSTEM FOR THE TOWN.

OBJECTIVES

1. TO INVESTIGATE BY OCTOBER 31, 1993, VARIOUS SOFTWARE VENDORS FOR A MAINFRAME HUMAN RESOURCE PACKAGE BASED ON TOWN CRITERIA.
2. TO SECURE BY NOVEMBER 30, 1993, FROM THE SOFTWARE SELECTION COMMITTEE A RECOMMENDATION ON VARIOUS SOFTWARE VENDORS MEETING 90 PERCENT OR HIGHER THE TOWN'S WEIGHTED CRITERIA.
3. TO ACQUIRE BY DECEMBER 31, 1993, THE HIGHEST PERFORMING HUMAN RESOURCE PACKAGE THROUGH THE COMPETITIVE BIDDING PROCESS OF PRE-SELECTED VENDORS.

ASSESSORS OFFICE

OBJECTIVES

1. TO COORDINATE OUR RPS COMPUTER PROGRAM WITH OUR CURRENT ASSESSMENT ROLL IN 1993.
2. TO ESTABLISH A PHONE LIST FROM THE SENIOR CITIZEN EXEMPTION APPLICATION AS A 1ST STEP TO CREATING AN AUTOMATED TELEPHONE CALLING SYSTEM.
3. TO CONDUCT A THOROUGH ANALYSIS, INCLUDING POSITIVES AND NEGATIVES, OF A TOWN WIDE REASSESSMENT UPDATE.
4. TO EXAMINE THE 9,000 VETERANS EXEMPTIONS TO DETERMINE NON-ELIGIBLES WHO MAY BE TAKING ADVANTAGE OF THE EXEMPTION.

BUILDING & PLUMBING INSPECTIONS

GOAL #1

TO SHORTEN THE RESPONSE TIME IN PROVIDING INFORMATION, ANSWERING COMPLAINTS AND ISSUING PERMITS TO THE GENERAL PUBLIC.

GOAL #2

TO INCREASE BOTH THE PERCEPTION AND REALITY AMONG THE GENERAL PUBLIC THAT THEIR NEEDS FOR SERVICES ARE BEING ADDRESSED AS QUICKLY AND EFFICIENTLY AS THEY WOULD EXPECT THEM TO BE.

GOAL #3

TO GIVE THE GENERAL PUBLIC A SENSE THAT THEY ARE OBTAINING EXCEPTIONAL SERVICE AND VALUE FROM TAX DOLLARS USED TO FUND THE BUILDING INSPECTIONS OFFICE.

GOAL #4

TO HAVE IN PLACE A TOWNWIDE COMPREHENSIVE AND SYSTEMATIC HOUSING CODE ENFORCEMENT PROGRAM BOTH IN RESPONSE TO COMPLAINTS AND SELF GENERATED BASED ON NEIGHBORHOOD NEEDS.

GOAL #5

TO DEMONSTRATE TO THE GENERAL PUBLIC THAT THIS DEPARTMENT IS VERY SERIOUS ABOUT RESPONDING TO HOUSING CODE COMPLAINTS AND FIGHTING NEIGHBORHOOD DETERIORATION.

GOAL #6

TO RESPOND QUICKLY TO RESIDENT COMPLAINTS AND ALSO TO DEVELOP A PRO-ACTIVE POSTURE THAT WILL ELIMINATE NEIGHBORHOOD DETERIORATION BEFORE IT HAS AN OPPORTUNITY TO TAKE HOLD AND SPREAD.

GOAL #7

TO INCREASE THE LEVEL OF UNDERSTANDING THAT THE GENERAL PUBLIC HAS WITH REGARD TO THE BUILDING PERMIT PROCESS AND THE MANY OTHER SERVICES PROVIDED BY THE BUILDING INSPECTION OFFICE.

GOAL #8

TO MAKE THE GENERAL PUBLIC MORE AWARE OF SERVICES PROVIDED AND HOW THESE SERVICES SUCH AS HOUSING, BUILDING AND ZONING CODE ADMINISTRATION CAN IMPROVE THEIR SAFETY, MAINTAIN OR INCREASE PROPERTY VALUES AND ENHANCE THEIR QUALITY OF LIFE.

GOAL #9

TO INCREASE THE LEVEL OF VOLUNTARY COOPERATION ON THE PART OF THE GENERAL PUBLIC IN OBTAINING BUILDING, PLUMBING AND RELATED PERMITS AND TO TAKE ADVANTAGE OF THE SERVICES PROVIDED.

CENTRAL GARAGE

GOAL #1

TO REDUCE MAINTENANCE PROBLEMS ON ALL TOWN VEHICLES.

OBJECTIVES

1. TO CREATE AND COORDINATE A PREVENTATIVE MAINTENANCE PROGRAM FOR 210 TOWN VEHICLES EVERY 3,000 MILES.
2. TO ENCOURAGE ALL GENERAL MECHANICS TO UTILIZE THE FREE GM TRAINING PROGRAM FOR UPDATED MECHANICAL KNOWLEDGE IN 1993.
3. TO UPDATE TESTING EQUIPMENT TO TEST NEW COMPUTERIZED CARS AND TRUCKS USED IN OUR FLEET IN 1993.

ECONOMIC & COMMUNITY DEVELOPMENT

GOAL #1

TO PRESERVE AND IMPROVE SUB-STANDARD HOUSING IN THE TOWN OWNED BY LOW-TO-MODERATE INCOME ELDERLY AND FAMILY HOMEOWNERS.

OBJECTIVES

1. TO PROVIDE LOW-COST REHABILITATION LOANS ON A TOWN-WIDE BASIS TO INCOME ELIGIBLE HOMEOWNERS.

GOAL #2

TO HELP CREATE NEW JOB OPPORTUNITIES FOR UNEMPLOYED INDIVIDUALS IN THE TOWN.

OBJECTIVES

1. TO PROVIDE FINANCIAL ASSISTANCE TO GROWING COMPANIES INVOLVED IN MANUFACTURING WHICH ARE RELOCATING TO OR EXPANDING WITHIN THE TOWN.

GOAL #3

TO REVITALIZE THE WALDEN AVENUE COMMERCIAL CORRIDOR BETWEEN HARLEM ROAD AND BUFFALO CITY LINE.

OBJECTIVES

1. TO PROVIDE ASSISTANCE TO AN INCREASED NUMBER OF OWNERS OF COMMERCIAL PROPERTY TO MAKE IMPROVEMENTS TO THE FACADES OF THEIR BUILDINGS IN A MANNER CONSISTENT WITH DESIGN STANDARDS DEVELOPED BY THE TOWN'S ARCHITECTURAL CONSULTANTS.

ENGINEERING DEPARTMENT

GOAL #1

TO ESTABLISH A TOWN-WIDE STORMWATER MANAGEMENT PLAN

OBJECTIVES

1. TO INITIATE PLANS FOR A TOWN-WIDE DRAINAGE DISTRICT IN 1993.
2. TO UNDERTAKE AN EXTENSIVE STORM SEWER REHABILITATION PROGRAM IN THE EGGERT/DELAVAN, AVERY/HERBERT, PEORIA/CENTER AND GOERING/NAGEL AREAS OF THE TOWN IN 1993.
3. TO CLEAN, TELEWISE AND REPAIR STORM SEWERS PRIMARILY BY CONTRACTED FORCES IN 1993.
4. TO IMPROVE CREEKS AND DRAINAGE DITCHES AS NEEDED FOR FLOOD RELIEF AND EROSION CONTROL IN 1993.

GOAL #2

TO ESTABLISH A PROGRAM FOR LOGGING OF COMPLAINTS

OBJECTIVES

1. TO SET UP A SOFTWARE PROGRAM FOR DAILY LOGGING OF COMPLAINTS RECEIVED BY THE SEWER MAINTENANCE DEPARTMENT IN 1993.
2. TO SET UP A SOFTWARE PROGRAM FOR THE ENGINEERING DEPARTMENT FOR DAILY LOGGING OF VARIOUS COMPLAINTS OF FLOODING, PROPERTY DRAINAGE, RODENTS, ETC. IN 1993.
3. TO PURCHASE A COMPUTER FOR DATA GATHERING AND STORAGE IN 1993.
4. TO MAP PROBLEM AREAS OF SANITARY AND STREET FLOODING IN 1993.

GOAL #3

TO ESTABLISH A SIDEWALK PROGRAM

OBJECTIVES

1. TO DETERMINE A SIDEWALK CONSTRUCTION POLICY TO BE APPLIED TO PRIVATE DEVELOPMENT PLANS AT TIME OF SUBMITTAL FOR TOWN REVIEW AND APPROVAL IN 1993.
2. TO PROVIDE FUNDING FOR PROFESSIONAL SERVICES NEEDED FOR THE CONSTRUCTION OF SIDEWALKS FROM GEORGE URBAN BOULEVARD TO WALDEN AVENUE IN 1993.
3. TO ESTABLISH SIDEWALK NEEDS IN ORDER TO DRAFT A MULTI PHASE PLAN OF SIDEWALK CONSTRUCTION IN 1993.

GOAL #4

TO ESTABLISH AN INFORMATION RETRIEVAL SYSTEM

OBJECTIVES

1. TO AUTHORIZE A GIS REQUIREMENTS STUDY FOR A FEASIBILITY OVERVIEW FOR TOWN DEPARTMENTS TO INCLUDE A DETAILED USER NEED ANALYSIS AND AN IMPLEMENTATION PLAN IN 1993.
2. TO DEVELOP A COST SHARING PLAN PARTICIPATION BY NETWORK USERS IN 1993.

FACILITIES DEPARTMENT

OBJECTIVES

1. TO COORDINATE THE FEDERALLY-SPONSORED TOWN PARK IMPROVEMENT PROJECT.
2. TO FACILITATE BUILDING IMPROVEMENTS AT THE ALEXANDER COMMUNITY CENTER.
3. TO COMPLETE THE FINAL PHASE OF THE HEATING, VENTILATING AND AIR CONDITIONING IMPROVEMENTS AT THE SENIOR CITIZEN CENTER.
4. TO INSTALL ENERGY MONITORING SYSTEMS AT THE ALEXANDER COMMUNITY CENTER, THE SENIOR CENTER, THE DARTWOOD CENTER AND THE MARYVALE CENTER.
5. TO INSTALL ENERGY-EFFICIENT LIGHTING AT ALL TOWN BUILDINGS.
6. TO INSTALL AN UPGRADED TELEPHONE COMMUNICATIONS SYSTEM TO IMPROVE SERVICE TO THE PUBLIC.
7. TO CONDUCT A FEASIBILITY STUDY OF SPACE USAGE IN ALL TOWN BUILDINGS.
8. TO BID THE PREVENTATIVE MAINTENANCE CONTRACT FOR HVAC WORK FOR A 3-YEAR PERIOD.
9. TO MAINTAIN 29 BALL DIAMONDS ON A DAILY BASIS FROM MAY 1ST TO SEPTEMBER 15, 1993.
10. TO ERECT NETS ON 35 BASKETBALL COURTS AND 31 TENNIS COURT IN APRIL 1993.

11. TO INSTALL 183 PIECES OF PLAYGROUND EQUIPMENT IN APRIL 1993.

12. TO CUT AND TRIM GRASS AT ALL PARKS AND PLAYGROUNDS ONCE PER WEEK BETWEEN APRIL AND OCTOBER 1993.

13. TO COORDINATE TENNIS AND BASKETBALL COURT IMPROVEMENTS IN ALL TOWN PARKS.

14. TO MONITOR THE FOOTBALL/SOCCER FIELD CONSTRUCTION AT THE ALEXANDER STREET SCHOOL.

HIGHWAY DEPARTMENT

OBJECTIVES

1. TO HAVE TOWN AND COUNTY CONTRACTED ROADS CLEARED OF ICE AND SNOW BY 7:00A.M.
2. TO REPAIR POT HOLES IN TOWN STREETS FOR A 3-4 WEEK PERIOD IN THE SPRING OF 1993.
3. TO SPEND 3 WEEKS PLANTING TREES ALONG TOWN RIGHT-OF-WAYS IN THE SPRING OF 1993.
4. TO COMPLETE THE WILLIAM STREET BEAUTIFICATION PROGRAM BY PLANTING THE REMAINDER OF TREES BETWEEN HARLEM ROAD AND THE THRUWAY INTERCHANGE IN THE SPRING OF 1993.
5. TO COMPLETE THE LANDSCAPING OF THE FOUR CORNERS OF WILLIAM AND HARLEM ROADS IN THE SPRING OF 1993.
6. TO SWEEP EVERY TOWN STREET 3 TIMES IN 1993.
7. TO FLUSH MAIN SEWER LINES ON A ROTATING CLEANING SCHEDULE IN 1993.
8. TO PAVE 35 TOWN STREETS IN 1993.
9. TO REPLACE 2500 FEET OF TOWN SIDEWALKS IN 1993 (50/50 CONTRIBUTION)
10. TO INSTALL APPROXIMATELY 1500 FEET OF STORM LINES IN 1993.
11. TO TRIM APPROXIMATELY 500 EXISTING, MATURE TREES IN 1993.
12. TO CUT, CLEAN AND DREDGE 6+ MILES OF UNPIPED DRAINAGE SYSTEMS IN 1993.
13. TO PREPARE ALL HIGHWAY TRUCKS FOR WINTER BY INSPECTING, PAINTING AND FITTING TRUCKS WITH SALTERS AND PLOWS IN THE FALL OF 1993.
14. TO PICK-UP LEAVES ON EACH TOWN STREET EVERY 10 DAYS IN THE FALL OF 1993.

JUSTICE COURT DEPARTMENT

OBJECTIVES

1. TO COMPLETE TRANSITION TO COMPUTERIZED OFFICE.
2. TO RESUME REGULAR COURT HOURS (9:00 A.M. TO 4:30 P.M.)
3. TO OBTAIN \$10,000. GRANT FROM STATE TO MICROFILM RECORDS.
4. TO DESTROY 75 BOXES OF RECORDS NO LONGER NEEDED BY COURT.
5. TO TRANSFER 75 BOXES OF RECORDS TO OFFSITE LOCATION.
6. TO HOLD AT LEAST ONE TRAINING SESSION ON HOW TO DEAL POLITELY WITH THE PUBLIC (OUR CUSTOMERS) BOTH ON THE PHONE AND IN PERSON AND/OR HOW TO HANDLE DIFFICULT PEOPLE.

MAIN PUMP STATION NO. 5

GOAL #1

TO IMPROVE AND MAINTAIN THE INTEGRITY OF INFRASTRUCTURE OF PLANT #5 IN 1993.

OBJECTIVES

1. TO INSTALL A NEW PROCESS CONTROLLER TO IMPROVE DATA COLLECTION AND MONITORING OF FLOWS BY JUNE 30, 1993.

GOAL #2

TO EXPAND AND UPGRADE OUR CURRENT SAFETY PROGRAM.

OBJECTIVES

1. TO BRING OUR BUILDING TO THE LATEST OSHA STANDARDS IN 1993.
2. TO UPDATE OUR MATERIAL SAFETY DATA BOOK AS NECESSARY IN 1993.

GOAL #3

TO CONTINUE TO PROVIDE A SAFE AND HEALTHY ENVIRONMENT FOR THE DISTRICTS WE SERVE.

OBJECTIVES

1. TO CONTINUALLY PROVIDE EFFICIENT SEWAGE REMOVAL THROUGH THE 24 HOUR CONTINUOUS SERVICE DAY IN 1993.
2. TO SCREEN SEWER CALLS DURING THE NIGHT AND WEEKENDS TO PINPOINT TROUBLED AREAS AND TO DIRECT THE PUBLIC TO THE CORRECT AGENCY TO RESOLVE THEIR PROBLEM IN 1993.

PERSONNEL DEPARTMENT

GOAL #1

TO MAINTAIN THE HUMAN RESOURCE FUNCTIONS AND COMPLIANCE WITH ERIE COUNTY CIVIL SERVICE REGULATING FOR THE TOWN OF CHEEKTOWAGA.

OBJECTIVES

1. TO DEVELOP A FAIR AND CONSISTENT COMPENSATION POLICY FOR EXEMPT EMPLOYEES BASED ON JOB DUTIES, SKILLS AND RESPONSIBILITIES BY APRIL, 1993.
2. TO CREATE A UNIFORM PERSONNEL POLICY AND WORK RULE HANDBOOK FOR ALL TOWN EMPLOYEES BY NOVEMBER, 1993.

GOAL #2

TO COORDINATE ALL LABOR AND EMPLOYEE RELATIONS FUNCTIONS FOR THE TOWN OF CHEEKTOWAGA.

OBJECTIVES

1. TO COMPLETE CONTRACT NEGOTIATIONS WITH THE PUBLIC SAFETY DISPATCHERS ASSOCIATION BY APRIL, 1993.
2. TO COMPLETE CONTRACT NEGOTIATIONS WITH THE POLICE BENEVOLENT ASSOCIATION BY SEPTEMBER, 1993.
3. TO COMPLETE CONTRACT NEGOTIATIONS WITH THE CAPTAINS AND LIEUTENANTS ASSOCIATION BY DECEMBER, 1993.

GOAL #3

TO MAINTAIN THE BENEFIT ADMINISTRATION FUNCTION OF THE TOWN OF CHEEKTOWAGA.

OBJECTIVES

1. TO COORDINATE THE NEW YORK STATE DEFERRED COMPENSATION INFORMATIONAL MEETINGS FOR THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION BY FEBRUARY, 1993.

GOAL #4

TO FACILITATE EMPLOYEE DEVELOPMENT AND SERVICES FOR TOWN EMPLOYEES AND THE COMMUNITY.

OBJECTIVES

1. TO COORDINATE TWO BLOOD DRIVES ANNUALLY WITH THE RED CROSS.
2. TO COORDINATE TWO "CASUAL DAY" FUNDRAISERS, ONE FOR THE UNITED CEREBRAL PALSY IN JUNE, 1993 AND ONE IN NOVEMBER, 1993, FOR THE WESTERN NEW YORK CHAPTER OF THE MARCH OF DIMES.
3. TO COORDINATE THE HEART ASSOCIATION CARNATION SALE FUND RAISER IN JANUARY, 1993.

GOAL #5

TO SUPPORT THE RISK MANAGEMENT FUNCTIONS OF THE TOWN TO INSURE FAIR, SAFE AND COST -EFFECTIVE SERVICES.

OBJECTIVES

1. TO COMPLETE ALL OSHA MANDATED BLOOD-BORNE PATHOGEN TRAINING, CONTRACTED THRU ST. JOSEPH HOSPITAL, FOR TOWN EMPLOYEES BY APRIL, 1993.
2. TO COMPLETE SARA TITLE III, EMPLOYEE CHEMICAL HAZARD COMMUNICATION PROGRAM BY JULY, 1993.
3. TO COORDINATE, THRU W.C.S. OF NEW YORK, OSHA MANDATED CONFINED SPACE TRAINING FOR THE SEWER DEPARTMENT BY JUNE, 1993.

DEPARTMENTAL MISSION

THE CHEEKTOWAGA POLICE DEPARTMENT EXISTS TO PROTECT LIFE AND PROPERTY, ENFORCE ALL LAWS, PREVENT AND DETECT CRIME AND PROVIDE EMERGENCY RESPONSE SERVICES WITHIN THE TOWN OF CHEEKTOWAGA. WE INTERACT WITH AND EDUCATE THE COMMUNITY IN MATTERS OF PUBLIC AND PERSONAL SAFETY. ALL MEMBERS OF THE DEPARTMENT WILL PROVIDE THE HIGHEST LEVEL OF SERVICE AND CARRY OUT THEIR RESPONSIBILITIES SO AS TO EXHIBIT COURTESY, DILIGENCE AND INTEGRITY. WE WILL BE ASSERTIVE, IMPARTIAL AND PROTECT THE CONSTITUTIONAL RIGHTS OF ALL PEOPLE.

GOALS FOR 1993

- 1. TO PROTECT AND DEFEND LIFE, PROPERTY AND THE CONSTITUTIONAL RIGHTS OF ALL THE CITIZENS AND VISITORS OF THE TOWN OF CHEEKTOWAGA.*
- 2. TO MAXIMIZE THE EFFECTIVENESS AND EFFICIENCY OF THE POLICE DEPARTMENT ORGANIZATION.*
- 3. TO IMPROVE INTERNAL COMMUNICATIONS AND ALIGNMENT IN ORDER TO STRENGTHEN THE FOCUS, COMMITMENT AND DEVELOPMENT OF HUMAN RESOURCES.*
- 4. TO FOSTER AND STRENGTHEN COMMUNITY AND GOVERNMENTAL PARTNERSHIPS.*

GOAL NO. 1

TO PROTECT AND DEFEND LIFE, PROPERTY AND THE CONSTITUTIONAL RIGHTS OF ALL THE CITIZENS AND VISITORS OF THE TOWN OF CHEEKTOWAGA.

1.1 TO DECREASE THE RATIO OF CRIME VICTIMIZATIONS-PER-HOUSEHOLD IN EACH OF THE PATROL DISTRICTS; AND, TO DECREASE THE ACCELERATION OF THE OVERALL CRIME RATE IN CHEEKTOWAGA BY DECEMBER, 1993.

- 1.1.1 Optimize the Patrol District Plan through the analysis of calls, crimes and units of work. *(Patrol / Admin)*
- 1.1.2 Address special areas through the deployment of directed patrols and park-&-walk beats. *(Patrol)*
- 1.1.3 Evaluate the feasibility of Permanent Districts through external and internal research. *(Patrol / Admin / Invest)*
- 1.1.4 Develop a comprehensive prevention, intervention and enforcement strategy regarding elderly abuse. *(Patrol / Invest)*
- 1.1.5 Publicize crime fighting plans and the results of crime detection activities. *(Media Liaisons)*
- 1.1.6 Initiate Bicycle Drug Interdiction enforcement techniques around area schools. *(Patrol)*
- 1.1.7 Define and promote "Zero Tolerance" drug and alcohol programs within the context of enforcement. *(COP / CAP / Patrol / Invest)*

1.2 TO ESTABLISH A HIGH LEVEL OF PREPAREDNESS AND EXPERTISE IN DISASTER AND EMERGENCY RESPONSES BY SEPTEMBER, 1993.

- 1.2.1 Develop Emergency Response plans and distribute copies to all command, supervision and dispatch personnel. *(Admin / Invest)*
- 1.2.2 Participate in a scheduled Aircraft Disaster Drill prior to July, 1993. *(Admin)*

1.3 TO DEVELOP A COMPREHENSIVE CRIME ANALYSIS SYSTEM TO EXPORT TIMELY CRIME INFORMATION TO THE ENTIRE DEPARTMENT BY JUNE, 1993.

- 1.3.1 Determine the information needs of the Patrol Division.
(Patrol / Invest / Admin)
- 1.3.2 Weekly distribution of D.B.I.C. Crime Analysis Reports, indexed by Crime Category and Patrol District, by the Investigative Division.
(Invest)
- 1.3.3 Timely publication of Intelligence Information by the Investigative Division. *(Invest)*
- 1.3.4 Distribution of calls for service and reports by the Records Unit.
(Admin)
- 1.3.5 Develop a records system to track the true availability of manpower.
(Admin)

GOAL NO. 2

TO MAXIMIZE THE EFFECTIVENESS AND EFFICIENCY OF THE POLICE DEPARTMENT ORGANIZATION.

- 2.1 TO DEVELOP DISPATCHING STRATEGIES THAT MAXIMIZE PATROL DISTRICT DEPLOYMENT BY SEPTEMBER, 1993.
 - 2.1.1 Develop and implement a Call Stacking dispatch protocol for non-priority calls by September, 1993. *(Admin / Patrol)*
 - 2.1.2 Develop guidelines for Call Screening / Alternative Response by June, 1993. *(Admin / Patrol)*
- 2.2 TO IMPLEMENT PROCEDURES THAT REDUCE REPORT WRITING AND BOOKING OVERHEAD BY MAY, 1993.
 - 2.2.1 Complete the implementation of the computerized arrest-booking system by March, 1993. *(Admin)*
 - 2.2.2 Train all personnel in the arrest/booking process by May, 1993. *(Admin)*
- 2.3 TO DEVELOP A PHYSICAL PLANT CONDUCTIVE TO EFFICIENT WORK FLOW BY JUNE, 1993.
 - 2.3.1 Secure funding necessary for temporary quarters. *(Admin)*
 - 2.3.2 Analyze the mechanics of a temporary move and decide which division should be moved to temporary quarters. *(Admin / Patrol / Invest)*
 - 2.3.3 Acquire and effectively utilize 10,000 sq. ft. of temporary office space. *(Admin)*
 - 2.3.4 Initiate plans for a permanent building expansion. *(Admin)*

2.4 TO MAINTAIN A STANDARD IN SAFETY EQUIPMENT COMMENSURATE WITH THE PUBLIC SAFETY MISSION ON A CONTINUING BASIS.

- 2.4.1 Secure funding for purchasing weapons and ammunition. *(Admin)*
- 2.4.2 Complete the Glock Transition project by July, 1993. *(Admin)*
- 2.4.3 Upgrade the Police Fleet, to include the acquisition of specialty vehicles. *(Admin)*
- 2.4.4 Secure outside funding to replace the Command Post.
(Comm Svc / Admin)

2.5 TO UTILIZE CIVILIAN PERSONNEL IN ADMINISTRATIVE AND NON-ENFORCEMENT POSITIONS BY SEPTEMBER, 1993.

- 2.5.1 Secure internal funding for a computer systems integrator and consultant. *(Admin)*
- 2.5.2 Secure internal funding to establish 18 full time Public Safety Dispatcher positions; 3 of which are on non-fixed schedules. *(Admin)*

2.6 TO IMPLEMENT QUALITY ASSURANCE PROCEDURES THROUGHOUT THE ENTIRE POLICE DEPARTMENT BY DECEMBER, 1993.

- 2.6.1 Complete the writing, review and institution of the Accreditation Project. *(Admin)*
- 2.6.2 Establish a Vehicle Accident Review Board by March, 1993.
(COP / ACOP)
- 2.6.3 Train the entire police department in the standards, procedures and policies incorporated in the Departmental Accreditation Program.
(Admin)

GOAL NO. 3

TO IMPROVE INTERNAL COMMUNICATIONS AND ALIGNMENT IN ORDER TO STRENGTHEN THE FOCUS, COMMITMENT AND DEVELOPMENT OF OUR HUMAN RESOURCES.

3.1 TO DEFINE DEPARTMENTAL PHILOSOPHIES REGARDING POLICING CHEEKTOWAGA BY JUNE, 1993.

- 3.1.1 Define Community Policing as a philosophy and establish guidelines to advance that philosophy vis-a-vis every aspect of the mission of the Cheektowaga Police Department. *(COP / ACOP / Crime Prev)*
- 3.1.2 Form a Consortium with the Police Departments of the Town of Amherst and the Town of Tonawanda to analyze Community Policing models, suggest philosophies and to develop a comprehensive police training program for Community Policing. *(COP / ACOP / Admin / Crime Prev)*

3.2 TO IMPLEMENT TRAINING PROGRAMS THAT ENHANCE PROFESSIONAL STANDARDS BY SEPTEMBER, 1993.

- 3.2.1 Develop an internship program for all newly promoted supervisors. *(Admin)*
- 3.2.2 Develop a Driver Training program, select a qualified trainer, and enroll the trainer in a certified training program. *(Admin)*
- 3.2.3 Negotiate the establishment and formulation of a 1 Week Intensified Training Program with the police unions. *(ACOP)*

3.3 TO DEVELOP MECHANISMS THAT PROMOTE INTERNAL COMMUNICATIONS BY JUNE, 1993.

- 3.3.1 Revise the format of staff meetings to include topics and presentations. (*COP / ACOP / Admin*)
- 3.3.2 Institutionalize the bi-monthly briefings held by the Investigative Division. (*Invest*)
- 3.3.3 Develop and implement a Team Building training program. (*Admin*)
- 3.3.4 All personnel to participate in the planning process and the setting of departmental goals and objectives. (*COP / ACOP*)

GOAL NO. 4

TO FOSTER AND STRENGTHEN COMMUNITY AND GOVERNMENTAL PARTNERSHIPS.

4.1 TO EXPAND THE POLICE DEPARTMENT'S PARTNERSHIP WITH THE COMMUNITY IN AREAS RELATING TO PUBLIC SAFETY ON A CONTINUING BASIS.

- 4.1.1 Develop and implement a Bicycle Safety program. (*Crime Prev*)
- 4.1.2 Develop a D.A.R.E. Master Plan. (*COP / CAP / Crime Prev*)
- 4.1.3 Implement a Police Advisory Board. (*COP / ACOP / Crime Prev*)

4.2 TO EXPAND THE POLICE DEPARTMENT'S RELATIONSHIP WITH OTHER LAW ENFORCEMENT AND PROFESSIONAL AGENCIES ON A CONTINUING BASIS.

- 4.2.1 Initiate scheduled meetings and briefings with School Officials. (*COP / Invest / Crime Prev*)
- 4.2.2 Secure funding and participate in planning and policing the World University Games. (*Patrol / Admin*)

4.3 TO PROMOTE A PROFESSIONAL WORKING RELATIONSHIP WITH THE TOWN BOARD.

- 4.3.1 Initiate meaningful dialogue regarding goals and objectives. (*COP / ACOP*)
- 4.3.2 Stimulate the re-institution of regular police committee meetings. (*COP / ACOP*)
- 4.3.3 Attend problem-avoidance and problem-solving sessions with the Town Board. (*COP / ACOP / Captains*)

SANITATION DEPARTMENT

GOAL #1

TO PROMOTE COMPOSTING TO RESIDENTS

OBJECTIVES

1. TO DISTRIBUTE EDUCATIONAL AND FIGURES TO ALL RESIDENTS WITHIN CHEEKTOWAGA NOT LATER THAN AUGUST 1, 1993.
2. TO LOCATE POTENTIAL COMPOSTING SITES WITHIN A REASONABLE PROXIMITY OF THE MOST CENTERED POINT OF THE TOWN BY AUGUST 31, 1993.

GOAL #2

TO INCREASE THE LIFE OF RECYCLING TRUCKS.

OBJECTIVES

1. TO CONSTRUCT A NEW STORAGE FACILITY FOR RECYCLING EQUIPMENT BY JUNE 15, 1993.

GOAL #3

TO ENHANCE YARD WASTE COLLECTION AMONG RESIDENTS.

OBJECTIVES

1. TO FULLY EDUCATE THE RESIDENTS AS TO THE PROPER WAY YARD WASTE IS TO BE PUT AT THE CURB BY JUNE 30, 1993.

GOAL #4

TO ENHANCE PRODUCTIVITY OF OUR GARBAGE FLEET.

OBJECTIVES

1. TO PURCHASE 4 PACKER TRUCKS AND PUT THEM INTO OPERATION BY JUNE 30, 1993.

GOAL #5

TO PROMOTE RECYCLING PROGRAMS AMONG RESIDENTS

OBJECTIVES

1. TO EVALUATE PAST AND PRESENT RECYCLING PROMOTIONS SUCH AS NEWS ARTICLES-BROCHURES-VIDEOS AND ALL ADVERTISING BY APRIL 30, 1993.
2. TO SURVEY 20% OF THE RESIDENTS TO SEE IF OUR MESSAGE HAS REACHED EVERY RESIDENT BY APRIL 30, 1993.
3. TO ESTABLISH A SCHOOL RECYCLING EDUCATION PROGRAM TO REACH 40% OF THE SCHOOL CHILDREN BY JUNE 30, 1993.

GOAL #6

TO IMPROVE COLLECTION ROUTES FOR THE BETTERMENT OF RESIDENTS AND EMPLOYEES.

OBJECTIVES

1. TO DECREASE OVERTIME BY AT LEAST 10% AND INCREASE PRODUCTIVITY BY 20% BY DECEMBER 31, 1993.

GOAL #7

TO EXPAND OUR RECYCLING FLEET FOR RESIDENTS.

OBJECTIVES

1. TO PURCHASE EIGHT NEW RECYCLING TYPE TRUCKS FOR THE RECYCLING DEPARTMENT AND PUT IN OPERATION BY JULY 11, 1993.

SENIOR SERVICES DEPARTMENT

GOAL #1

TO DEVELOP THREE NEW PROGRAMS FOR AGE 60+ RESIDENTS WITHIN ONE YEAR.

OBJECTIVES

1. TO ESTABLISH THE NEED FOR SELECTIVE PROGRAMMING FOR TARGET POPULATION.
2. TO IDENTIFY THE VARIOUS AGE GROUPS FOR SPECIAL ACTIVITIES.
3. TO APPROACH LOCAL GROUPS FOR ASSISTANCE IN RECRUITMENT FOR PARTICIPATION.

GOAL #2

TO INCREASE AWARENESS OF AND ACCESS TO COMMUNITY RESOURCES FOR THE ELDER RESIDENTS.

OBJECTIVES

1. TO PROMOTE PROGRAMS AND SERVICES OFFERED BY DEPARTMENT TO TOWN RESIDENTS.
2. TO SECURE SPONSORS FOR FINANCIAL SUPPORT AND PROMOTION OF PROGRAMS FOR ELDERS.
3. TO INCREASE AVAILABILITY OF SERVICES FOR THE ELDERLY (TRANSPORTATION).

SEWER MTSE. DEPARTMENT

GOAL #1

TO MAINTAIN THE WASTEWATER COLLECTION SYSTEM TO INSURE A CONTINUOUS FLOW. THIS WILL HELP PROVIDE A HEALTHY ENVIRONMENT FOR THE RESIDENTS OF THE DISTRICT.

GOAL #2

TO RESPOND TO SANITARY SEWER PROBLEMS AND COMPLAINTS TO MINIMIZE INCONVENIENCE TO THE RESIDENTS OF THE DISTRICT.

GOAL #3

TO EXPAND OUR SAFETY PROGRAM IN AN EFFORT TO PROVIDE A HEALTHY WORK ENVIRONMENT AND FEWER WORK RELATED INJURIES.

GOAL #4

TO COMPILE SEWER COMPLAINTS IN A MASTER FILE TO DETERMINE FUTURE ACTIONS.

GOAL #5

TO EVALUATE EXISTING BUILDINGS AND ENVIRONMENT ON A CONTINUOUS BASIS TO ENSURE EFFICIENCY AND SAFETY.

SUPERVISORS OFFICE

GOAL #1

TO REDUCE EMPLOYEE WORKERS COMPENSATION COSTS FOR TAXPAYERS.

OBJECTIVES

1. TO COMMUNICATE TO ALL TOWN EMPLOYEES THE TOWN'S WORKERS COMPENSATION EXPENSE THROUGH SEMI -ANNUAL MEETINGS IN 1993.
2. TO REDUCE EMPLOYEE'S CLAIMS BY 15% IN 1993.
3. TO ESTABLISH 5 LOSS CONTROL TRAINING SESSIONS FOR SANITATION AND HIGHWAY EMPLOYEES IN 1993.

TAX OFFICE

GOAL #1

TO REDUCE WAITING LINES AT THE TAX OFFICE

OBJECTIVES

1. TO INSTALL ONE ADDITIONAL TELLER COUNTER IN 1993.
2. TO CONTACT TOWN BANKS AND REQUEST FREE CHECKS.
3. TO ENCOURAGE TAXPAYERS TO PAY BY MAIL.

GOAL #2

TO ALLEVIATE LUMP SUM TAX PAYMENT BURDEN ON TAXPAYERS.

OBJECTIVES

1. TO PROMOTE LEGISLATION FOR PART-PAYMENT OF TAXES IN 1993.
2. TO ENCOURAGE SCHOOL DISTRICTS TO ADOPT RESOLUTIONS FOR PART-PAYMENT OF TAXES IN 1993.

TOWN CLERK

GOALS

TO INSTALL A SERVICE-ORIENTED COMPUTER SYSTEM IN 1993.

TO UPDATE TOWN RECORDS THROUGH THE RECORDS MANAGEMENT GRANT.

TO MAINTAIN A VOTER MACHINE RECONDITIONING PROGRAM.

TO REPLACE 12 VOTING MACHINES.

TO TRAIN STAFF IN ELECTION MACHINE PREVENTATIVE MAINTENANCE AND REPAIRS.

TO UPGRADE THE ELECTION CENTER FACILITY.

YOUTH AND RECREATIONAL SERVICES DEPARTMENT

GOAL #1

TO INCREASE/IMPROVE/MAXIMIZE THE QUALITY OF PROGRAMS AND SERVICES FOR CUSTOMER SATISFACTION.

OBJECTIVES

1. TO UTILIZE INFORMATION/FEEDBACK FROM THE COMMUNITY AND CUSTOMERS, TO IMPROVE THE QUALITY OF THE PROGRAMS BY 10% ANNUALLY.
2. TO INCREASE PROMOTION OF DEPARTMENT PROGRAMS AND SERVICES TO THE PUBLIC AND OTHER TOWN DEPARTMENTS BY 15%, BY THE END OF THE FIRST YEAR.
3. TO DEVELOP A MECHANISM TO STRIVE TOWARD SELF-SUFFICIENCY BY REVIEWING PROGRAM OPERATIONS AND EXPENSES WITHIN ONE MONTH AFTER ITS COMPLETION.
4. TO MONITOR THE SAFETY OF PROGRAMS AND FACILITIES, DECREASING COMPLAINTS AND ACCIDENTS BY 10% , BY THE END OF THE FIRST YEAR.
5. TO MAXIMIZE THE USE OF FACILITIES COST-EFFECTIVENESS, BY 10% ANNUALLY.
6. TO DEVELOP A FORMAT BY WHICH NEW PROGRAMS ARE PROPOSED, BY JUNE 1, 1993.

GOAL #2

TO PROVIDE AN EFFECTIVE AND EFFICIENT STAFF TO ATTAIN CUSTOMER SATISFACTION.

OBJECTIVES

1. TO DETERMINE STAFFING NEEDS BY SURVEYING ALL DEPARTMENT PROGRAM SUPERVISORS, ON AN ANNUAL BASIS, WITH RESULTS COMPILED BY AUGUST (1993).
2. TO IMPROVE EMPLOYEE RECRUITMENT BY DEVELOPING AN ACTIVE PROMOTIONAL CAMPAIGN BY DECEMBER, 1993.
3. TO FORMULATE THE CRITERIA THAT WILL BE UTILIZED FOR THE PURPOSE OF SELECTING QUALIFIED, FULL-TIME, PART-TIME, SEASONAL AND VOLUNTEER PROGRAM STAFF, BY SEPTEMBER, 1993.
4. TO EDUCATE ALL STAFF, FULL-TIME, PART-TIME AND SEASONAL, ON THE GENERAL FUNCTIONS, POLICIES AND PROCEDURES OF THE YOUTH AND RECREATION DEPARTMENT, ON A SEASONAL BASIS.
5. TO PROVIDE SKILL-SPECIFIC TRAINING TO ALL DEPARTMENT STAFF AND VOLUNTEERS, ON A SEASONAL BASIS, IN ORDER TO ENHANCE THEIR EFFECTIVENESS AS A SERVICE PROVIDER, BEGINNING JUNE, 1993.
6. TO CULTIVATE AMONG ALL STAFF AND VOLUNTEERS, A SENSE OF RESPONSIBLE OWNERSHIP OF THE MISSION AND VISION OF THE YOUTH AND RECREATION DEPARTMENT, THROUGH A HIGH STANDARD OF JOB PERFORMANCE.
7. TO EVALUATE THE PERFORMANCE OF DEPARTMENTAL STAFF AND VOLUNTEERS, AT LEAST ONCE A YEAR, SO AS TO IDENTIFY THEIR STRENGTHS AND WEAKNESSES.

GOAL #3

TO OBTAIN CUSTOMER FEEDBACK FOR IMPROVED PROGRAMMING.

OBJECTIVES

1. TO UTILIZE AT LEAST ONE METHOD TO IDENTIFY OUR CUSTOMERS' EXPECTATIONS OF 90% OF OUR PROGRAMS THROUGH DECEMBER 31ST.
2. TO UTILIZE AT LEAST ONE METHOD TO IDENTIFY OUR CUSTOMERS' ATTITUDES RELATIVE TO PROGRAM FEES FOR 90% OF OUR PROGRAMS THROUGH DECEMBER 31ST.
3. TO UTILIZE AT LEAST ONE METHOD TO IDENTIFY OUR CUSTOMERS' KNOWLEDGE OF OUR DEPARTMENT'S PROMOTION OF 90% OF OUR PROGRAMS BY DECEMBER 31ST.
4. TO UTILIZE AT LEAST TWO METHODS TO IDENTIFY OUR CUSTOMERS' SATISFACTION WITH 90% OF OUR PROGRAMS BY DECEMBER 31ST.
5. TO UTILIZE AT LEAST ONE METHOD TO RECORD CUSTOMERS' IMPRESSION OF THE OVERALL CONDITIONS OF THE FACILITIES AT WHICH 90% OF OUR PROGRAMS ARE LOCATED.

GOAL #4

TO DEVELOP A PLAN TO OBTAIN COMMUNITY FEEDBACK FOR CURRENT AND FUTURE PROGRAMMING.

OBJECTIVES

1. TO IDENTIFY THREE OPPORTUNITIES TO OBTAIN COMMUNITY FEEDBACK BY APRIL 1, 1993.
2. TO PREPARE APPROPRIATE INSTRUMENTS TO OBTAIN COMMUNITY FEEDBACK AT IDENTIFIED OPPORTUNITIES BY MAY 1, 1993.
3. TO IDENTIFY KEY PERSONNEL TO ANALYZE FEEDBACK OBTAINED FROM COMMUNITY BY MAY 1, 1993.

GOAL #5

TO CREATE A MECHANISM TO DEVELOP POLICIES AND PROCEDURES FOR THE DEPARTMENT OF YOUTH AND RECREATION, IN ORDER TO ACHIEVE CUSTOMER SATISFACTION.

OBJECTIVES

1. TO DEVELOP A SURVEY TO DETERMINE WHAT POLICIES AND PROCEDURES ARE NEEDED TO OPERATE SPECIFIC PROGRAMS.
2. TO UTILIZE SURVEY DATA FOR THE PURPOSE OF CREATING POLICIES AND PROCEDURES.

Item No. 9a Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, the following referenced projects are being proposed by the Town of Cheektowaga:

1. Road Intersection Work - includes work at the intersections of French Road and Brentwood Drive; French Road and Towers Boulevard; and Joseph Street and Nagel Drive
2. Sidewalks along Union Road

and

WHEREAS, the Town desires to adopt bond resolutions to finance these projects, and

WHEREAS, each of these projects requires environmental review under the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, the Town Environmental Review Advisory Committee has reviewed such projects and has recommended that this Town Board issue negative declarations under SEQRA for same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby issues negative declarations under SEQRA with respect to the above referenced projects, and BE IT FURTHER

RESOLVED, that the Town Intake Officer be and hereby is directed to file these declarations with the appropriate agencies.

Upon Roll Call....

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

Item No. 9b Negative Declaration for the Losson-Union Plaza
This item was withdrawn.

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

WHEREAS, the Erie County Industrial Development Agency ("ECIDA") issues loans to private developers to encourage development in the County of Erie, including the Town of Cheektowaga, and

WHEREAS, the ECIDA has also given loans to private developers who develop property owned by the Niagara Frontier Transportation Authority ("NFTA"), including the Greater Buffalo International Airport ("GBIA") property and property surrounding the GBIA, and

WHEREAS, pursuant to ECIDA agreements and the Public Authorities Law, the ECIDA and NFTA are exempt from property taxes (excluding special district charges), and make only payments-in-lieu-of-taxes (PILOTS) to the various municipalities, and

WHEREAS, this Board feels that ECIDA-approved projects on NFTA-owned properties should be required to make PILOTS to the Town, school, County, etc. in an amount equivalent to what a private developer would pay on such property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the ECIDA to require private developers which are given ECIDA loans for NFTA-owned property to pay Town, County, school, etc. taxes in an amount equal to what would be owed on privately-owned property, provided such property is not used for airport transportation related activities, and BE IT FURTHER

Item No. 10 continued

RESOLVED, that in the alternative, this Town Board hereby memorializes the NFTA to make PILOTS to the appropriate governmental entities for all non-airport transportation-related business activities for which the NFTA receives lease revenues and no PILOTS or other tax payments are made to the governmental entity.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga will be celebrating the 15th Anniversary of the Cheektowaga Polish-American Arts Festival, and

WHEREAS, in conjunction with this year's Polish-American Arts Festival, the General Pulaski Association of the Niagara Frontier has requested permission to hold its annual Pulaski Day Parade, and

WHEREAS, such parade will be held on Sunday, August 22, 1993 beginning at 1:30 P.M. and will proceed along the following route:

Begin at corner of Walden Avenue and Alexander Avenue
Proceed east on Walden Avenue to Harlem Road
Proceed north on Harlem Road to Town Park
[Note: parade route may be altered due to anticipated
reconstruction of Harlem Road.]

and

WHEREAS, such parade will be held to honor Brigadier General Casimer Pulaski, who, as a Polish general, commanded American troops in the Revolutionary War, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the General Pulaski Association of the Niagara Frontier to hold the annual Pulaski Day Parade at the above mentioned time and place during the Cheektowaga Polish-American Arts Festival, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort arrangements for such motorcade and to ensure compliance with Section 1660(a)(6) of the Vehicle and Traffic Law of the State of New York.

Upon Roll Call....

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

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

WHEREAS, alcohol has been identified as the most serious threat to America's youth and it has been identified that 4.6 million Americans between the ages of 14-17 are already problem drinkers; and

WHEREAS, over 300 Americans die every day from alcohol related causes; and

WHEREAS, alcohol has been labeled by the Surgeon General of the United States, Antonia C. Novello, as the nation's number one drug problem; and

WHEREAS, April 1993 has been nationally designated as the seventh Alcohol Awareness Month; and

Item No. 12 continued

WHEREAS, the Town of Cheektowaga, through the Cheektowaga Action Partnership Against Alcohol and Drug Abuse, wishes to educate and inform the public regarding alcohol related issues, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga does hereby designate the month of April 1993 as Cheektowaga Alcohol Awareness Month.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga Senior Services Department is presently operating an "Are You O.K." program to assist senior citizens in the Town, and

WHEREAS, the Cheektowaga Travel Club has received a grant for \$4,000 from the New York State Department of Social Services for the purchase of additional equipment for the "Are You O.K." program, and wishes to donate same to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the \$4,000 donation from the Cheektowaga Travel Club to be used to purchase additional equipment for the "Are You O.K." program, and directs the Supervising Accountant to deposit said moneys into revenue account 7620.2036 and BE IT FURTHER

RESOLVED, that said moneys shall then be transferred into the Senior Services Department operating budget line item 0100-7620.2501 to be used to purchase additional equipment for the "Are You O.K." program.

Upon Roll Call....

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

Item No. 14 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, the developer of the five (5) lot Castlewood Subdivision deposited funds in the amount of \$2,500.00 in an escrow account with the Town to guarantee adjustment and modifications to a manhole, AND

WHEREAS, the said modifications have been completed in a satisfactory manner based on an inspection performed by the Town Engineering Department, NOW, THEREFORE, BE IT

RESOLVED, that escrow funds in the amount of \$2,500.00 be released to the developer, Wymar Builder, Inc., from the appropriate escrow account.

Upon Roll Call....

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

Item No. 15a Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

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

Item No. 15a continued

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of EMS Board concerning the licensing of new/renewal driver(s)/attendants(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.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>COMPANY</u>	<u>EMT</u> <u>EXPIRES</u>
Budziszewski, Katthew	Corfu, N.Y. 14036	Town's	6/30/95

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

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 ambulances and has recommended that the Town Board license such ambulance(s), NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, pursuant to Section A-5 of the Ambulance Ordinance accept the recommendations of the Emergency Medical Services Board, and approve the following:

AMBULANCE LICENSES

<u>OWNER</u>	<u>VEHICLE: MAKE & MODEL</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
Town's Ambulance	(1) 1987 Chevrolet	AA 1219	554
	(2) 1987 Ford	AA 1220	555
	(3) 1987 Ford	AA 1221	556
	(4) 1986 Ford	AA 3023	557
	(5) 1990 Chevrolet	AA 3261	558
	(6) 1982 Ford	AA 1201	559
	(7) 1982 Chevrolet	AA 4075	560
	(8) 1982 Ford	AA 4606	561
	(9) 1987 Ford	AB 7888	562
	(10) 1985 Ford	AA 4623	563
	(11) 1987 Ford	AA 3022	564
	(12) 1986 Ford	AA 3262	565
	(13) 1992 Ford	AA 4691	566
	(14) 1990 Chevrolet	AA 3265	567
	(15) 1982 Ford	AA 4682	568

and, BE IT FURTHER

RESOLVED, that the Town Clerk is hereby authorized, directed and empowered to issue ambulance licenses to the applicants set forth above, providing such ambulance so listed meets the insurance requirements set forth in the Ambulance Ordinance.

Upon Roll Call....

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

Item No. 16a 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 American Festival to be held on August 20, 21 and 22, 1993.

FUNDING SOURCE: 01-7550-0004-4374

Upon Roll Call....

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

Item No. 16b 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 Cultural Center Summer Concerts to be held in July and August.

FUNDING SOURCE: 01-7140-4503

Item No. 16b continued

Upon Roll Call....

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

Item No. 16c Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

BE IT RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association.

Upon Roll Call....

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

Item No. 16d Motion by Councilman Blachowski, Seconded by Councilman Solecki

WHEREAS, the Town of Cheektowaga has received funding from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, for the 1992-93 Program Year, and

WHEREAS, an eligible activity under the Community Development Block Grant Program is the provision of energy conservation programs to assist low-income renters and homeowners, and

WHEREAS, Supportive Services Corporation of Western New York has requested funding for the provision of energy conservation and weatherization services for low-income Town residents, and

WHEREAS, funding for such services has been included in the Town's 1992-93 Community Development Block Grant application, NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and hereby is authorized to execute an Agreement with Supportive Services Corporation of Western New York for the provision of energy conservation and weatherization services for Town residents, and BE IT

FURTHER RESOLVED, that the fee paid to Supportive Services be in the amount of \$5,600.00, said fee to be paid from the Fiscal Year 1992-93 Community Development Block Grant Funds, Account No. 0700-1092-0708.

Upon Roll Call....

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

Item No. 16e Motion by Councilman Blachowski, Seconded by Councilman Solecki

WHEREAS, the Congress of the United States has passed, and the President of the United States has signed into law, the National Affordable Housing Act of 1990, and

WHEREAS, Title II of the National Affordable Housing Act created the HOME Program under which the Secretary of Housing & Urban Development is authorized to make grants to units of general local government to help finance investments in affordable housing, and

WHEREAS, the Town of Cheektowaga has formed a Consortium with the Amherst and Tonawanda for the purpose of applying for funding under the HOME Program, and

Item No. 16e continued

WHEREAS, the Town of Amherst has designated to act as the lead-community for said consortium and is responsible for filing program statements/requests for funding under the HOME Program with the Department of Housing & Urban Development, and

WHEREAS, the HOME Consortium is entitled to receive \$716,000 in funding during Fiscal Year 1993 with the Town's share of said funding to be up to \$234,800, and

WHEREAS, HOME funds can be utilized for various housing activities to benefit low and moderate income families, including the rehabilitation of owner-occupied housing and the provision of assistance to first-time homebuyers, and

WHEREAS, the Director of Community Development has submitted recommendations for the use of said funds,

RESOLVED, the Town Board hereby designates the projects outlined on the attached exhibit for funding for the Town of Cheektowaga under the Fiscal Year 1993 HOME Program Statement to be submitted to the Department of Housing and Urban Development by the Town of Amherst, and Be It

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute any required documents or forms in relation to said HOME Program.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

HOME Program
Fiscal Year 1993
Amherst-Cheektowaga-Tonawanda Consortium

PROJECT DESCRIPTIONS - TOWN OF CHEEKTOWAGA

1) HOME Revolving Housing Rehabilitation Loan Program

\$ 206,000

Description

In order to preserve the supply of affordable housing and assist existing low-moderate income homeowners to maintain homeowner status, the HOME Revolving Housing Rehabilitation Loan Program will provide low-cost, affordable financial assistance in the form of loans to income-eligible single-family homeowner-occupants to make needed housing repairs/improvements consistent with HOME Program regulations and to bring their property into compliance with applicable State and local housing codes and standards. The Town's existing CDBG Housing Rehabilitation Loan Program Guidelines will be utilized as the basis for the HOME Housing Rehabilitation Loan Program. Modifications to said guidelines will be made to make them consistent with HOME Program requirements and regulations.

This program will be available on a Town-wide basis. The assistance provided will be secured by a collateral mortgage.

Eligibility: Properties eligible for rehabilitation assistance are those which:

- are owner-occupied, single-family residences on land owned by the homeowner with Town of Cheektowaga;
- are current on all property tax payments;
- will have sufficient after-rehab value to secure the Town's loan consistent with applicable after-rehab property-value limitations.

2) First-Time Homebuyer Assistance

\$ 19,800

Description

Assistance will be provided to first-time low-moderate income homebuyers, as defined by Home Program regulations, to assist in the payment of closing costs associated with the purchase of a home. A non-interest bearing mortgage will be placed on the property in the amount of the HOME assistance provided. Repayment of the HOME assistance provided will be required at the time of the sale of or transfer of title to the property, or if the property owner no longer maintains the property as his/her principal residence, or in the event of the death of the last original permanently residing owner-occupant.

3) Administration - Activity Delivery Costs

\$ 9,000

Description

Funds will be used to pay for eligible administrative and activity delivery costs, pursuant to applicable federal regulations, associated with the implementation of HOME program activities.

Item No. 16f Motion by Councilman Blachowski, Seconded by Councilman Solecki

WHEREAS, the Town of Cheektowaga, in November, 1991, gave Marietta Tominich-Moran a Housing Rehabilitation Community Development loan for property owned by her and located at 96 Rondelay Drive, Cheektowaga, New York 14227, and

WHEREAS, Marietta Tominich-Moran is now applying for a home equity line of credit through M & T Bank, and M & T Bank is requesting the Town to execute a Subordination Agreement relating to the Town's Community Development loan, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Marietta Tominich-Moran and the Town's Housing Rehabilitation Community Development Loan for 96 Rondelay Drive, Cheektowaga, New York, and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

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

Item No. 16g Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, the New York State Department of Transportation is proposing to widen Harlem Road in the vicinity of Cheektowaga Town Park, and

WHEREAS, as a result of such highway widening, New York State Electric and Gas Corporation ("NYSEG") is required to relocate its poles along Harlem Road, and

WHEREAS, NYSEG has requested an easement from the Town in order to relocate its utility poles and lines within the easterly two feet of Cheektowaga Town Park, and

WHEREAS, the Town Engineer has reviewed the requested easement and has no objection to same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the granting of the aforementioned easement to NYSEG and authorizes the Supervisor to execute the attached easement agreement, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Adoption Subject to Permissive Referendum in the CHEEKTOWAGA TIMES.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on March 15, 1993 adopted a resolution authorizing the granting of an easement for the construction and maintenance of poles, wires and appurtenances over and across property located on Harlem Road in Cheektowaga Town Park.

A copy of such Easement agreement is on file in the Town Clerk's Office where the same may be inspected 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.

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

Dated: March 15, 1993



RICHARD M. MOLESKI
Town Clerk

EASEMENT

THIS INSTRUMENT WITNESSETH THAT TOWN OF CHEEKTOWAGA, 3301 Broadway,

Cheektowaga, New York 14227

hereinafter called the Grantor(s), being the owner(s) of or having an interest in land situate in the Town of

Cheektowaga, County of Erie, State of New York, fronting on the street or

highway known as HARLEM ROAD, bounded northerly

by lands of Town of Cheektowaga and southerly

by lands of Town of Cheektowaga, for and in consideration of the sum of One and No / 100 Dollars (\$1.00), the receipt of which is hereby acknowledged, does hereby grant and release unto NEW YORK STATE ELECTRIC & GAS CORPORATION, a corporation organized under the laws of the State of New York, having an office in the Town of Dryden (no street address), County of Tompkins, State of New York, hereinafter called the Grantee, its lessees, licensees, successors and assigns forever, a permanent easement and right of way, with the right, privilege and authority to construct, reconstruct, relocate, extend, operate, inspect, maintain, repair, replace, and at its pleasure, remove any poles or line of poles, supporting structures, cables, crossarms, overhead and underground wires, guys, braces, communication facilities and other fixtures and appurtenances which the Grantee shall require now and from time to time for the transmission and/or distribution of electric current and/or for communication purposes, for public or private use, in, upon, over, under, and across said land and/or the highways abutting or running through said land.

The easement and right of way hereby granted and released is 20 feet in width throughout its extent, situate, lying and being as follows:

ALL IS SHOWN ON ATTACHED SKETCH MARKED "EXHIBIT A", ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with free ingress and egress over the easement and right of way and other lands of Grantor(s) for all of the above purposes and the right now and from time to time to trim, cut, burn, treat and/or remove by manual, mechanical and chemical means trees, brush, structures and other obstructions within said easement and right of way and such other trees adjacent to the right of way that, in the opinion of the Grantees, may interfere with the construction, operation and maintenance of their line or lines.

PROVIDED, however, that any damage (other than for trimming, cutting, treating, burning and/or removing trees, brush, structures and other obstructions as above provided) to the property of the Grantor(s), caused by the Grantee in the exercise of its rights under this instrument shall be borne by the Grantee.

RESERVING, however, to the Grantor(s): the right to cultivate the ground between said poles, towers and supporting structures and beneath said wires and fixtures, and the right to cross and recross said easement and right of way provided that such use of said ground shall not interfere with, obstruct or endanger any rights granted as aforesaid and shall not disturb the grade of said ground as it now exists, and provided that no structure shall be erected, no trees shall be grown, cultivated or harvested, and no excavating, mining or blasting shall be undertaken within the limits of the easement and right of way without written consent of the Grantee. Grantor(s) in said use of said ground shall maintain a clearance of 10 feet or more from Grantee's aerial wires with vehicles, machinery and equipment.

This Instrument shall be binding on and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the Grantor(s) has hereunto set his hand(s) and seal(s) this 5th day of May, 1993.

IN PRESENCE OF:

HW-23 LMD 03/29/93

PLEASE NOTARIZE ON THE REVERSE SIDE

X (L.S.)

Address: 3301 Broadway

Cheektowaga, N.Y. 14227

X (L.S.)

Address:

X (L.S.)

Address:

X (L.S.)

Address:

EASEMENT

_____, (Personal Acknowledgment)

_____, (Subscribing Witness Acknowledgment)

th. _____ Parcel No. _____

ea Cost Center No. _____

nstruction W.O. No. _____

STATE OF NEW YORK
COUNTY OF _____] ss:

On this _____ day of _____, 19 _____,
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 duly
acknowledged to me the execution of the
same.

(Notary Public)

STATE OF NEW YORK
COUNTY OF _____

On this _____ day of _____
before me personally came

the subscribing witness to the within
Instrument, with whom I am personally
known, who being by me duly sworn,
say that _____ he resides at _____

in the _____
of _____
that _____ he knew _____

to be the individual _____ de-
scribed in the foregoing Instrument,
said subscribing witness, who being
by me duly sworn, say that _____
he, said witness, acknowledged the
execution of the foregoing Instrument
as subscribed by _____ name as _____

(Notary Public)

TO
NEW YORK STATE ELECTRIC
& GAS CORPORATION

ted _____, 19 _____

STATE OF NEW YORK
COUNTY OF _____] ss:

Recorded on the _____ day of _____,
19 _____,
_____ o'clock _____ M.

Book _____ of Deeds at
Page _____ and examined.

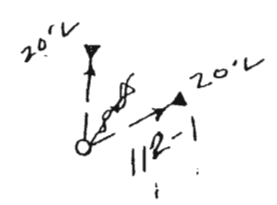
(Clerk)

REMARKS

Paid from Working Fund _____ Office
Ck. No. _____ Amt. _____ Date _____
Ck. No. _____ Amt. _____ Date _____

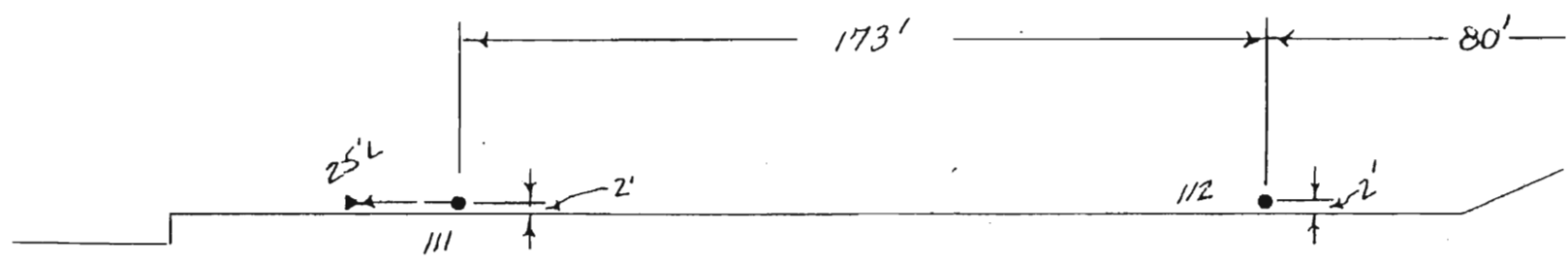
RETURN TO
CORPORATE DOCUMENT DEPARTMENT
NEW YORK STATE ELECTRIC & GAS CORP.
POST OFFICE BOX 3287
ITHACA, NEW YORK 14852-3287

DISTRIBUTION
HIGHWAY REC
HARLEM RD
MSD
HW-23



LEGEND:

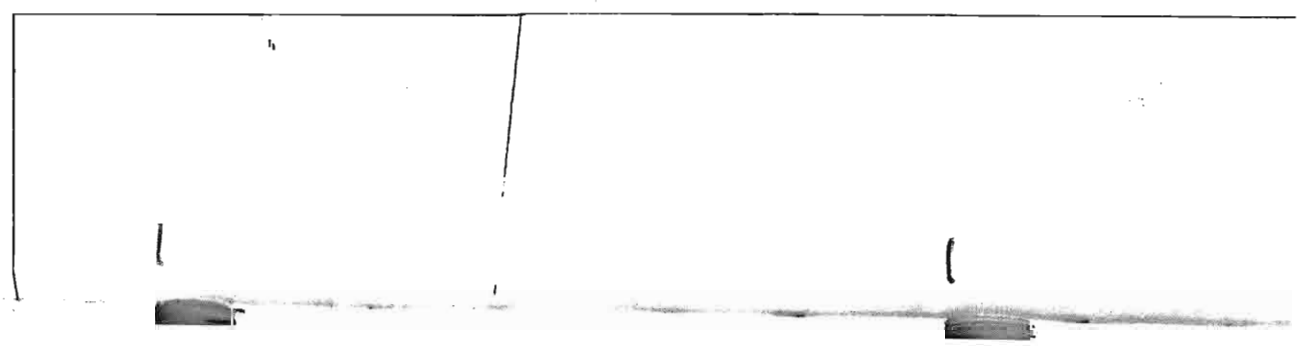
- PROPOSED POLE
- PROPOSED ANCHOR
- EXISTING POLE
- EXISTING ANCHOR



HARLEM RD.
S.H. 9351

EXHIBIT "A"

ENTRAL
BLVD



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

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 March 15, 1993 adopted a resolution authorizing the granting of an easement for the construction and maintenance of poles, wires and appurtenances over and across property located on Harlem Road in Cheektowaga Town Park.

A copy of such Easement agreement is on file in the Town Clerk's Office where the same may be inspected 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.

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

Dated: March 15, 1993

Richard M. Moleski
Town Clerk

PUBLISH: April 8, 1993

.....Melissa Gugliuzza....., of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) isClerk..... 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 for1..... weeks: first publication.....April 8, 1993.....; last publication.....April 8, 1993.....; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this8th.....

day ofApril....., 19..93

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 12/11/93

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

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RESOLUTION SUBJECT TO
PERMISSIVE REFERENDUM

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

Dated: March 15, 1993

Richard M. Moleski
Town Clerk

PUBLISH: April 8, 1993

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication.....April 8, 1993.....;
last publication.....April 8, 1993.....;
and that no more than six days intervened be-
tween publications.

.....Melissa Gugliuzza.....

Sworn to before me this8th.....

day ofApril....., 19⁹³.....

.....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 12/11/9³

Item No. 16h Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Article 2-B of the Executive Law of the State of New York places the burden and responsibility on local governments to develop and implement disaster preparedness programs within their jurisdiction, and

WHEREAS, this Town Board has previously created a local office of disaster preparedness, appointed a Disaster Coordinator and approved various disaster preparedness plans within the Town, and

WHEREAS, to assist the Town with disaster preparedness planning and with other technical services in the event of the occurrence of disaster, the Town had retained Ecology and Environment, Inc., and

WHEREAS, the agreement with Ecology and Environment, Inc. has expired and this Town Board wishes to renew such agreement, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with Ecology and Environment, Inc., and BE IT FURTHER

RESOLVED, that the retainer program fee required by such agreement (\$4,300.00) shall be appropriated from budget line item number 0100-1220-1410.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT



ecology and environment, inc.

BUFFALO CORPORATE CENTER

368 PLEASANTVIEW DRIVE, LANCASTER, NEW YORK 14086, TEL. 716/684-8060

International Specialists in the Environment

EMERGENCY RESPONSE SERVICES AGREEMENT

FOR

FIRST RESPONDERS TO HAZARDOUS MATERIALS INCIDENTS

April 7, 1993

Town of Cheektowaga
Broadway and Union Roads
Cheektowaga, NY 14225
Attn: Earl Loder

Re: Retainer Program Agreement to Engage
Ecology and Environment, Inc.,
for Emergency Response Services, etc.

ERS Agreement No. _____

Dear Sir:

When executed by TOWN OF CHEEKTOWAGA (hereinafter "Company") in the space provided for below, this Emergency Response Services Agreement (hereinafter "Agreement") will constitute Company's enrollment in the Ecology and Environment, Inc., (hereinafter "E & E") Subscription Program for emergency response services. Such enrollment grants an option to Company to engage E & E in connection with any emergency response, waste site cleanup, hazardous substance risk assessment, or similar occurrence posing the possibility of imminent harm to persons, property, or the environment arising during the term of this agreement. Such engagement by Company of E & E shall be at predetermined rates and terms.

E & E has represented that it offers services in the interrelated areas of emergency response, waste site cleanup, and hazardous substance risk assessment. E & E has also represented that it can quickly mobilize and deliver teams of skilled and experienced field personnel in each of these three areas, as well as related technical areas, to any location in the continental United States, and provide substantial support to Company's and/or E & E field personnel with in-house experts, medical and health monitoring, toxicology hotlines, technical capability, and equipment. E & E also has represented that its services can be provided in a technically sound yet cost-effective manner, with appropriate consideration for the health and safety of the public, cleanup personnel, and the environment. E & E also has represented that it can provide appropriate documentation and testimony with regard to services which it furnishes, in administrative or court proceedings, as may be requested by Company.

As a consequence, Company and E & E wish to establish a professional relationship at this time, and to agree upon certain general terms and conditions that will govern any services which Company may request E & E to perform.

In view of the foregoing, Company and E & E agree as follows:

1. Term and Territory

The term of this Agreement shall be one (1) year from the date of signature. Services to be provided shall be solely within the land areas and inland waterways of the continental United States. The term of this Agreement shall be automatically renewed for one or more one-year periods, upon the same terms and conditions (subject to increases in labor rates as may be communicated to Company on an annual basis and any other terms as may be mutually agreed upon in writing).

2. Retainer Program Fee

Company agrees to pay E & E, upon execution of this Agreement, a lump sum of \$4,300. The fee will be for one year.

3. Retainer Program Services

a. Payment of the fee will entitle Company, by its authorized representatives hereinafter identified, to have immediate telephone access to qualified E & E emergency response personnel and technical experts 24 hours a day, 365 days a year, for purposes of consultation with regard to any occurrence posing the possibility of imminent harm to persons, property, or the environment.

b. Payment also will entitle Company's authorized representatives hereinafter identified, to request E & E to provide such emergency response, waste site cleanup, hazardous substance risk assessment, or other similar technical services, as may be required, and to request E & E to rapidly mobilize and commit and hire the necessary personnel and equipment required all in accordance with the general terms and conditions annexed hereto, made a part hereof, and designated as Exhibit A. It is specifically understood and agreed that the making of this request for services by Company's authorized representatives commits Company to compensate and reimburse the expenses of E & E and/or any subcontractor, consultant, or vendor hired by E & E in connection with any work requested, in accordance with the terms of Exhibits A and B (as may be amended in accordance with Exhibit A, Paragraph 3.a).

c. E & E agrees to promptly and diligently provide the services set forth in Paragraphs 3.a and 3.b above in accordance with the terms of Exhibit A.

4. Company Representatives

Upon receipt of the retainer fee, E & E will issue Company an authorization number which, when Company provides the number, will authorize the commencement of work by E & E and commitment of personnel and resources.

Company shall designate individuals whom E & E will make an effort to contact to verify authorization. Any delays in contacting these individuals, however, will not reduce Company's obligation to pay E & E for services provided.

Company has designated the following individuals for verification:

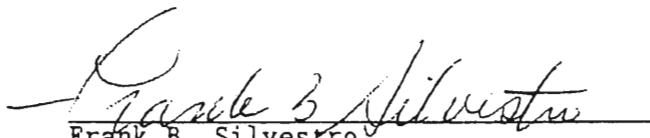
Name	Business Phone No. (Include Area Code)	Home Phone No. (Include Area Code)
Earl Loder	(716) 686-3465	(716) 896-8091
Dennis H. Gabryszak	(716) 686-3445	(716) 685-8549
Thomas M. Johnson, Jr.	(716) 686-3445	(716) 685-3123
Frank E. Swiatek	(716) 686-3465	(716) 681-2741

If this letter accurately sets forth our agreement, please have Company's authorized signatory execute the Agreement in the space provided below.

On behalf of E & E, I welcome you to our subscription program and look forward to a mutually rewarding professional relationship.

Very truly yours,

ECOLOGY AND ENVIRONMENT, INC.


Frank B. Silvestro
Executive Vice President

Accepted and agreed to this 7th
day of April, 1993

TOWN OF CHEEKTOWAGA

By: 

Title: Supervisor

EXHIBIT A

Exhibit to Emergency Response Services Agreement (hereinafter "Agreement") between ECOLOGY AND ENVIRONMENT, INC., ("E & E"), and TOWN OF CHEEKTOWAGA ("Company"), executed the 7th day of April, 1993.

WHEREAS, Company's authorized representative has requested E & E to perform certain technical and consulting services on an emergency basis, and E & E wishes to provide such services;

NOW, THEREFORE, E & E and Company agree as follows:

1. Scope of Work

a. E & E agrees to provide and furnish, as soon as reasonably possible, any and all personnel, equipment, and material which E & E, in its discretion, may deem necessary or appropriate in connection with the particular emergency response, waste site cleanup, hazardous substance risk assessment, or other similar type of work which has been authorized by Company.

b. E & E and Company agree and recognize that, in connection with the work to be performed hereunder, E & E acts as a technical consultant to Company, and that where time and circumstances allow, E & E's representative shall consult with Company's representative to define the scope of work to be performed; outline alternative strategies and approaches to the work to be performed; and obtain advance authorization by Company for any specific work to be performed, and/or for the commitment of personnel, equipment, and material to the work to be performed. A claim by Company that E & E has breached this covenant 1.b shall not, however, be deemed material, and shall not permit Company to refuse or delay payment of compensation or expense reimbursement to E & E or any subcontractor, consultant, or vendor hired in connection with the work.

c. E & E and Company recognize and agree that, at the outset of work to be performed hereunder, the specific scope of work may be ill defined. During the progress of the work authorized, E & E agrees to consult frequently with Company's designated representative in order to coordinate the specific work being performed with Company's overall goals and objectives, including daily telephone or radio contacts where practical. E & E shall also furnish Company's designated representative, as soon as time permits, and during each week of progress of the work hereunder, a brief report of the work performed and progress made, an estimate of the total cost of the work performed, and the costs thereof to be incurred in the next succeeding week.

d. It is specifically understood and agreed between E & E and Company that E & E, upon authorization by Company, E & E shall have the authority, for Company's account, and as authorized agent for the Company to hire such subcontractors, equipment, means of transportation, personnel, and materials as E & E may deem necessary to perform the work. E & E agrees, to the extent feasible, to avail itself of

Company's equipment, personnel, and materials, provided that the same can be employed in a safe and timely manner, under all relevant circumstances.

e. E & E shall furnish a complete report of its activities to Company, including appropriate back-up documentation, at the conclusion of each event for which its services have been requested and provided.

2. Levels of Response

a. E & E may respond hereunder, pursuant to Paragraph 1, "Scope of Work," in one or more of the following manners:

i. by providing on-site coordinators and contracting directly with cleanup contractors to facilitate and monitor cleanup.

ii. by providing Company with Directory Information (see Paragraph 5.a below) as to name, addresses, and telephone numbers of cleanup contractors with whom Company may directly contract for services.

iii. by providing Company with Directory Information as to the nature of specific substances or hazards, health and safety, and cleanup procedures.

b. E & E will not contract with cleanup contractors where E & E is not present on-site to supervise and monitor cleanup activities. In such circumstances, Company must directly contract with the cleanup contractors, and Company will be solely responsible for supervision and monitoring thereof.

3. Payment for Work

a.i. Company agrees to reimburse E & E for all costs and out-of-pocket expense incurred by E & E in connection with the work authorized, and to pay E & E compensation for all services performed in connection with the work authorized, in accordance with E & E's then current schedule of rates and fees. E & E's current hourly rate sheet is attached hereto for reference as Exhibit C and it is understood that said schedule of rates and fees shall be subject to annual revision as indicated thereon. Such payments shall be made within thirty (30) days of presentation of an invoice therefore by E & E. Any outstanding balance after thirty (30) days shall accrue an additional monthly charge of one-and-one-half (1-1/2) percent.

a.i.i. It is understood and agreed that E & E shall apply any retainer fee balance existing in company's retainer account, toward satisfaction of any invoices issued by E & E for authorized services performed by E & E hereunder. In the event no retainer fee balance exists in company's retainer account, or to the extent that an existing balance is insufficient to cover the total invoice amount, company agrees to reimburse E & E for the unpaid amount of any outstanding invoice in accordance with E & E's then current schedule of rates and fees.

a.i.i.i. Any portion of the retainer fee remaining in company's retainer account at the conclusion of the fiscal year of this agreement, and on every anniversary thereafter, should be re-evaluated and applied as follows:

1) In the event the agreement is renewed, sixty percent (60%) of any portion of the retainer fee remaining in company's retainer account should be carried over in the company's retainer account for the following year and serve as a credit toward any outstanding invoices or portion thereof which relate to routine consulting services and associated expenses provided by E & E to company during the year immediately following the contract year in which the retainer account carry over occurred. Routine consulting services shall be provided at the convenience of E & E and shall be clearly defined by a separate scope of work.

2) The forty percent (40%) of amounts remaining in company's retainer account at the end of the agreement and any other amounts in company's retainer account which are not carried over as specified in paragraph 3 (a.i.i.i), above, shall be forfeited by company.

b. Company agrees to reimburse all costs and out-of-pocket expense incurred and to compensate for all services performed by any subcontractor or vendor hired by E & E in connection with the work authorized, within thirty (30) days of presentation of invoice therefor. Compensation for subcontractor or vendor services shall be the sum of the cost to E & E plus ten percent (10%) of this cost. To the extent that E & E has been compensated for these services, E & E will hold Company harmless from any claim for direct payment of the same.

c. To the extent that emergency services rendered hereunder require E & E personnel to work in excess of eight (8) hours per day, to hire and/or supervise subcontractors, to use personal safety and field monitoring equipment, or to appear in court proceedings, the charges for such services shall be in accordance with Exhibit C, appended hereto.

d. E & E and its subcontractors and vendors, if any, shall maintain true and correct records in connection with their services and all transactions related thereto, and agree to retain all such records for at least twelve (12) months after tendering of an invoice for payment to Company.

4. Independent Contractor

In performing any and all work hereunder, E & E shall be as an independent contractor, except to the extent that, pursuant to Paragraph 1.d of this Exhibit, E & E has acted as an authorized agent of Company in hiring consultants, subcontractors, personnel, equipment, or materials for Company's account. E & E shall retain complete control over its own personnel and operations, and in connection therewith, conform to all federal, state, and local laws, regulations, and orders with respect to its employees and operations. Neither E & E nor its employees shall be, in any sense, Company's partner, joint adventurer, or employee.

5. Directory Information

a. Definition of "Directory Information": When used in this Exhibit, "Directory Information" refers to information supplied by E & E from its compilation of data from sources including but not limited to industrial directories, service directories, data services, standard reference texts, government publications, E & E's listings of spill contractors and E & E's proprietary data bases and computer models. Company recognizes that, due to the nature and character of the industry, Directory Information provided to Company in one response may or may not be appropriate in another response, and should not be relied upon without further consultation with E & E.

b. E & E may, in the course of providing services hereunder, provide Company with Directory Information relating to cleanup contractors or other specialty firms. By providing such information, E & E does not warranty or guarantee the services ultimately provided by said cleanup contractor or specialty firm.

c. E & E may, in the course of providing services hereunder, provide Company with Directory Information relating to the nature of specific substances or hazards, health and safety, or cleanup procedures. Reference by E & E to specific products or proprietary procedures does not constitute an endorsement or recommendation of same by E & E.

d. To the extent that E & E is providing Company with Directory Information, Company recognizes that E & E is relying upon Company to fully and adequately provide E & E with all pertinent data relating to the service requested, E & E will not be responsible for, and Company agrees to hold harmless, indemnify, and defend E & E from any and all claims or suits that arise in whole or in part out of Company's reliance upon Directory Information or Company's failure to provide E & E with all data required to characterize an incident, whether Company was in possession of such data or not.

6. Legal Liability

a. The parties acknowledge that E & E may be called upon to perform services under this Agreement, on an emergency basis, or otherwise, and/or at sites where neither E & E or Company may be aware of the extant site conditions or potential hazards or risks posed to persons, property, health, or the environment. Company and E & E acknowledge that the services provided by E & E under this Agreement will be directed toward the remediation and mitigation of losses caused by incidents which have already occurred and for which E & E has no prior knowledge nor for which E & E bears any responsibility. Company and E & E understand that, as a result of those incidents, claims by third parties for personal injury and property damage may be made. Consequently, Company shall indemnify, defend, and save E & E harmless from and against any and all loss, damage, injury, statutory or regulatory violation, liability to or death of any person, including any employee of Company or E & E or for loss of or damage to property, including claims therefore and reasonable attorney fees arising therefrom, which is not proximately caused by the negligence or reckless or wilful misconduct of E & E, its officers, or employees. E & E shall indemnify and save Company harmless from or against any and all loss,

damage, injury, liability to or death of any person, including an employee of Company or E & E, or for loss of or damage to property, including claims therefore, which is solely and directly caused by the negligence, reckless misconduct, or wilful misconduct of E & E, its officers, or employees.

b. For purposes of defining the scope of indemnifications provided pursuant to this Paragraph 6, it shall be presumed that any aggravated liability to or death of any person or aggravated loss of or damage to property, including claims therefore and reasonable attorney fees arising therefrom, which result from the delay by Company in notifying and/or authorizing E & E to proceed hereunder, shall be within the scope of the indemnification provided by Company to E & E to the extent that such aggravated liability, loss, damage, or death is attributable to said delay.

7. Insurance

E & E shall, during the term hereof, and in the course of performing any work authorized by Company, maintain appropriate Workers' Compensation and Employer's Liability insurance in conformance with the law of the state and jurisdiction where any work is performed. In addition, E & E shall maintain a Comprehensive General Liability policy which includes general bodily injury liability insurance in an amount of not less than five hundred thousand dollars (\$500,000) per occurrence, broad form property damage liability insurance in an amount of not less than one hundred thousand dollars (\$100,000) per occurrence, and automobile liability insurance extending to owned and non-owned and hired automobiles in an amount of not less than five hundred thousand dollars (\$500,000) per occurrence.

8. Termination

a. Notwithstanding, and in addition to any remedy provided by law, Company may terminate services provided pursuant to this Exhibit by giving written notice delivered personally to E & E's representative, with a telegraphic copy to E & E at the address provided in the Subscription Program Agreement. Such notice of termination shall become effective forty-eight (48) hours after delivery.

b. During the forty-eight (48)-hour period between delivery of notice of termination and its effective time, E & E shall notify subcontractors, vendors, and consultants as it may have hired in connection with the work, of such termination and furnish to Company the names, addresses, and representatives of all subcontractors, consultants, and vendors.

9. Termination for Convenience

The Agreement to which this Exhibit A is attached may be terminated for convenience by either party at any time, upon thirty (30) days' notice by E & E to Company. In such an event, E & E shall return to Company the unused amount of the retainer agreement fee. If Company terminates the remainder of the retainer fee is forfeited. In the event of such a termination, Company shall remain liable for all costs incurred by E & E on Company's behalf prior to the termination date.

10. Term and Territory

The term and territory shall be commensurate with that of the Agreement hereunder, to which this Exhibit A is attached.

11. Non-Assignment

Neither Company nor E & E shall assign any right or obligation under this Exhibit, or the Agreement to which this is an Exhibit, without the prior written consent of the other.

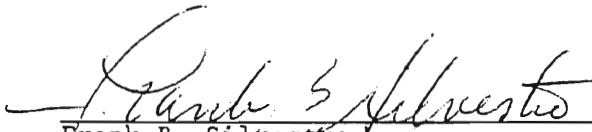
12. Miscellaneous Provisions

a. The State of New York, County of Erie, shall be the respective jurisdiction and venue for any dispute arising out of or in connection with the Agreement and Exhibits. The law of the State of New York shall apply with regard to the construction, interpretation, performance, and enforcement of the Agreement.

b. The form of the Agreement and Exhibits is intended for general use in the United States, and in the event any of the terms and provisions hereof are in violation of or prohibited by any law, statute, or ordinance of the state or city where it is used, such terms and provisions shall be of no force and effect to the extent of such violation or prohibition, without invalidating any other of the terms and provisions of this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Exhibit as of the execution date of the Agreement, of which this is a part.

ECOLOGY AND ENVIRONMENT, INC.

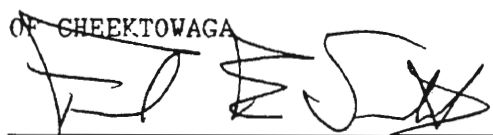


Frank B. Silvestro
Executive Vice President

TOWN OF CHEEKTOWAGA

By:

Title:



Supervisor

EXHIBIT B

Hazards Response Action Rate List and Policies

A. Personnel

	<u>Str. Time</u>	<u>Overtime</u>	<u>Premium</u>
Principal Engineer/Scientist	\$143/hr.	--	--
Chief Engineer/Scientist	\$119/hr.	--	--
Senior Engineer/Scientist	\$90/hr.	same	same
Assoc. Engineer/Scientist	\$73/hr.	--	--
Junior Engineer/Scientist	\$57/hr.	--	--
Technician, Draftsman	\$43/hr.	\$54/hr.	\$60/hr.
Asst. Technician	\$35/hr.	\$44/hr.	\$50/hr.
Word Processor	\$34/hr.	\$42/hr.	\$48/hr.

- Labor charges are based on portal to portal time frames.
- Straight time charged during the normal 40 hour, five day work week. Overtime hours are hours in excess of 8 hours in one day and for Saturday. Premium time charged for Sundays and Holidays.
- Overtime and premium hours for professional staff are billed at straight time rates.
- There is no additional labor surcharge for emergency response situations.
- There is no labor surcharge for work performed in Level A or Level B protection. An equipment and protective gear use charge is assessed depending upon level of protection.
- Expert testimony, preparation time, and review time are billed at straight time rates.
- There is no labor surcharge for the use of tools and instruments.
- The cited labor rates include the normal costs of health and safety training and the medical monitoring program. Any additional or special requirements, testing, medical costs etc., will be considered other direct costs for billing purposes.
- All cited rates are in U.S. dollars and will be valid through July 31, 1993.
- E & E reserves the right to increase personnel rates in hardship situations.

Rev. 10/15/92

B. Subcontracting and Other Direct Costs (ODCs)

- All subcontract and other direct costs (ODCs) are billed at invoice cost plus 15 percent for subscribers and 20 percent for nonsubscribers.
- ODC items include travel and subsistence, communication costs, expendable materials, computer time charges, copying costs, and all miscellaneous materials leased or purchased for job performance.
- E & E equipment damaged or contaminated beyond repair by site conditions will be replaced and invoiced as an ODC.
- E & E employees giving testimony will receive company supplied legal counsel. Counsel invoices will be billed as an ODC.
- Job incurred taxes and/or fees are not considered as ODCs and will be billed without mark up.
- Equipment usage unit rates are fully loaded. The rates are not subject to additional mark up.

C. Equipment Use Rates

- Personal protection gear and field equipment usage are charged at daily rates according to the attached rate schedules.

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ECOLOGY AND ENVIRONMENT, INC.
HAZARDS RESPONSE ACTION
EQUIPMENT USAGE RATES

AIR MONITORING

Cost Per Day

OVA 128	\$100
OVA, 128 with GC	240
HNU, ISPI-101	125
(with two probes)	
O2/Explosimeter MSA260	60
Monitox, HCN	60
(with Gas Generator)	
Mercury Vapor Analyzer	95
Draeger Pump	10
Area Pump (Air Sampler Pump)	20
Personal Pump, Gilian	20
(with Charger)	20
Personal Pump, MSA	20
(with Charger)	
Industrial Hygiene Pack	100
(5 Pumps with Charger)	
High Volume Sampler	30
High Volume Calibration Kit	30
Particulate Air Monitor	60
(Mini Ram)	
Personal Dust Sampler	60
Flow Calibration	20
Unit, Digital Mass	
Flow Calibration	20
Unit, Buck	
Thermoanemometer	65
(with Printer)	

FIELD CHEMISTRY

pH Meter	20
pH/Conductivity Meter	30
pH/Cond. Temp. Meter	30
Field Chem Kit Hach	60
(with Spectrophotometer)	

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RESPIRATORY PROTECTIONCost Per Day

SCBA, (with Cylinder)	\$ 60
Air Cylinder, Spare	15
Powered APR, MSA	20
Powered APR, Racal	20
Escape Mask, R.Shaw	20
Escape Mask, ELSA	20
Cascade/Manifold Sys.	50

GEOPHYSICAL EQUIPMENT

Metal Detector	20
EM-31 Conductivity Meter	100
Magnetometer	90

SURVEY EQUIPMENT

Total Station, Lietz	200
Level, with Tripod/Rod	40
Survey Tape Reel	10

SENSITIVE EQUIPMENT

Camera Kit, 25-mm	25
Walkie-Talkie, FM	30
(Yaesu, with charger)	
Walkie-Talkie, FM	30
(Motorola, with charger)	
(3) Radio Kit	100
(Motorola, with charger)	
Bullhorn	10
Portable Computer Workstation	100
Portable Fax	60

MEDICAL/HEALTH

Oxygen Inhalator	25
Eyewash Unit, Portable	30
Cooling Vest	30

RADIATION EQUIPMENT

Radiation Monitor	5
Bicron Surveyor Kit	100
Dosimeter, Pencil	5

Rev. 6/09/89

WEATHER MONITORING EQUIPMENTCost Per Day

Meteorological Station
Wind Speed Indicator

\$ 50
10

VEHICLES

Boat, 11-foot
Boat, 12-foot
Motor, 10-hp Outboard

70
70
30

SPECIALTY TOOLS

Drum Opener, Remote
Negative Pressure Tester
Mercury Vac. Cleaner
Kit Incl.: Bung Wrench
 Hammer, Sparkless
 Wrench, Sparkless
 Wrench, 15/16" Speed
 Wrench, 15/16"
 Pick, Sparkless

100
50
100
60

PUMP TEST

Pump, 2" St. Steel
 Electric Submersible Keck
Isco Sampler
Pump, 4" Electric
 Submersible
Data Logger, 4-channel
Data Logger, 8-channel
Pump, Centrifugal
Pump, Peristaltic
Barrell Filter
Well Point Sampler
Water Level Indicator
Bailer, Monitoring Well
 (Stainless Steel)

100

60
30

400
800
20
30
10
100
15
10

OTHER

Generator, 2.25 kW
Gas Leak Probe
4" Split Spoon Sampl.
Sediment Sampler
Fluorometer
Infiltrrometer
Drill Rig Portable

75
10
40
20
50
20
100

Rev. 6/09/89

Ecology and Environment, Inc.
Hazards Response Action

PERSONAL PROTECTIVE CLOTHING AND EQUIPMENT

	<u>Per Man Day</u>
Level A Protection	(3)
Level B Protection	
- with Tyvek Suit	175
- with Saranax Coated Suit	225
- with Acid Suit	290
Level C Protection (2)	
- with Tyvek Suit	95
- with Saranax Suit	135
- with Acid Suit	200
Level D (2)	30

Notes

(1) The above prices include four clothing changes (Tyvek, Saranax, booties, surgical gloves, and Neoprene gloves). Two pairs of respirator cartridges included in Level C protection. If required, additional disposable supplies will be charged at cost plus 15%.

(2) Includes escape mask.

(3) At actual replacement cost plus 20%

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Item No. 16i Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, Great Lakes Divers, Inc. has approached the Town to request the use of the Cheektowaga Recreation Center and Town Park Pool to conduct scuba lessons during the summer months in 1993, and

WHEREAS, the Director of the Youth and Recreational Services Department has reviewed the request to determine the availability of such Town facilities and has recommended approval of such request provided an agreement is signed and a fee of \$800.00 is paid to the Town, and

WHEREAS, the Town Attorneys Office has prepared a License Agreement for the use of such Town facilities, and

WHEREAS, Great Lakes Divers, Inc. has consented to this arrangement,
NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached License Agreement with Great Lakes Divers, Inc.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

LICENSE AGREEMENT

THIS AGREEMENT made and entered into as of the 5th day of April, 1993, by and between GREAT LAKES DIVERS, INC., a corporation formed under the laws of the State of New York with offices at 244 Niagara Falls Boulevard, Kenmore, New York (hereinafter referred to as "GREAT LAKES"); and the TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a domestic municipal corporation having its principal place of business at 3301 Broadway, Cheektowaga, New York (hereinafter referred to as "TOWN").

WITNESSETH:

WHEREAS, the TOWN is the owner of the Cheektowaga Recreation Center and the Town Park Pool located at 2600 Harlem Road, Cheektowaga, New York, and

WHEREAS, GREAT LAKES wishes to utilize such recreation center and pool to conduct scuba lessons during the summer months in 1993,

NOW, THEREFORE, the parties hereto hereby agree as follows:

1. Use of Town Park Recreation Center and Pool.

Upon the terms and conditions set forth herein, the Town hereby grants GREAT LAKES the right to use, for scuba lessons, a classroom in the Cheektowaga Recreation Center and the Town Park Pool as follows:

Tuesdays, Wednesdays and Thursdays

From June 29, 1993 to August 26, 1993

Classroom Hours: 6:30 P.M. to 7:30 P.M.

Pool Hours: 7:30 P.M. to 9:45 P.M.

2. Town Services Provided. The Town shall provide a Town employee to open and close the Cheektowaga Recreation Center and the Town Park Pool during the term of this Agreement. The Town shall provide one (1) lifeguard for GREAT LAKES and its patrons.

3. Parking. In conjunction with the permitted use of the Cheektowaga Recreation Center and the Town Park Pool, GREAT LAKES and its invitees shall have the right to use, in common with the TOWN, the parking areas near the Town Park Pool and the Cheektowaga Recreation Center.

4. Rental. In consideration of the TOWN allowing GREAT LAKES to use the Cheektowaga Recreation Center and Town Park Pool, GREAT LAKES agrees to remit the sum of \$800.00 to the TOWN according to the following schedule:

Upon signing this Agreement	\$400.00
On or before July 1, 1993	\$200.00
On or before August 1, 1993	\$200.00

5. Reduced Fees for Town Residents. In further consideration for the use of the Cheektowaga Recreation Center and Town Park Pool, GREAT LAKES agrees to charge Town residents a lower fee (\$100.00) than nontown residents (\$145.00) for scuba lessons.

6. Indemnity. GREAT LAKES hereby agrees to indemnify and hold harmless the TOWN, its agents and employees from and against all claims, damages, losses and expenses, including attorneys fees, that shall or may be brought against or occasioned by the TOWN arising from injury to any person or property occasioned by any act of omission or commission by GREAT LAKES, its agents, employees and invitees in connection with the use of the Cheektowaga Recreation Center and Town Park Pool.

7. Insurance. For the duration of this Agreement, GREAT LAKES shall maintain the following insurance in the following limits

General Liability	\$1,000,000	Each Occurrence (Aggregate)
Workers Compensation	Statutory	
Employers Liability	\$100,000	Each Accident

GREAT LAKES shall name the TOWN, its officers and employees as additional insureds on its general liability insurance policy. A certificate of the above required insurance shall be submitted to the Town. Such certificate shall provide for at least fifteen (15) days advance written notice to the TOWN in the event of cancellation, material change or reduction of any described policy.

8. Assignment. GREAT LAKES shall not assign its interest in this Agreement without the prior written consent of the TOWN.

9. Entire Agreement. This Agreement contains the entire agreement between the parties hereto, and there are no understandings, agreements or representations, express or implied, not specified herein respecting this Agreement; and no change or modification of this Agreement shall be valid unless the same shall be in writing and signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

GREAT LAKES DIVERS, INC.

By _____

TOWN OF CHEEKTOWAGA

By _____

Frank E. Swiatek, Supervisor

Item No. 16j Motion by Supervisor Swiatek, Seconded by Councilman Johnson

WHEREAS, the Town, in its 1993 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

WHEREAS, agreements between the Town and these cultural and not-for-profit organizations have been prepared and forwarded to such groups, and

WHEREAS, the organizations listed below have completed and returned signed agreements and their accounting report from the 1992 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves agreements in the forms attached to this resolution, with the cultural and not-for-profit organizations 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 and not-for-profit organizations for the following respective amounts:

<u>Cultural/Not-For-Profit Organizations</u>	<u>Funding Approved</u>
Cheektowaga Cultural Society	\$2,000.00

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization out of the respective cultural group budget line item in the 1993 Town budget.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AGREEMENT

This AGREEMENT, dated Feb 22, 1993, 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.

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 Two Thousand and No/100 Dollars (\$2,000.00) 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 1993 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 Two Thousand and No/100 Dollars (\$2,000.00) on or before June 1, 1993.

THIRD: Funding provided by the Party of the Second Part to the Party of the First Part pursuant to paragraph numbered "SECOND" of this Agreement shall be subject to the Party of the First Part submitting proof to the Party of the Second Part verifying that 80% of the officers and directors of the Party of the First Part are residents of the Town of Cheektowaga; such proof shall be shown on the attached Schedule B.

FOURTH: 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.

FIFTH: 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.

SIXTH: 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.

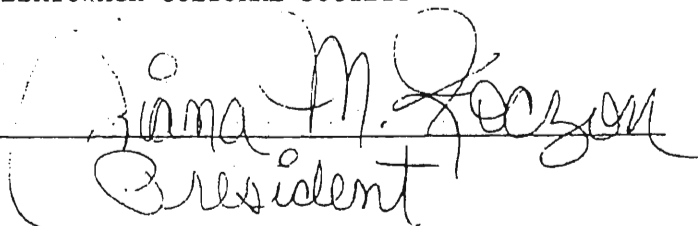
SEVENTH: The Party of the First Part agrees to furnish verified accounts of its disbursements hereunder with certified or verified invoices thereto attached at such times as the Party of the Second Part may determine and in such form and detail as may be required by the Chief Accountant for the Party of the Second Part; and the Party of the First Part shall submit an annual financial report, duly signed by its President and Secretary, within sixty (60) days after the end of 1993.

EIGHTH: 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 CULTURAL SOCIETY

By


President

TOWN OF CHEEKTOWAGA

By

Supervisor

SCHEDULE A
ACTIVITIES TO BE PERFORMED
CHEEKTOWAGA CULTURAL SOCIETY

Entertainment and other expenses (advertisements, office expenses, printing etc.) for a 2-day Cultural Weekend. This year, our 21st Annual Weekend will be held on Saturday, July 17th and Sunday, July 18th, 1993 at Cheektowaga Town Park.

The purpose of the Cheektowaga Cultural Society, which was established in 1964, is to bring culture into the town of Cheektowaga. We are the only organization of its kind in New York State.

SCHEDULE B

PROOF THAT 80% OR MORE OF THE OFFICERS AND DIRECTORS

ARE TOWN OF CHEEKTOWAGA RESIDENTS

(List of Officers and Directors and Their Addresses)

President
Diana M. Koczon

Cheektowaga, NY 14215

Vice-President
Lynn Butts

Cheektowaga, NY 14225

Treasurer
Harold Dumke

Bowmansville, NY 14026

Recording Secretary
Mariorie Gorski

Cheektowaga, NY 14225

Corresponding Secretary
Diane Koczon

Cheektowaga, NY 14215

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.

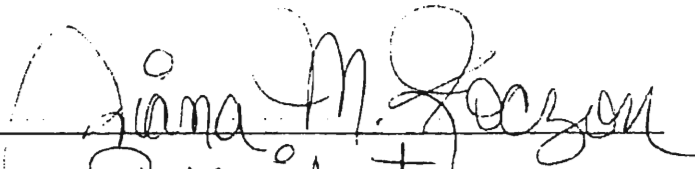
SEVENTH: The Party of the First Part agrees to furnish verified accounts of its disbursements hereunder with certified or verified invoices thereto attached at such times as the Party of the Second Part may determine and in such form and detail as may be required by the Chief Accountant for the Party of the Second Part; and the Party of the First Part shall submit an annual financial report, duly signed by its President and Secretary, within sixty (60) days after the end of 1993.

EIGHTH: 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.

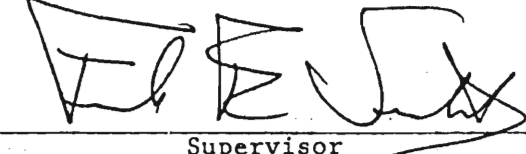
CHEEKTOWAGA CULTURAL SOCIETY

By


President

TOWN OF CHEEKTOWAGA

By


Supervisor

Item No. 16k Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, on or about February 4, 1992, tow town police vehicles were damaged when struck by an automobile owned and/or operated by Deborah A. Steele and Merle Steele, and

WHEREAS, at the time of the aforesaid accident, the Steeles had property damage insurance coverage in the amount of \$5,000.00 with the Travelers Insurance Company, and

WHEREAS, the total amount of property damage sustained in the aforesaid accident exceeded the policy limits of the insurance policy, and

WHEREAS, Deborah A. Steele listed the Cheektowaga Police Department as an unsecured creditor in her Chapter 7 Bankruptcy Petition filed on or about September 4, 1992 (Case No. 92-13059K), and

WHEREAS, Allied Claim Services, Inc., the Town's Liability Claims Administrator, has investigated the aforesaid matter; and, based upon such investigation, he recommended that the Town accept \$650.00 in settlement of damages sustained to police car #10, and \$400.00 in settlement of damages sustained to police car #4,

NOW, THEREFORE, BE IT RESOLVED, that the Town's claim for property damages sustained by reason of the negligence of Deborah A. Steele and/or Merle Steele be and the same is hereby settled and compromised upon receipt by the Town of the sum of \$650.00 and \$400.00, and

BE IT FURTHER RESOLVED, that the Supervisor or Town Attorney be and he hereby is authorized to sign any and all papers deemed necessary to effectuate such settlement and compromise.

Upon Roll Call....

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

Item No. 17a Motion by Councilman Johnson, Seconded by Councilman Blachowski

BE IT RESOLVED, that the position of Engineer Assistant (Seasonal) be and hereby is created in the Engineering Department.

Upon Roll Call....

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

Item No. 17b Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED, that the position of Community Service Aide (Part-Time) be and hereby is created in the Department of Senior Services.

Upon Roll Call....

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

Item No. 18a Motion by Councilman Blachowski, Seconded by Councilman Solecki

WHEREAS, Section 73 of New York State Civil Service Law states, in part, the following: "When an employee has been continuously absent from and unable to perform the duties of his position for one (1) year or more by reason of a disability, other than a disability resulting from occupational injury or disease, as defined in the Workers' Compensation Law, his employment status may be terminated and his position may be filled by a permanent appointment."

Item No. 18a continued

WHEREAS, Raymond Nowak, Cleaner in the Facilities Department, last day of work was October 30, 1991, NOW, THEREFORE, BE IT

RESOLVED, that Raymond Nowak of , be terminated from employment with the Town of Cheektowaga, effective immediately, AND, BE IT FURTHER

RESOLVED, that, as a result of said termination under Section 73 of the New York State Civil Service Law, he may, within one (1) year after termination, submit medical documentation certifying that he is physically fit to perform the duties of his position and shall be reinstated to his former position or a position in a lower grade, if a vacancy exists. If there is no current vacancy, he is placed on a preferred list for four (4) years and is eligible to fill the next appropriate vacancy.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 18b Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

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

FACILITIES DEPARTMENT

EFFECTIVE

David Majerowicz

3/03/93

POLICE DEPARTMENT

Deborah Walker

Immediately

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the salaries of seasonal clerks, in the Tax Office be and hereby are established as follows, retroactive to January 1, 1993:

Day Shift - \$5.50 per hour
Night Shift - \$4.75 per hour

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 20 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, Valerie Meyers, Secretary to the Supervisor, will be on vacation from April 16th through and including April 30th, and

WHEREAS, the Supervisor has assigned Joan Meyers to serve in this position while Valerie Meyers in on vacation, NOW, THEREFORE, BE IT

RESOLVED, that Joan Meyers shall be paid at the same rate as established for Secretary to the Supervisor (\$30,008.55) while acting as the Secretary to the Supervisor, from April 16th through April 30th, 1993.

Item No. 20 continued

Upon Roll Call....

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

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

WHEREAS, a vacancy exists in the position of Cleaner in the Facilities Department, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, David Orlikowski, currently employed as a temporary Cleaner in the Facilities Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that David Orlikowski be and hereby is appointed to the position of Cleaner in the Facilities Department in accordance with the terms and conditions as setforth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective April 6, 1993.

Upon Roll Call....

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

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

WHEREAS, a vacancy exists in the position of Automotive Mechanic in the Central Garage, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Timothy Czaplicki, currently employed as an Automotive Mechanic's Helper in the Central Garage, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Timothy Czaplicki be and hereby is appointed to the position of Automotive Mechanic in the Central Garage, accordance with the terms and conditions as setforth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective April 6, 1993.

Upon Roll Call....

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

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

WHEREAS, this Town Board created the position of Community Service Aide (Part-Time) in the Department of Senior Services, AND

WHEREAS, applications were received and interviews were conducted,
AND

Item No. 21c continued

WHEREAS, Charlene Rindfleisch meets all the necessary qualifications,
NOW, THEREFORE, BE IT

RESOLVED, that Charlene Rindfleisch of Cheektowaga, New York be and hereby is appointed to the position of Community Service Aide (Part-Time) in the Department of Senior Services at the rate of \$6.50 per hour, effective April 6, 1993.

FUNDING SOURCE: 7620.1639

Upon Roll Call....

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

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

WHEREAS, the Town has sub-contracted a number of sewer projects scheduled to begin and be completed this summer, and

WHEREAS, there is a need for someone representing the Town's Engineering Department to review the work of these sub-contractors, NOW, THEREFORE, BE IT

RESOLVED, that Henry A. Borkowski, Cheektowaga, New York be and hereby is hired as an Engineering Assistant (seasonal) at the rate of \$12.00 per hour, for a period not to exceed 24 weeks.

Upon Roll Call....

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

Item No. 22b Motion by Councilman Gabryszak, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES 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, for a period not to exceed 24 weeks in a calendar year:

EFFECTIVE

FACILITIES DEPARTMENT - \$4.65 per hour (Laborer)

Gary Cieply	Immediately
Raymond Full	"
James Crean	"
Edward Stangret	"
John Mazgaj	5/03/93
Timothy Blakowski	Immediately
Erie Gerlach	"
Thomas Jakubowicz	"
Michael Dolegowski	"
John Skonecki	"
Ryan P. McNeela	"

Upon Roll Call....

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

Item No. 22c Motion by Councilman Solecki, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are hired as PART-TIME EMPLOYEES, not to exceed 19 hours on a weekly basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour (Clerical)

Tracy Gielinski
Beverly Timmons

Immediately
"

Upon Roll Call....

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

Item No. 23 Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, Section 24.08 of the Town of Cheektowaga Employees Association contract states that, "...the Town will pay 25% of the tuition for employees taking job-related courses. Employees must receive prior approval from the department head and the Town Board and successfully complete the course with a 'B' grade or better, AND

WHEREAS, Amy Meyers of the Cheektowaga Action Partnership, has requested approval, AND

WHEREAS, the department head, Kenneth Kopacz, has approved the following class as job-related and schedule so as not to interfere with her work shift:

PSC 103 MFC

NOW, THEREFORE, BE IT

RESOLVED, that, by resolution, this Town Board gives its approval and authorizes the 25% reimbursement of tuition upon successful completion of the class with a grade 'B' or better.

Upon Roll Call....

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

Item No. 24a Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, an EMCO Sales Conference will be held in Plainview, Texas from April 23, 24 & 25, 1993, and

WHEREAS, said conference being held relates to recycling equipment, and

WHEREAS, David J. Kulik, General Crew Chief of the Town Sanitation/ Recycling Department has requested permission to attend this conference, and

WHEREAS, EMCO will pay Mr. Kulik's travel and hotel expenses in connection with this conference, and

WHEREAS, this Board feels that it would be advantageous to the Town for Mr. Kulik to attend this conference, NOW, THEREFORE, BE IT

Item No. 24a continued

RESOLVED, that David J. Kulik be and hereby is authorized to attend the aforementioned EMCO Sales Conference and to be absent from the Town of Cheektowaga from April 23-30, 1993 for such conference, and BE IT FURTHER

RESOLVED, that the reasonable and necessary miscellaneous expenses in an amount not to exceed \$300.00 shall be appropriated from budget line item number 1500-8173-4088.

Upon Roll Call....

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

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

WHEREAS, the New York State Recreation and Park Society (NYSRPS) is holding a joint education and training for leisure service providers, BE IT

RESOLVED, that the below listed individuals be authorized to attend their 1993 Annual Conference to be held April 18th - 21st, 1993 in Niagara Falls, New York, and BE IT

RESOLVED, that they be reimbursed for meals at \$10.00 per diem, and BE IT FURTHER

RESOLVED, that the Youth and Recreation Department be permitted use of the Department's van for travel to and from said conference. (7310.4681)

--Kenneth J. Kopacz	(\$ 95.00)*
--Lawrence T. Brownell	(95.00)
--Bonnie Platt	(95.00)
--Kerry Switalski	(95.00)
--Patricia Staniaszek	(110.00)*
--Deborah Fleetwood	(95.00)
--Paul Marchewka	(110.00)
--Ann Priester	(110.00)

(*member fees)

(**non-member fees)

Upon Roll Call....

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

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

WHEREAS, by resolution dated March 15, 1993, this Town Board approved the attendance of representatives of the Cheektowaga Action Partnership at the 16th Annual PRIDE World Conference, April 29th-May 1st in Cincinnati, Ohio, and

WHEREAS, the name of one partnership representative was erroneously omitted from said resolution, NOW, THEREFORE, BE IT

RESOLVED, that the following individual be authorized to attend conference with total costs not to exceed \$750.00 per person to be reimbursed by the Cheektowaga Action Partnership (0100-7320-4000):

Andrea Mangione

Upon Roll Call....

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

Item No. 24d Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

WHEREAS, New York State Humane Association and the New York State Animal Euthanasia Task Force is sponsoring an Animal Euthanasia Technician Training Program May 17-20, 1993 at the Stevens-Swan Humane Society in Utica, New York,

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Dog Control Officer Bernadette Futch to this training program, the Police Department will be responsible for the registration, lodging and mileage approximately amounting to \$500.00, and FURTHER BE IT

RESOLVED, that the Chief of Police is authorized to send Bernadette Futch to this training program and that the time she spends at this training be authorized as normal duty time. This expense will be charged to line 0100-3510-4030.

Upon Roll Call....

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

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

WHEREAS, this Town Board, by resolution dated March 15, 1993, authorized transfers of funds into several drainage maintenance accounts, AND

WHEREAS, there is need to provide funding for inspection services associated with the planned contracted storm sewer maintenance work, NOW, THEREFORE, BE IT

RESOLVED, that the following general fund accounts be and hereby are created for utilization of seasonal laborers as part of the Town drainage improvement program with funds to be transferred from the appropriate drainage district maintenance accounts as established by the resolution of March 15, 1993.

ACCOUNT NUMBER

0100-1440-1492	Seasonal laborers	\$18,500
0100-9010-8121	Allocated FICA	1,500
0100-1440-1982	Special District Labor Allocation	<18,500>
0100-9010-8902	Special District FICA Allocation	<1,500>

Upon Roll Call....

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

MOTION BY SUPERVISOR SWIA TEK, SECONDED BY COUNCILMAN GABRY SZAK
TO DISPENSE WITH READING THE NAMES IN ITEM 26 AND THE VOTING
WAS AS FOLLOWS:

Upon Roll Call....

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

Item No. 26 continued

GENERAL FUND

FROM:	0100-7410-2029	New Programs-Revenues	\$25,000.00
	0100-7140-1813	New Programs-Expenses	38,000.00
	0100-1640-1492	Seasonal Laborer	7,500.00
	0100-1430-4001	Office Supplies	240.00
TO:	0100-7140-2191	Lacrosse Fee Income	4,000.00
	0100-7140-2189	Program Brochure Sponsorship	3,500.00
	0100-7140-2187	Concert Sponsorship Income	2,000.00
	0100-7140-2185	Special Playground Sponsorship Inc.	1,000.00
	0100-7140-2183	Hockey Tournament Income	2,000.00
	0100-7140-2181	Valentine's Day Run Fees	1,000.00
	0100-7140-2170	Haunted Forest	7,500.00
	0100-7140-2128	Hockey Income	4,000.00
	0100-7140-4506	Gymnastics Expense	3,500.00
	0100-7140-4509	Valentine's Day Run Expense	1,750.00
	0100-7140-1627	Volleyball Salaries	1,250.00
	0100-7140-4512	Volleyball Expenses	1,000.00
	0100-7140-1625	Lacrosse Salaries	1,000.00
	0100-7140-4501	Lacrosse Expenses	750.00
	0100-7140-4061	Brochure Expense	3,500.00
	0100-7140-4492	Haunted Forest	5,000.00
	0100-7140-4503	Concert Expense	3,000.00
	0100-7140-4515	Sponsored Playground Activity	1,000.00
	0100-7140-4518	Summer Day Camp Expense	1,250.00
	0100-7140-4521	Hockey Expenses	8,500.00
	0100-7140-1630	Gymnastics Expense	6,500.00
	0100-1640-1491	Part-Time Laborer	7,500.00
	0100-1430-4087	Conferences & Seminars	240.00

SPECIAL DISTRICTS

FROM:	4200-8142-4432	Maintenance	\$ 3,600.00
	4400-8144-4432	Maintenance	5,800.00
	4500-8145-4432	Maintenance	5,600.00
	4600-8146-4432	Maintenance	5,000.00
TO:	4200-8142-4805	Allocated Engineering Wages	\$ 3,330.00
	4200-8142-8902	Allocated FICA Expense	270.00
	4400-8144-4805	Allocated Engineering Wages	5,365.00
	4400-8144-8902	Allocated FICA Expense	435.00
	4500-8145-4805	Allocated Engineering Wages	5,180.00
	4500-8145-8902	Allocated FICA Expense	420.00
	4600-8146-4805	Allocated Engineering Wages	4,625.00
	4600-8146-8902	Allocated FICA Expense	375.00

GENERAL FUND

FROM:	0100-9010-8121	FICA Expense	\$39,943.00
TO:	0100-1330-1006	Tax Receiver	290.00
	0100-1010-1002	Councilmen	788.00
	0100-1110-1003	Justices	584.00
	0100-1110-1391	Part-Time Clerks - Justices	550.00
	0100-1220-1001	Supervisor	407.00
	0100-1220-1310	Budget Director	40.00
	0100-1220-1391	Part-Time Clerk - Supervisor	675.00
	0100-1410-1005	Town Clerk	344.00
	0100-1410-1312	Registrar	40.00
	0100-1410-1376	Senior Clerk	745.00
	0100-1440-1405	Engineering Assistant	1,060.00
	0100-1625-1422	General Mechanics - Bldg. & Maint.	6,106.00
	0100-1625-1452	Building Maintenance Worker	1,440.00
	0100-1640-1201	General Crew Chief - Central Garage	1,137.00
	0100-1640-1202	Auto. Mech. Crew Chief - Central Garage	1,133.00
	0100-3120-1391	Part-Time Clerk - Police	1,239.00

Item No. 26 continued

GENERAL FUND CONT'D.

TO:	0100-5010-1004	Highway Superintendent	371.00
	0100-7110-1422	Parks - General Mechanic	20,166.00
	0100-7310-1114	Youth - Executive Director	907.00
	0100-7620-1385	Recreation Specialist	1,230.00
	0100-7620-1604	Senior Services Outreach Worker	691.00

HIGHWAY FUND

FROM:	0300-9010-8171	Dental Expense	\$ 4,189.00
TO:	0300-9010-8121	FICA Expense	4,189.00

PART TOWN FUND

From:	0800-9010-8121	FICA Expense	\$ 1,601.00
TO:	0800-3620-1401	Assistant Building Inspector	1,601.00

SPECIAL DISTRICT

FROM:	1500-8160-8121	FICA Expense	\$ 1,500.00
	2500-8125-8121	FICA Expense	1,888.00
TO:	1500-8173-8121	FICA Expense	1,500.00
	2500-8125-1420	Senior Maintenance Man	979.00
	2500-8135-8121	FICA Expense	909.00

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 27 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 April 2, 1993 are hereby approved and made a part of:

GENERAL FUND	\$568,590.06
HIGHWAY FUND	285,186.40
TRUST & AGENCY FUND	11,470.68
CDBG HUD FUND	44,062.12
PART-TOWN FUND	10,120.69
RISK RETENTION FUND	84,111.76
DEBT SERVICE FUND	5,330.00
SPECIAL DISTRICTS FUND	313,167.94
HUD REHABILITATION FUND	3,000.00
CAPITAL FUND	<u>110,265.98</u>

\$1,435,305.63

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 28 Building Permits
Received and Filed.

- Item No. 29a Minutes of Cheektowaga Traffic Safety Commission - March 16, 1993
Received and Filed.
- Item No. 29b Minutes of Cheektowaga Public Library Board - February 24, 1993
Received and Filed.
- Item No. 30 Quarterly Report-Office of Disaster Preparedness/January-March, 1993
Received and Filed.
- Item No. 31 Update Regarding Canaan House
Received and Filed.

III. GENERAL COMMUNICATIONS

- Item No. 32 Summons & Complaint: David and Sharon Szczerbiak, Individually and as Parents vs Michael H. Pilat, the Town of Cheektowaga and the Town of Cheektowaga Police Department
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Joan Meyers, Supervisor's Office; Police Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 33a Notice of Claim: Nationwide Mutual Insurance Company/S.E. Incorvaia vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Joan Meyers, Supervisor's Office; Sewer Maintenance Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 33b Notice of Claim: David L. Barus vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Joan Meyers, Supervisor's Office; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

* * * * *

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN JAWOROWICZ
TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND
THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

* * * * *

IV. SUSPENSION OF RULES

- Item No. 34 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the reconstruction of the Lancaster High School tennis courts has necessitated the relocation of the St. Mary's High School tennis team, BE IT

RESOLVED, that the St. Mary's High School tennis team be permitted to utilize the Stiglmeier Park tennis courts from 3:00 P.M. to 6:00 P.M. on the following dates:

Item No. 34 continued

Tuesday, April 20th
Friday, April 23rd
Friday, April 30th
Wednesday, May 5th
Friday, May 7th
Wednesday, May 12th

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Richard M. Moleski
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 19th day of April, 1993 at 7:30 o'clock P.M., Eastern Daylight Savings Time there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Kenneth Kopacz, Director of Youth and Recreational Services; Bruce Chamberlin, Chief of Police; Ronald Marten, Building and Plumbing Inspector, Salvatore LaGreca, Chairman, Planning Board, and Robert Kaczmarek, Chief Accountant.

I. RESOLUTIONS

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

WHEREAS, bids were duly received by the Town Board at a bid opening on April 2, 1993, 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, being the lowest responsible bidder meeting specifications at the following prices:

Regular	\$12.50 per yd. delivered	\$10.00 picked-up
Screened	\$15.75 per yd. delivered	\$12.00 picked-up
Shredded	\$15.00 per yd. delivered	\$11.00 picked up

and made a part hereof, and

BE IT, ALSO RESOLVED, that payment of topsoil be charged to line item 0300-5110-4186.

Upon Roll Call....

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

Item No. 3 Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised for the purchase of ten (10) printomatic voting machines, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of ten (10) printomatic voting machines, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 29th day of April, 1993 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.

Item No. 3 continued

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town of Cheektowaga on the 29th day of April, 1993 at 11:00 A.M. Eastern Daylight Saving Time for the furnishing of ten (10) new or used removable pointer printomatic voting machines on the unit price basis with handicap panels. At this time, bids will be publicly opened in the Council Chambers at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, N.Y. 14227.

The detailed specifications may be examined at the office of the Town Clerk. Copies of the specifications are available for all prospective bidders. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR VOTING MACHINES".

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof.

Non-collusion forms must be signed and submitted with each bid. The Town Clerk may reject any or all bids submitted.

RICHARD M. MOLESKI, Town Clerk

DATE: April 19, 1993

PUBLISH: April 22, 1993

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town of Cheektowaga on the 29th day of April, 1993 at 11:00 A.M. Eastern Daylight Saving Time for the furnishing of ten (10) new or used removable pointer printomatic voting machines on the unit price basis with handicap panels. At this time, bids will be publicly opened in the Council Chambers at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, N.Y. 14227.

The detailed specifications may be examined at the office of the Town Clerk. Copies of the specifications are available for all prospective bidders. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR VOTING MACHINES".

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof.

Non-collusion forms must be signed and submitted with each bid. The Town Clerk may reject any or all bids submitted.

RICHARD M. MOLESKI,
Town Clerk

Date: April 19, 1993

PUBLISH: April 22, 1993

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication.....April 22, 1993.....;
last publication....April 22...1993.....;
and that no more than six days intervened be-
tween publications.

.....Melissa Gugliuzza.....

Sworn to before me this22nd.....

day ofApril....., 19⁹³.....

.....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 12/11/9 7

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

LEGAL NOTICE

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town of Cheektowaga on the 29th day of April, 1993 at 11:00 A.M. Eastern Daylight Saving Time for the furnishing of ten (10) new or used removable pointer printomatic voting machines on the unit price basis with handicap panels. At this time, bids will be publicly opened in the Council Chambers at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, N.Y. 14227.

The detailed specifications may be examined at the office of the Town Clerk. Copies of the specifications are available for all prospective bidders. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR VOTING MACHINES".

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof.

Non-collusion forms must be signed and submitted with each bid. The Town Clerk may reject any or all bids submitted.

RICHARD M. MOLESKI,
Town Clerk

Date: April 19, 1993

PUBLISH: April 22, 1993

.....Melissa Guglinzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication.....April 22, 1993..... ;
last publication....April 22, 1993..... ;
and that no more than six days intervened be-
tween publications.

.....*Melissa Guglinzza*.....

Sworn to before me this22nd.....

day ofApril....., 19⁹³.....

.....*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 12/11/93

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

WHEREAS, by resolution dated February 16, 1993, this Town Board directed that a Request for Proposals be issued for trustee services in connection with the financing of the construction of the Cheektowaga Municipal Golf Course utilizing certificates of participation ("COP's), and

WHEREAS, proposals were received from interested financial institutions, and such proposals were reviewed by various Town officials and the Town's bond counsel and financial advisor and consultants, and

WHEREAS, Manufacturers and Traders Trust Company has been recommended to be the institution to be designated as the trustee for the COP's for the Cheektowaga Municipal Golf Course, NOW, THEREFORE, BE IT

RESOLVED, that Manufacturers and Traders Trust Company, One M & T Plaza, Buffalo, New York 14240 be and hereby is appointed to serve on behalf of the Town as trustee for the COP's for the Cheektowaga Municipal Golf Course, in accordance with the fees stated on the attached fee schedule, and BE IT FURTHER

RESOLVED, that said trustee fees shall be paid from the Town budget line item number 5817-7140-1100.

Upon Roll Call....

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

* SEE NEXT PAGES

FEES

In M&T Bank's capacity as Trustee, our function is to include all municipal securities processing appointments usually referred to as paying agent, redemption agent, registrar and transfer agent. Part of this responsibility, beyond making payment on behalf of the municipality, is assuring that sufficient funds are made available by the issuer for principal and interest payments, maintaining detailed records of payments, filing reports with federal tax authorities, cancelling certificates, destruction or return of same. Additionally, we may issue/reissue certificates, maintain ownership records and process changes, and replace lost/stolen certificates.

Fee quotation is inclusive of all requested services.

A. Initial Costs

Acceptance	\$2,000
Legal Fees (not to exceed)	3,000

B. Recurring Costs

Annual Administrative	\$3,500
-----------------------	---------

C. Other Costs

Extraordinary mail expenses, delivery service fees	billed on occurrence
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Item No. 5 Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, B H Refrigeration, Inc. has submitted application for Final Payment for Mechanical Work at the Sanitation/Central Garage Building, AND

WHEREAS, B H Refrigeration, Inc. has submitted Contractor's Affidavit of Release of Liens, Contractor's Affidavit of Payment of Debts and Claims, Consent of Surety Company to Final Payment, Contractor's Form of Guarantee and Contractor's Application and Certificate for Payment, AND

WHEREAS, Babinsky.Klein Engineering, P.C. and Facilities Department Director, James J. Matecki has reviewed and approved all submittals by B H Refrigeration, Inc. as being in compliance with the terms of the project specifications, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes Final Payment in the amount of \$879.00 to B H Refrigeration, Inc., Westside Station, P. O. Box 140, Buffalo, New York 14213-0140.

Upon Roll Call....

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

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

WHEREAS, by resolution dated June 15, 1992, this Town Board approved a rezoning for property located at 3060 and 3080 William Street in the Town of Cheektowaga based on certain commitments made by Raas Leasing Corporation, and

WHEREAS, the ECIDA took title to this property as a result of a loan agreement with respect to such property, and

WHEREAS, a deed restriction has been drafted for this property and has been approved by the Town Engineering and Law Department as complying with the aforementioned Town Board rezoning condition, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the attached Deed Restriction, and BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file such Deed Restriction in the Erie County Clerk's Office.

Upon Roll Call....

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

* SEE NEXT PAGE



County of Erie

COUNTY CLERK'S OFFICE

25 DELAWARE AVENUE
BUFFALO, N.Y. 14202
858-8865

DAVID J. SWARTS
COUNTY CLERK

CONTROL NUMBER 3159MDE009
DATE 060893
TIME 11:03:37
CODE 7

DEED OR MISCELLANEOUS RECORDED DOCUMENT

RECORDING FEES COLLECTED \$ 26.00

TRANSFER TAX		
AMOUNT CONSIDERED	\$	0
STATE AMOUNT	\$	0.00
NFTA AMOUNT	\$	0.00
TRANSFER TAX PAID	\$	0.00

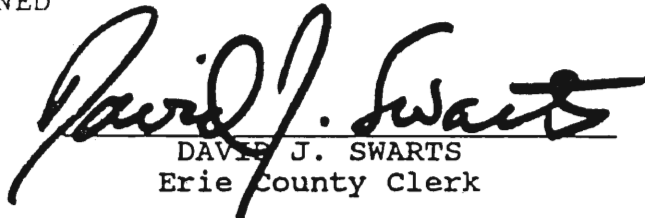
TRANSFER TAX NUMBER
(IF APPLICABLE) MORTGAGE TAX NUMBER

STATE OF NEW YORK
ERIE COUNTY CLERKS OFFICE
THIS DOCUMENT HAS BEEN RECORDED IN
THE DEED LIBER
LIBER AND PAGE

LIBER 10670 PAGE 548

AND EXAMINED

THIS IS NOT A BILL


DAVID J. SWARTS
Erie County Clerk

WARNING - THIS SHEET CONSTITUTES THE CLERKS ENDORSEMENT,
REQUIRED BY SECTION 316-A(5) OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK DO NOT DETACH

RES

RETURN TO BOX 356

DEED RESTRICTION

Erie County Industrial Development Agency, a New York Public Benefit Corporation with offices at Suite 300, Liberty Building, 420 Main Street, Buffalo, New York, was Grantee of a certain premises as described in Liber 10579 at Page 129.

Raas Leasing Corp., a New York Corporation with offices at 3060 William Street, Cheektowaga, New York was grantee of a certain premises as described in Liber 7549 at Page 457.

Jabcuz, Inc., a New York Corporation with offices at 3080 William Street, Cheektowaga, New York owns an equitable interest in the premises which has been deeded to the Erie County Industrial Development Agency by deed recorded in Liber 10579 at Page 129.

The Erie County Industrial Development Agency, Raas Leasing Corp. and Jabcuz, Inc. do hereby desire to restrict use of the premises described in Liber 10579 at Page 129 and Liber 7549 at Page 457 so that said premises as hereinafter described shall be restricted in its use to only passive recreation use. It is the intent of this restriction to prohibit future development of the wetlands and tree preservation area described below.

By this Agreement, Erie County Industrial Development Agency, Raas Leasing Corp. and Jabcuz, Inc. do hereby restrict the use of that portion of the premises which is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, described as part of Lot 64, Township 10, Range 7 of the Buffalo creek Reservation Survey, bounded and described as follows:

BEGINNING at a point in the centerline of William Street (formerly Eighthme Road) distant 811.58 feet east of the west line of Lot 64 as measured along the centerline of William Street; thence northerly parallel with Union Road (formerly Sherwood) at an interior angle of 119 degrees, 37 minutes, 58 seconds, a distance of 361.11 feet to the true and principal point of beginning; thence continuing northerly parallel with Union Road, a distance of 237.84 feet to a point on the north line of Lot 64; thence westerly along the north line of Lot 64 at an interior angle of 91 degrees, 27 minutes, 06 seconds, a distance of 439.55 feet to a point; thence southerly parallel with Union Road, at an interior angle of 88 degrees, 32 minutes, 55 seconds, a distance of 149.27 feet to a point; thence northerly at an interior angle of 17 degrees, 49 minutes, 53 seconds, a distance of 103.72 feet to a point; thence easterly at an interior angle of 233 degrees, 35 minutes, 59 seconds, a distance of 141.18 feet to a point; thence easterly at an interior angle of 203 degrees, 47 minutes, 46 seconds, a distance of 129.49 feet to a point; thence southerly at an

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C12444926-
7-4-2

interior angle of 266 degrees, 13 minutes, 51 seconds, a distance of 100.91 feet to a point; thence southerly at an interior angle of 205 degrees, 57 minutes, 12 seconds, a distance of 167.56 feet to a point; thence easterly at an interior angle of 57 degrees, 59 minutes, 15 seconds, a distance of 224.81 feet to the true and principal point of beginning.


This parcel containing 1.11 acres more or less.

With respect to the Erie County Industrial Development Agency ("Agency"), it is agreed that the Agency, its officers, members, employees, agents and directors shall have no personal liability hereunder, nor in their capacity as officers, members, employees, agents and directors. The Agency has executed this Agreement to subject its interest in the premises to these restrictive covenants and there shall be no recourse to the Agency other than to its interest in the premises. No provision, covenant or agreement contained in this Agreement or any obligations herein imposed upon the Agency or the breach thereof shall constitute or give rise or impose upon the Agency a pecuniary liability or a charge upon its general credit. In making the agreements, provisions and covenants set forth in this Agreement, the Agency has not obligated itself, except with respect to the premises. All covenants, stipulations, promises, agreements and obligations of the Agency contained herein shall be deemed to be covenants, stipulations, promises, agreements and obligations of the Agency and not of any member, director, officer, employee or agent of the Agency in his individual capacity, and no recourse shall be had for any claim based thereon or hereunder against any member, director, officer, employee or agent of the Agency or any natural person executing this Agreement. No covenant herein contained shall be deemed to constitute a debt of the State of New York or of the County of Erie, New York, and neither the State of New York nor the County of Erie, New York, shall be liable on any covenant herein contained.

This Deed Restriction shall be considered a covenant running with the land as so described. Said Restriction may not be removed without the express consent and resolution of the Town Board of the Town of Cheektowaga.

ERIE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____


DAVID W. KERCHOFF
Assistant Treasurer

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RAAS LEASING CORP.

By:

John A. Jablonski
John A. Jablonski, Vice President

JABCUZ, INC.

By:

John M. Jablonski
JOHN M. JABLONSKI, President

KEY BANK OF NEW YORK HEREBY
CONSENTS TO THE PROVISIONS OF
THIS DEED RESTRICTION

KEY BANK OF NEW YORK

By:

Milton J. Dickerson A.U. Pres.

STATE OF NEW YORK)
COUNTY OF ERIE) ss:
CITY OF BUFFALO)

On this 2nd day of June, 1993, before me personally came DAVID W. KERCHOFF, to me personally known, who, being by me duly sworn, did depose and says that he resides at 37 Shadybrook Lane Lancaster NY, that he is the Vice President of the Erie County Industrial Development Agency, the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Karen M. Folmsbee
Notary Public

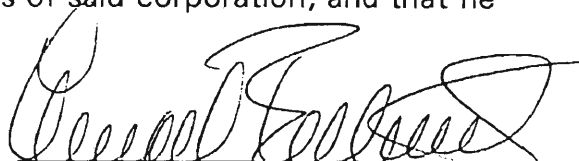
3

KAREN M. FOLMSBEE
NOTARY PUBLIC, State of New York
Qualified in Niagara County
My Commission Expires January 31, 1995

LIBER 10670 PAGE 551

STATE OF NEW YORK)
COUNTY OF ERIE) ss:
CITY OF BUFFALO)

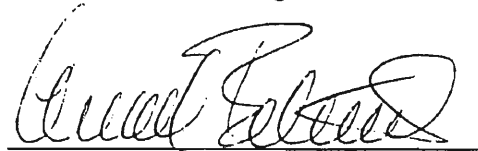
On this 5th day of May, 1993, before me personally came JOHN A. JABLONSKI, to me personally known, who, being by me duly sworn, did depose and says that he resides at _____ Orchard Park, New York, that he is the Vice-President of the Raas Leasing Corp., the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.


Notary Public

LEONARD BERKOWITZ
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 8/31/93

STATE OF NEW YORK)
COUNTY OF ERIE) ss:
CITY OF BUFFALO)

On this 5th day of May, 1993, before me personally came JOHN M. JABLONSKI, to me personally known, who, being by me duly sworn, did depose and says that he resides at _____ East Aurora, New York; that he is the President of the Jabuz, Inc., the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.


Notary Public

LEONARD BERKOWITZ
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 8/21/93

MEETING NO. 8
April 19, 1993

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

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 recommendation concerning the 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 25, 1993, recommended the environmental determinations shown on the attached memo dated March 29, 1993, and

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

RESOLVED that this Town Board hereby affirms the recommendations (including stipulations, if any) made by the Advisory Committee with respect to the following referenced items which appear on the March 29, 1993 memo attached hereto:

Item VIII

90-100 Holtz Road

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE

RE: EAC - March 25, 1993
March 29, 1993
Page: 6

The drainage for the parking area would be directed to the existing ditch by means of properly sized pipe which would also intercept some waters from the intersection of Losson and Transit and from the Town of Lancaster to the East.

- ° Snow removal will be addressed at a later date. The applicant indicated that the client generally stores or stockpiles snow on site with removal during periods of heavy snowfall.

Also, in the discussion, the applicant indicated that sidewalks would be constructed along Losson Road and will commit to constructing sidewalks on Transit Road once they are designed by the NYSDOT who is proposing work along this stretch of Transit Road in 1996. Also a letter was submitted which further provided updates on a number of items including noise, truck deliveries, etc.

This item will remain tabled until comments are received from the various agencies and the NYSDOT completes its review of the traffic study.

ITEM VIII 90-100 Holtz Road - Rezoned in 1992 - New Site Plan

This property had been rezoned in 1992 to allow for construction of an 80-room Air Stop Inn with an incubator office building on the site. Since the rezoning and approved development plan, a new hotel chain has become involved in the project. The new site plan shows a 70-room Howard Johnsons in the same general location as the original 80-room Air Stop but the incubator office building has been eliminated. This incubator office building was to be located in an existing building which was in need of renovation. The Howard Johnsons' people believe that the building was not worth saving and will eliminate it to provide for additional parking and landscaping on the site.

The Planning Board will review the new site plan at their April meeting.

The committee is recommending that the Town Board accept the new site plans which will be the same use, hotel, but less intensive since they will be eliminating 10 rooms and the office building.

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

WHEREAS, by resolution dated February 16, 1993, this Town Board approved an amendment to the Vehicle and Traffic Ordinance pertaining to the prohibition of parking on Jean Terrace, and

WHEREAS, an incorrect subsection of the Vehicle and Traffic Ordinance was referenced as being deleted, and this Board wishes to correct such error, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution be and hereby is amended to state that section 76-102 of the Vehicle and Traffic Ordinance is amended by deleting therefrom the following:

A. No parking this side or one-side parking

JEAN TERRACE east side from the south curbline of Matthew Lane to the terminus

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Erie County Water Authority desires to facilitate the development of a county-wide, accurate, multi-participant, multi-purpose Geographic Information System (GIS) base map for Erie County, New York, and

WHEREAS, the coordinated development and use of GIS technology can provide the opportunity for a public and private sector sharing in the creation, integration, and maintenance of existing information to make valuable new planning and management tools, and

WHEREAS, sharing GIS information can reduce redundant and duplicative mapping, record keeping, and retrieval activities of public and private section GIS users county-wide and thereby reduce the costs of tax administration, infrastructure planning and administration, land use planning, and public fire and service dispatch, and

WHEREAS, reducing and sharing administrative costs is in the best tradition of sound public and corporate policy which facilitates efficient and effective service delivery at the least cost to constituents, tax payers, and customers, and

WHEREAS, the Governor and State Legislature have called for innovative cost and service sharing arrangements between local governments, and

WHEREAS, the Town of Cheektowaga has endorsed and supports this resolution, and

WHEREAS, overwhelming evidence indicates that multi-participant GIS initiatives can save hundreds of thousands of dollars, eliminate redundant functions integrate information, streamline operations, and create a "win-win" situation for all of the public and private sector entities involved, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga is fully supportive of the Legislation that the Erie County Water Authority is sponsoring in the New York State Legislature that will allow the fair and equitable recovery of GIS-related start-up costs at the Water Authority, and strongly encourages support of this bill, A.753/S.1349, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to State Senators Volker and Sheffer, State Assemblyman Pordum and to Intelligis Corporation.

Item No. 9 continued

Upon Roll Call....

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

Item No. 10A Motion by Councilman Blachowski Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is eligible to receive approximately \$737,000 in Community Development Block Grant Funds for the 1993-94 Program Year, and

WHEREAS, a Public Hearing regarding the use of said funds was held on March 15, 1993, and

WHEREAS, the Town Director of Community Development has submitted a recommendation regarding the use of said funds, which includes activities to principally benefit low and moderate income persons pursuant to the goals and objectives of the Housing and Community Development Act and its governing rules and regulations, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed on behalf of the Town to submit to the U.S. Department of Housing and Urban Development a Program Statement for Community Development Block Grant Funds totaling \$737,000 for the 1993-94 Program Year, said Statement incorporating the attached project allocations of Community Development Block Grant Funds and BE IT

FURTHER RESOLVED, that the Supervisor is authorized to execute any necessary and related documents in conjunction with said Community Development Block Grant Program Statement.

Upon Roll Call....

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

* SEE ATTACHED PAGE

Town of Cheektowaga
Community Development Block Grant Program
1993-94 Program Year

Administration.	\$ 117,000
Village of Depew Projects	80,700
- Handicap Accessible Ramps....	\$ 50,700
- Housing Rehabilitation.....	\$ 30,000
Village of Sloan Projects	30,200
- Handicap Accessible Playground Equipment....	\$ 5,914
- Housing Rehabilitation.....	\$ 6,000
- Sanitary Sewer Flow Meter.....	\$ 10,286
- Update (2) Existing Sanitary Flow Meters....	\$ 8,000
Code Enforcement/Housing Inspections.	70,000
Housing Rehabilitation - Town	216,500
Economic Development Activities	75,000
Neighborhood Community Development - Walden Ave	25,000
Supplemental Services	14,600
- Supportive Services Corp (5,600)	
- Housing Assistance Center (9,000)	
Planning Services	30,000
Handicap Accessible Playground Equipment.	50,000
Handicap Accessible Sidewalk Ramps.	25,000
Contingency	3,000
TOTAL \$ 737,000	

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

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

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

WHEREAS, by resolution dated October 15, 1990 this Town Board authorized the execution of a financial aid contract with the State of New York Department of Environmental Conservation for the purchase of resource recovery equipment, and

WHEREAS, it is necessary that a Contract Amendment by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE and the MUNICIPALITY be executed for such STATE AID, and

WHEREAS, the State of New York Department of Environmental Conservation has approved this request for additional monies and has submitted a contract addendum to the Town for the amount of \$186,179, and

WHEREAS, the Town's required match is fifty percent of the contract addendum amount (\$93,090);

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

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Town Supervisor is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting State Contract Amendment if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Solid Waste Management Project and that the matching funds for this contract addendum are available from the sale of serial bonds authorized by this Town Board as per a resolution dated March 1, 1993.
4. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint Solid Waste Recovery and Management Project.
5. That five (5) certified copies of this resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALBANY, NEW YORK 12233-4015, together with a complete application.
6. That this resolution shall take effect immediately.

Upon Roll Call....

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

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

WHEREAS, the Town is lead agent for the Cheektowaga Action Partnership (CAP), and

WHEREAS, CAP is desirous of obtaining a copier for its office, and

WHEREAS, said copier and lease agreement are available through KEX CopySource, 303 Cayuga Road, Buffalo, New York 14225, NOW, THEREFORE, BE IT

Item No. 10C continued

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute a lease agreement between the Town's Cheektowaga Action Partnership and KEX CopySource, Inc. with lease payments for five years not to exceed \$205.00 per month (0100-7320-2000).

Upon Roll Call....

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

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

WHEREAS, by resolution, the Town Board created the position of Project Director (Substance Abuse) for the Cheektowaga Action Partnership, AND

WHEREAS, the Executive Board of the Cheektowaga Action Partnership has requested and received approval from the Erie County Department of Personnel to change said title to Project Director (Grant), NOW, THEREFORE, BE IT

RESOLVED, that the position of Project Director (Substance Abuse) be and hereby is retitled as Project Director (Grant) retro-active to November 22, 1992.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga is interested in creating an effective level of accountability for departmental operations and,

WHEREAS, The Governmental Accounting Standards Board (GASB) has developed a concept entitled Service Efforts and Accomplishment (SEA) accounting and

WHEREAS, this SEA accounting procedure provides indicators of measurement of departmental productivity and,

WHEREAS, the Town Board desires to initiate partial implementation of this new accounting concept during 1993,

We hereby retain the accounting firm of Deloitte & Touche to:

1. Interview seven key department heads to determine feasibility of installing SEA "indicator" accounting mechanisms within the department.
2. Summarize findings and develop implementation priority listings.
3. Work with the selected three departments' personnel to assist in developing internal record-keeping mechanism (computer or manual) for "indicator" accounting. Monitor progress periodically.
4. Develop annual report for the selected three departments.
5. Assist Supervisor's Office in encouraging other major local governments to adopt comparable SEA accounting for effective comparison purposes.
6. Provide local, State and National benchmarks for comparison to selected departments.
7. Following implementation of the three selected departments, a progress report will be provided to the Town Board and expanded implementation will be discussed.

Item No. 12 continued

at a fee of \$12,600 (\$4,200 benchmark [3]. This fee is to be provided by a General Fund transfer from Contingent (A-1910-4711) to Supervisors Contractual (A1220.4506).

Upon Roll Call....

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

Item No. 13 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, the Police Executive Research Forum is hosting their 1993 Training Conference May 2-5, 1993 in Washington, D.C.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to attend this conference which will cover such topics as accreditation, civilian boards and community policing. The Police Department will be responsible for the registration, lodging, mileage and tolls approximately amounting to \$800.00, and FURTHER BE IT

RESOLVED, that the Chief of Police, Bruce Chamberlin, is authorized to attend this conference. This expense will be charged to line 0100-3120-4085.

Upon Roll Call....

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

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

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

FACILITIES DEPARTMENT

EFFECTIVE

Thomas J. Jakubowicz

Immediately

RECYCLING DIVISION

Eric Roll

"

Upon Roll Call....

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

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

BE IT RESOLVED, that the following individuals be and hereby are hired as PART-TIME EMPLOYEES, not to exceed 19 hours on a weekly basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

FACILITIES DEPARTMENT - \$4.65 per hour (Clerical)

EFFECTIVE

Dawn Matecki

Immediately

RECYCLING DEPARTMENT - \$5.00 per hour (Laborer)

Thomas A. Sarama

Immediately

Item No. 15 continued

Upon Roll Call....

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

Motion by Councilman Gabryszak and seconded by Supervisor Swiatek to dispense with reading of names in the following resolution and the voting was as follows:

Upon Roll Call....

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

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

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES 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, for a period not to exceed 24 weeks in a calendar year:

FACILITIES DEPARTMENT - \$5.00 per hour (Clerical)

EFFECTIVE

Cynthia Szymanski

Immediately

FACILITIES DEPARTMENT - \$4.65 per hour (Laborer)

Thomas Bukowski
Gary Catlin
Jason Ozolins
Christian Ozolins
Charles Zasada

Immediately
"
"
"
"

ENGINEERING DEPARTMENT - \$6.00 per hour (Laborer)

Raymond Deuel
Mark Christel

Immediately
"

RECYCLING DIVISION - \$5.00 per hour (Laborer)

David Longo
Mark Ostempowski
William Goldsmith
Michael Then
John Greentanner
David Principato
Mitchel Marciszewski
Timothy Majerowski
John Strong

Immediately
"
"
"
"
"
"
"
"

SEWER MAINTENANCE DEPARTMENT - \$4.65 per hour (Laborer)

Alex Nesteruk
Louis Mueller
Scott Skibniewski
Aaron Vanderlip
Jason Mueller
Shawn Surdej

Immediately
"
"
"
"
"

Item No. 16 continued

Upon Roll Call....

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

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

WHEREAS, by resolution dated November 23, 1992, this Town Board appointed Ellen Fisher to the position of Acting Project Director (Grant), AND

WHEREAS, the Town has received approval from the Erie County Department of Personnel to appoint Ellen Fisher provisionally, NOW, THEREFORE, BE IT

RESOLVED, that Ellen Fisher be and hereby is appointed to the position of Project Director (Grant) for the Cheektowaga Action Partnership on a provisional basis, pending the establishment of a valid Civil Service examination list for said position, effective immediately.

Upon Roll Call....

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

Item No. 17B Motion by Councilman Blachowski Seconded by Councilman Jaworowicz

WHEREAS, a vacancy exists in the position of Automotive Mechanic's Helper in the Central Garage, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, no full-time employee bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that John Ferdinand of Cheektowaga, be and hereby is appointed to the position of Automotive Mechanic's Helper in the Central Garage, in accordance with the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective April 20, 1993.

Upon Roll Call....

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

Item No. 18 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:	0100-7310-4685 Youth Dept. Project YES	\$2,939.00
	0100-7140-4601 Aid to Youth	1,500.00
	0100-7140-4191 Miscellaneous	1,100.00
	0100-7140-1813 New Programs	1,500.00
	0100-7140-1813 New Programs	3,500.00
	0100-7140-1613 Recreation Supervisor	10,000.00
	0100-7140-1611 Rink Personnel	7,500.00
	0100-7140-1611 Rink Personnel	12,000.00
	0100-7140-1613 Recreation Supervisor	9,500.00
	0100-7140-4025 Athletic Supplies	5,000.00
	0100-7140-4025 Athletic supplies	1,000.00

Item No. 18 continued

To:	0100-7310-2501 Equipment	\$5,539.00
	0100-7140-4051 Lacrosse Expense	1,500.00
	0100-7140-4524 Field Trips Expense	3,500.00
	0100-7140-1633 Softball Salaries	10,000.00
	0100-7140-1636 Soccer Salaries	7,500.00
	0100-7140-1639 Hockey Salaries	12,000.00
	0100-7140-1642 Tennis Salaries	9,500.00
	0100-7140-4527 Soccer Salaries	5,000.00
	0100-7140-4530 Tennis Expense	1,000.00

Upon Roll Call....

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

Item No. 19 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to April 16, 1993 are hereby approved and made a part hereof:

GENERAL FUND	\$2,769,486.00
HIGHWAY FUND	596,011.55
TRUST & AGENCY	39,930.08
CDBG HUD FUND	12,076.64
PART TOWN FUND	59,039.74
RISK RETENTION FUND	94,243.31
DEBT SERVICE	256,275.00
SPECIAL DISTRICTS FUND	3,486,773.72
HUD REHABILITATION FUND	22,679.00
CAPITAL FUND	104,897.19
	<u>\$7,441,322.23</u>

Upon Roll Call....

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Supervisor's Statement of Funds: January, 1993
Received and Filed.

Item No. 21 Minutes of Cheektowaga Planning Board: March 11, 1993
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 22 Notice of Highway Closure: Portion of Youngs Road, CR554 between Aero Drive CR324 and Wehrle Drive CR290.
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Members; Highway Department; Traffic Unit of Police Dept.
Received and Filed

Item No. 23A Notice of Claim: Anita Depczynski vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Joan Meyers, Supervisor's Office; Sanitation Dept.; Allied Claims Service, Insurance Carriers
Received and Filed.

Item No. 23B Notice of Claim: Helen Mellon vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Highway Department;
Facilities Department; Allied Claims, Insurance Carrier.
Received and Filed.

Item No. 23C Notice of Claim: Barbara Peterson vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Highway Department;
Allied Claims Service, Insurance Carrier.
Received and Filed.

Item No. 23D Notice of Claim: Pauline Koslicki vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Highway Department;
Allied Claims Service, Insurance Carrier
Received and Filed.

* * * * *

Motion by Supervisor Swiatek and seconded by Councilman Johnson to suspend the rules
to include the following resolutions and the voting was as follows:

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

* * * * *

IV. SUSPENSION OF RULES

Item No. 24 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga Tree Preservation Law requires that
fees shall be as specified in a schedule as approved by the Town Board, AND

WHEREAS, the Town Board shall establish by resolution the fee to be
charged for the review of each Tree Removal Permit application, AND

WHEREAS, it has been recommended by the Supervising Building and
Plumbing Inspector that the fee to be charged for said application be set at \$2.00
per tree with a minimum fee of \$20.00, a maximum fee of \$500.00 and with no fee to
be charged if the property in question is residentially developed and if the appli-
cant proposes to remove three (3) or fewer trees, AND

WHEREAS, it is in the public interest to adopt the aforementioned fee
schedule, NOW, THEREFORE, BE IT

RESOLVED, that the Tree Removal Permit application fee shall be as
set forth above and shall be effective immediately.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 25 Motion by Councilman Solecki Seconded by Councilman Gabryszak
Councilman Johnson

WHEREAS, drunken drivers not only present a serious threat to the
health and safety of a community and its citizens, but also require substantial
expenditure of municipal funds to combat this crime; and

Item No. 25 continued

WHEREAS, the Town of Cheektowaga, like most towns, villages and cities in New York State, must now budget for the arrest, processing and trial of people arrested for driving while intoxicated and driving while impaired, and

WHEREAS, the cost of the arrest, processing and trial of an offender in the Town of Cheektowaga is well over \$400.00, and

WHEREAS, currently, municipalities are reimbursed by New York State under the "STOP-DWI" program for only 50% of these costs, and

WHEREAS, the Town of Cheektowaga Justice Court handled over 600 cases dealing with drunken drivers in 1992, and

WHEREAS, responsible drivers should not be called upon to subsidize the actions of the irresponsible, NOW, THEREFORE, BE IT

RESOLVED, that in order to deter the crime of drunken driving, this Town Board support legislation in the New York State Legislature which would allow local governments to charge people convicted of drunk driving or driving while impaired for the actual cost of their arrest, processing and trial, and BE IT FURTHER

RESOLVED, the copy of this resolution be sent State Senator William T. Stachowski, State Assemblyman Paul A. Tokasz and the Association of Towns of the State of New York.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 26 Motion by Councilman Johnson Seconded by Councilman Rogowski

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

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, has been designated the lead agency in the subject instance, AND

WHEREAS, the Town Board acting as lead agency, must review the recommendations and information submitted to it by the Advisory Committee and render its determination, AND

WHEREAS, Patrick J. Broderick (the "Applicant") submitted to the Town of Cheektowaga an application, dated July 2, 1992, whereby the Applicant has proposed to construct a strip plaza of 38,100 square feet, a separate restaurant of 3,000 square feet and a separate bank/store building of 2,000 square feet, known as the Losson-Union Plaza, on a parcel of land approximately 7 acres in area, said parcel located at the Northeast corner of Union Road and Losson Road, AND

WHEREAS, the Applicant had contacted the United States Army Corps of Engineers (USACE) for review of the site with regard to jurisdictional wetlands and the proposal's impact on them, AND

WHEREAS, approximately 0.53 acres of jurisdictional wetland was identified and authorization to fill the wetlands, if necessary, was received from the USACE, dated January 25, 1992, AND

WHEREAS, the proposal was referred to the Erie County Department of Environment and Planning and response was received, dated August 7, 1992, consenting to the Town Board being lead agency and indicating a need only for the Applicant to obtain a Highway Permit for Losson Road access and Health Department Permit for any restaurant, AND

Item No. 26 continued

WHEREAS, the Applicant contacted the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for their review of the proposal with regard to impact upon archaeological resources on the site, AND

WHEREAS, the OPRHP, by response dated October 19, 1992, had indicated this proposal will have no impact upon archaeological resources in or eligible for inclusion in the State and National Registers of Historic Places, AND

WHEREAS, the Town Engineer has reviewed plaza plans for stormwater management and has given preliminary approval and the Applicant has given assurances that said plans will be finalized subject to the approval of the Town Engineer, AND

WHEREAS, the New York State Department of Transportation (NYSDOT) requested a Traffic Impact Study for the proposal and the Applicant had a study prepared after the William Street Interchange opened to traffic, thereby providing accurate and up-to-date data in the study, AND

WHEREAS, the NYSDOT received the study and all requested additional information, and by correspondence dated February 25, 1993, indicated the proposal would have no impact upon the State Highway System and would not require the Applicant to provide mitigating measures, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission reviewed the plan and provided comments, AND

WHEREAS, the Applicant, in recognition of the existing traffic situation along Union Road, did revise the site plan, dated April 15, 1993, by eliminating a proposed bank, eliminating one of two driveways onto Union Road and by moving a Losson Road driveway further East, AND

WHEREAS, the aforementioned revisions, other recommendations, as well as suggested short term and long term improvements to Union Road by the New York State Department of Transportation (NYSDOT) were presented in a Traffic Impact Mitigation Report by Jim Smith of EMS Consulting, the traffic study consultant, dated April 16, 1993, AND

WHEREAS, a Landscaping Plan was submitted for review to the Town Planning Board, which complies with the Town Zoning Law with regard to the quantity of landscaping on the site, AND

WHEREAS, the Applicant must incorporate any further recommendations made by the Planning Board with respect to site landscaping, AND

WHEREAS, the Applicant has submitted a site plan, dated April 15, 1993, incorporating wetlands preservation and tree preservation as requested by the Cheektowaga Conservation Advisory Council, AND

WHEREAS, the Applicant, by letter dated April 15, 1993 has further guaranteed this preservation of trees, wetlands and foliage, AND

WHEREAS, the Cheektowaga Conservation Advisory Council has reviewed the proposal together with the most recent plan and have recommended a Negative Declaration be issued providing the aforementioned guarantees, authorizations or "sign offs" were provided, AND

WHEREAS, the Applicant has submitted a revised site plan which incorporates the changes as recommended by various reviewing groups, said changes including sidewalks, driveway adjustments, and landscaping, AND

WHEREAS, the Environmental Advisory Committee had reviewed this proposal at meetings on July 14, 1992, August 18, 1992, January 8, 1993, February 11, 1993 and March 3, 1993, and has found that the Applicant is addressing all concerns raised by the various involved agencies or reviewing groups, AND

WHEREAS, the Applicant must receive approval from the Town of Cheektowaga for any changes to the site plan dated April 15, 1993, and for any further phases or buildings on the site, AND

Item No. 26 continued

WHEREAS, the Applicant has indicated he will not make application for additional buildings or building square footage for at least 12 months or until 85% of current square footage is leased, AND

WHEREAS, the Applicant will provide a deed restriction to the Town preventing any development of the wetlands/tree preservation/buffer area at the East end of the site, AND

WHEREAS, the Applicant will provide to the Town an easement granting the Town access to this wetlands/tree preservation/buffer area, AND

WHEREAS, the Applicant will restrict deliveries at the East end of the site to the hours of 7:00 A.M. to 11:00 P.M., AND

WHEREAS, the Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby issues a Negative Declaration for the Losson-Union Plaza, subject to the Applicant complying with the aforementioned traffic mitigation measures, other conditions and agreements prior to issuance of a Certificate of Occupancy.

Upon Roll Call....

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

Item No. 27 Motion by Supervisor Swiatek Seconded by Councilman Rogowski to adjourn the meeting in memory of John Lorek, member of the Patriotic Commission and Walter Dominiak, a long time active Volunteer Fireman of Rescue Hose.

Richard M. Moleski,
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of May, 1993 at 7:30 o'clock P.M., Eastern Daylight Savings Time there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Kenneth Kopacz, Director of Youth and Recreational Services; John Schaller, Assistant Chief of Police; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Chairman, Planning Board; Robert Kaczmarek, Chief Accountant; Jerome Gabryszak, Community Development Director; Patricia Wojcik, Director of Senior Services and Leonard Szymanski, Foreman-Facilities Department.

I. RESOLUTIONS

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

WHEREAS, the Town of Cheektowaga has previously adopted a Parks Ordinance (Chapter 48 of the Code of the Town of Cheektowaga) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, said Park Ordinance and Rules and Regulations give ample Authority and control by the Town for the use of said parks and their facilities and to control the movement and activities of persons using the same, and

WHEREAS, this Town Board is concerned about the hazards and liabilities associated with bicyclists riding their bikes in Town parks without wearing a bicycle helmet, NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the provisions of Section 130 of the Town Law of the State of New York, a public hearing be held on the 17th day of May, 1993 at 7:30 o'clock p.m. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizen shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Park Ordinance" of the Town of Cheektowaga, New York shall be amended as provided in the attached Notice of Hearing, and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga not less than ten (10) days prior to the date of the hearing.

* * * * *

NOTICE OF HEARING
ON PROPOSAL TO AMEND PARKS ORDINANCE
(CHAPTER 48 OF THE CODE OF THE TOWN OF CHEEKTOWAGA)

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 3rd day of May, 1993, and in accordance with the provisions of Section 130 of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of May, 1993 at 7:30 o'clock

Item No. 2 continued

P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Parks Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows"

RESOLVED, that a new Section 48-10.1, which relates to the bicycle helmet requirement in Town parks, shall be added and shall read as follows: Section 48-10.1, Bicycle Helmets Required.

No person shall operate a bicycle within the limits of any park or park approach unless he or she shall wear a protective helmet. Such a helmet must be equipped with either a neck or chin strap, be reflectorized on both sides thereof, and be A.N.S.I.-approved.

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

Dated: May 3, 1993

Richard M. Moleski
Town Clerk

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE

NOTICE OF HEARING
ON PROPOSAL TO AMEND
PARKS ORDINANCE
(CHAPTER 48 OF THE CODE
OF THE TOWN OF CHEEK-
TOWAGA)

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 3rd day of May, 1993, and in accordance with the provisions of Section 130 of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of May, 1993 at 7:30 o'clock P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Parks Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:

RESOLVED, that a new Section 48-10.1, which relates to the bicycle helmet requirement in Town parks, shall be added and shall read as follows:

Section 48-10.1, Bicycle Helmets Required.

No person shall operate a bicycle within the limits of any park or park approach unless he or she shall wear a protective helmet. Such a helmet must be equipped with either a neck or chin strap, be reflectorized on both sides thereof, and be A.N.S.I. - approved.

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

Dated: May 3, 1993

Richard M. Moleski
Town Clerk

PUBLISH: May 6, 1993

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication..May..6...1993..... ;
last publication..May..6...1993..... ;
and that no more than six days intervened be-
tween publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this^{6th}.....

day ofMay....., 19⁹³.....

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 12/11/9³

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

LEGAL NOTICE

NOTICE OF HEARING

ON PROPOSAL TO AMEND
PARKS ORDINANCE

(CHAPTER 48 OF THE CODE
OF THE TOWN OF CHEEK-
TOWAGA)

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 3rd day of May, 1993, and in ac-
cordance with the provisions of Sec-
tion 130 of the Town Law of the State
of New York, a Public Hearing will be
held on the 17th day of May, 1993 at
7:30 o'clock P.M. at the Town Hall,
corner of Broadway and Union Road,
Cheektowaga, New York, at which
hearing all parties in interest and citi-
zens shall have an opportunity to be
heard and at which time and place it
shall be determined by the Town
Board whether the "Parks Ordinance"
of the Town of Cheektowaga, New
York shall be amended and changed as
follows:

RESOLVED, that a new Section
48-10.1, which relates to the bicycle
helmet requirement in Town parks,
shall be added and shall read as fol-
lows:

Section 48-10.1, Bicycle Helmets
Required.

No person shall operate a bicycle
within the limits of any park or park
approach unless he or she shall wear a
protective helmet. Such a helmet must
be equipped with either a neck or chin
strap, be reflectorized on both sides
thereof, and be A.N.S.I. - approved.

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

Dated: May 3, 1993

Richard M. Moleski
Town Clerk

PUBLISH: May 6, 1993

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication..May..6...1993..... ;
last publication..May..6...1993..... ;
and that no more than six days intervened be-
tween publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this^{6th}.....

day of^{May}....., 19⁹³.....

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 12/11/9 3

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of clothing for use in various programs 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 the bid be awarded to the following bidders, meeting specifications as follows (see attached):

Laux Sporting Goods
25 Pineview Drive
Amherst, New York 14228

Buffalo Swim Wear
84 W. Royal Parkway
Williamsville, New York 14221

Velva Sheen
c/o 37 Fruehauf Avenue
Snyder, New York 14226

BE IT FURTHER RESOLVED, that any purchases resulting from the award of this bid for the Youth and Recreational Services Department be funded through line items: 7140.4025, 7180.4024 and 7180.4191.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

BID ITEMS

I. Pullover Jacket

Laux Sporting
Goods

- A) Unlined pullover jacket - 200 denier water repellant oxford nylon which features an attached hood, knit cuffs and bottom, 7" matching zipper front and muff picket.

Adult sizes:
Med 12
Lg 48
XL 60
XXL 48

M-XL → 22.95
XXL → 25.50

Bid price ea _____
Total price _____

2. Swim Trunks

Buffalo Swim
Wear

- A) Speedo, Model 732402 aviator 15. 60% cotton, 40% nylon, red with rectangular guard patch sewn on each side.

Adult sizes:
Med 30
Lg 12

Bid price ea 18.25
Total price 766.50

3. Ladies Bathing Suits

Buffalo Swim
Wear

- A) Record Breaker - speedo #719071 and #719072 - red with rectangular guard patch on each side

Adult sizes:
36 Amt 6
38 Amt 18
40 Amt 18

Bid price ea 30.75
Total price 1291.50

4. Shorts

Velva Sheen

- A) Velva Sheen #1795
50/50 fleece shorts
-navy
-one color imprint on left front leg
-art provided

Adult sizes:
Sm 12
Med 36
Lg 48
XL 48

Bid price ea 8.75
Total price 1260.00

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of football equipment for use in various programs 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 (see attached):

Laux Sporting Goods
25 Pineview Drive
Amherst, New York 14228

Southtown Sports, Inc.
180 Buffalo
Hamburg, New York 14075

BE IT FURTHER RESOLVED, that any purchases resulting from the award of this bid for the Youth and Recreational Services Department be funded through line items 7140.4025 and 7140.4601.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

BID ITEMS

A) Shoulder pads

Bid Price Each

1. Rawlings CP16

Lg _____
XL _____ $\begin{array}{r} 95 \\ 33 \text{ ea } \text{LAUX} \\ \hline 36.25 \text{ ea } \text{LAUX} \end{array}$

2. Max Pro SP SUB TEAM PRO

XS _____
S _____
M _____
L _____
XL _____ $\begin{array}{r} 601b \ 22.25 \text{ ea} \\ 801b \ 26.75 \text{ ea} \\ 1001b \ 31.25 \text{ ea} \\ 1301b \ 35.75 \text{ ea} \\ 1501b \ 39.75 \text{ ea} \end{array} \left. \begin{array}{l} \\ \\ \\ \\ \end{array} \right\} \text{Southtown}$ 3. TAG Collegiate - TSP550
(Spirit Pro 50)S _____
M _____
Lg _____ $\begin{array}{r} 24.95 \\ 24.95 \\ 24.95 \end{array} \left. \begin{array}{l} \\ \\ \end{array} \right\} \text{LAUX}$

4. TSFXL500 - 90 - 120 lb

 $\begin{array}{r} 51.95 \\ \hline \end{array} \text{LAUX}$ B) Price for reconditioning and
certification of used
shoulder pads. $\begin{array}{r} 50 \\ 11 \text{ ea } \text{LAUX} \\ \hline 95 \\ 13 \text{ ea } \text{LAUX} \\ \hline 75 \end{array}$ II. Upper Arm Pads - TSFXL500
TS1910III. Girdle Pads for Sandknit Girdles
sides and tail $\begin{array}{r} 75 \\ 5 \text{ ea } \text{Southtown} \end{array}$

IV. Swivel T Hook, MTH 150 Athi

 $\begin{array}{r} .40 \text{ ea } \text{LAUX} \end{array}$

V. Footballs

A) Boden F100

B) Boden F200

 $\begin{array}{r} 8.70 \text{ Southtown} \\ 8.70 \text{ Southtown} \end{array}$ VI. Sandknit Practice Pants R919 - SUB RUSSELL
S _____ INC. 3 PC BACK w 1/2 BELT
M _____ $\begin{array}{r} 9.95 \text{ ea } \text{LAUX} \\ 9.95 \text{ ea } \text{LAUX} \end{array}$ VII. Neck Brace - Adams USA
FCNR 23 - 2 in TSF WA600 $\begin{array}{r} 35 \\ 7 \text{ ea } \text{LAUX} \end{array}$ VIII. Thigh Pads Y&G Collegiate TSF
300 Spirit $\begin{array}{r} 4.95 \text{ ea } \text{LAUX} \end{array}$

IX. Knee Pads - TSF4 100

 $\begin{array}{r} 3.50 \text{ ea } \text{LAUX} \end{array}$ X. Cold Pack - regular instant chemical
ice compress - approximate size
5 1/4 x 9 double wall outer bag $\begin{array}{r} 95 \\ 7 \text{ ea } \text{LAUX} \end{array}$ XI TGA LANYARDS
T660 WHISTLES

1

 $\begin{array}{r} 4.20 \text{ DZ } \text{LAUX} \\ 11.95 \text{ DZ } \text{LAUX} \end{array}$

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for purchase of six (6) to eight (8) 1994 Trucks with Recycling Body for use by the Recycling Department.

Information to bidders and specifications may be obtained from the office of the Town Clerk located at 3301 Broadway, Cheektowaga, New York 14227, between the hours of 9:00 A.M. and 4:30 P.M., Monday thru Friday, and BE IT FURTHER

RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforementioned item at 11:00 A.M. on May 24, 1993, in the Council Chambers of the Cheektowaga Town Hall.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 24, 1993 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of six (6) to (8) 1994 Trucks with Recycling Body for the Recycling 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: May 3, 1993

PUBLISHED: May 6, 1993

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 24, 1993 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of six (6) to eight (8) 1994 Truck with Recycling Body for the Recycling Department.

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

Richard M. Moleski
Town Clerk

Dated: May 3, 1993

PUBLISH: May 6, 1993

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication.....May 6, 1993..... ;
last publication.....May 6, 1993..... ;
and that no more than six days intervened be-
tween publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this6th.....

day ofMay....., 19⁹³.....

.....

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 12/11/9³

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

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
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towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication.....May 6, 1993..... ;
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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: May 3, 1993

PUBLISH: May 6, 1993

Item No. 5 Approval of Plans for Emerald Gardens Subdivision
This item was withdrawn.

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

WHEREAS, this Town Board previously adopted Investment Policies and Guidelines in order to minimize risk; ensure that investments mature when cash is required to finance operations; and ensure a competitive rate of return for the Town from investments, and

WHEREAS, Section 39 of the General Municipal Law of the State of New York now requires that the Town adopt a more comprehensive investment policy, and

WHEREAS, the Town's Supervising Accountant has prepared the attached Investment Policy for adoption by this Town Board, and

WHEREAS, this Town Board has reviewed the attached Investment Policy, agrees with it and wishes to adopt same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts the attached Investment Policy as the comprehensive investment policy of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the attached Investment Policy shall be effective immediately.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

TOWN OF CHEEKTOWAGA

INVESTMENT POLICY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on behalf of the Town of Cheektowaga or on behalf of any other entity or individual.

II. OBJECTIVES

The Primary objectives of the Town of Cheektowaga investment activities are to conform with all applicable federal, state, and other legal requirements; to adequately safeguard principal; to provide sufficient liquidity to meet all operating requirements; and to obtain a reasonable rate of return.

III. DELEGATION OF AUTHORITY

The Town Board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer(Supervisor), and Supervising Accountant who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amount of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Cheektowaga to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudent discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town of Cheektowaga to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling if this proves to be advantageous to the Town.

VI. INTERNAL CONTROLS

It is the policy of the Town of Cheektowaga for all moneys collected by any officer or employee of the Town of Cheektowaga to transfer those funds to the Supervisor and/or Supervising Accountant within 3 days of deposit, or within the time period specified in law, whichever is shorter.

The Supervisor, Supervising Accountant, or other officer having custody of money is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORY

The banks and trust companies authorized for the deposit of monies up to the maximum amount are designated in Appendix A to the policy.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Sec. 10, all deposits of the Town of Cheektowaga, including certificates of deposits, and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix B to the policy.
2. By an eligible "letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the Town of Cheektowaga for a time not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the Town of Cheektowaga for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure the Town of Cheektowaga deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Town of Cheektowaga to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the manner of the Town of Cheektowaga, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Cheektowaga or its custodial bank.

The custodial agreement shall provide that securities held

by the bank or trust company, or agent of and custodian for, the Town of Cheektowaga, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm to receipt,, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Town of Cheektowaga a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Sec. 11, the Town of Cheektowaga authorizes the Chief Fiscal Officer, Supervising Accountant, or other officer having custody of money to invest moneys not required for immediate expenditure for terms not to exceed 185 days or its projected cash flow needs in the following types of investments:

- o Special Time Deposit accounts;
- o Certificate of Deposits;
- o Obligations of the United States of America;
- o Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- o Obligations of the State of New York;
- o Obligations issued pursuant to LFL Sec. 24.00 of 25.00(with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Cheektowaga;
- o Obligations of public housing authorities, urban renewal agencies and industrial development agencies where general State statutes governing such entities or whose specific enabling legislation authorizes such investment;
- o Certificates of Participations(COPS) issued pursuant to GML Sec. 109-b;
- o Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML

Sec.(s) 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Cheektowaga within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds, or notes, shall be payable or redeemable at the option of the Town of Cheektowaga within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Cheektowaga shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the Town of Cheektowaga conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Cheektowaga. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer and/or the Supervising Accountant is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Chief Fiscal Officer and/or the Supervising Accountant, or other officer having custody of money is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract

authorized by the Town Board.

All purchased obligations, unless registered or inscribed in the name of the Town, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Cheektowaga by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Town of Cheektowaga, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Town of Cheektowaga a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- o All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- o Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- o Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- o No substitution of securities will be allowed.
- o The custodian shall be a party other than the trading partner.

APPENDIX A

BANK	TYPE	ACOUNT NUMBER	MAXIMUM AMOUNT	TOWN OFFICER
Chase	Payroll	0903914	\$ 600,000	Supv Acct
M & T	Tax Receipts	8883613	10,000,000	Receiver
M & T	Rent Rehab Sav	530443548	300,000	Supv Acct
M & T	HUD Rehab Chkg	579557	100,000	Supv Acct
Key	Risk Retent	271011840	1,000,000	Supv Acct
Chase	Debt Res Savg	1605328	5,000,000	Supv Acct
M & T	Debt Res Chkg	4667523	5,000,000	Supv Acct
Key	T & A Pyramid	271019247	50,000	Supv Acct
Key	T & A Drug For	271023600	300,000	Supv Acct
Chase	Capital	1456185	5,000,000	Supv Acct
Key	T & A Sr Citz	271022884	50,000	Supv Acct
Key	T & A DARE	327275000302	25,000	Supv Acct
Chase	T & A Library	1456144	500,000	Supv Acct
Key	T & A Regular	270990299	5,000,000	Supv Acct
Key	Part Twn Reg	270514586	100,000	Supv Acct
Key	Part Twn Savg	271014008	100,000	Supv Acct
Key	Spec Dist Chkg	270519049	3,000,000	Supv Acct
Key	Spec Dist Savg	270529427	5,000,000	Supv Acct
Marine	Highway Savg	762469145	2,000,000	Supv Acct
Marine	Higway Chkg	762728299	2,000,000	Supv Acct
M & T	Gen Fd Savg	111037271	5,000,000	Supv Acct
M & T	Gen Fd Chkg	577346	5,000,000	Supv Acct
M & T	Town Fees	583724	50,000	Town Clerk
Fleet	Town Fees	8064148	100,000	Justice K
Fleet	Town Fees	514239953	100,000	Justice C
Fleet	Small Claims	7302363	1,000	Justice
Fleet	Parking	8064164	50,000	Justice
Fleet	Joint Bail	3251314	200,000	Justice

APPENDIX B

Schedule of Eligible Securities

- (i) Obligations issued or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- (iv) Obligations issued or fully guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State of obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by the bank regulatory agencies.
- (x) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term

category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

- (xi) Zero coupon obligations of the United State government marketed as "Treasury strips".

MEETING NO. 9
May 3, 1993

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

WHEREAS, the Town of Cheektowaga Engineering Department received notice from the Village of Depew, by correspondence dated December 22, 1992, that the Village of Depew received a request to approve the rezoning and, development of the Northeast corner of Walden Avenue and Dick Road, AND

WHEREAS, the Applicant for the rezoning, W & D Management Associates, L.P., had indicated that the first phase of development was for a 24,154 square foot Airborne Express facility on 7.4 acres of land, AND

WHEREAS, the second and final phase of construction would be on the remaining 15.22 acres with potential building area totalling 168,000 square feet, AND

WHEREAS, the Village of Depew was notified of the Town of Cheektowaga's concerns with regard to this project by correspondence dated January 25, 1993, AND

WHEREAS, the Town indicated in said correspondence that the Town would review the impact on the sanitary sewers and the stormwater management plan/flood protection plan for development of the total acreage, AND

WHEREAS, it was suggested that the New York State Department of Transportation and Erie County Highway Department review a traffic study of all projected development for potential impacts on the highway system and possible mitigation measures, AND

WHEREAS, further concerns regarding noise, screening of residential lots, loss of trees, filling of marshland and damage to the creek have been voiced by residents of the neighboring streets, AND

WHEREAS, during the public comment period relating to the permits being sought from the New York State Department of Environmental Conservation ("DEC"), the Developer undertook extensive clearing of trees, excavation of material, filling of floodplain and marshland (wetlands) near and in the vicinity of the south bank of Scajaquada Creek, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby expresses its opposition to the issuance of permits by the DEC (Article 15, Title 5: Stream Protection; and Section 401 - Clean Water Act: Water Quality Certification) for the performance of work within 50 feet of the top-of-bank of Scajaquada Creek, AND BE IT FURTHER

RESOLVED, that the Town of Cheektowaga asks that special attention be given to preserving remaining trees and wetlands on the site, while restoring proper screening where removed, through berms, plantings and other landscaping, to establish an effective buffer area between any further development on the parcel and its boundary with the creek and South Creek Drive residences, AND BE IT FURTHER

RESOLVED, that the Town of Cheektowaga requests that arrangements be made for Payments In-Lieu of Taxes (PILOTS) by the property owners or occupants of the premises should an Erie County Industrial Development Agency ("ECIDA") bond authorization or loan be granted, and that such PILOTS or in-lieu of payment benefit the Village of Depew, Town of Cheektowaga, Cheektowaga Central School District and any other special district(s) involved, AND BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Mr. Steven Doleski of the DEC, the Village of Depew, Chairman of the ECIDA, the U.S. Army Corps of Engineers and the Developer.

Upon Roll Call....

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

Item No. 8a Motion by Supervisor Swiatek, Seconded by Councilman Solecki

WHEREAS, the Constitution of the State of New York currently requires a so-called 50% rule debt amortization, thereby causing debt service payments to be heavily weighed in earlier years, and

WHEREAS, a bill has been proposed in the State Senate (#1644) and Assembly (#3524) which would amend Section 2 of Article VIII of the State Constitution to authorize local governments, as an option and at each individual government's discretion, to amortize indebtedness with substantially level debt service payments, and

WHEREAS, the adoption of this bill is of importance to the Town since it provides greater flexibility in debt management, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Legislature and Governor to adopt the aforementioned bill, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to State Senator William Stachowski, Assemblyman Paul Tokasz and Governor Mario Cuomo.

Upon Roll Call....

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

Item No. 8b Motion by Supervisor Swiatek, Seconded by Councilman Solecki

WHEREAS, Section 5 of Article VIII of the State Constitution presently excludes from a local government's constitutional debt limit indebtedness contracted for a construction or reconstruction of facilities for the conveyance, treatment and disposal of sewage, and

WHEREAS, this exclusion is set to expire on January 1, 1994, and

WHEREAS, a bill has been proposed in the State Senate (#1244) and Assembly (#3525) to continue this exclusion for another ten year period (until January 1, 2004), and

WHEREAS, the adoption of this bill is of importance to the Town since it allows for the efficient operation of Town government, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Legislature and Governor to adopt the aforementioned bill, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to State Senator William Stachowski, Assemblyman Paul Tokasz and Governor Mario Cuomo.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga is desirous of utilizing certificates of participation to finance the construction of the proposed Cheektowaga Municipal Golf Course, and

WHEREAS, due to the fact that such certificates of participation require entering into a lease arrangement with respect to dedicated parkland, it is necessary that special State legislation be enacted to authorize same, and

Item No. 9 continued

WHEREAS, bills were introduced in the State Senate (S.1766) and Assembly (A.2997) to authorize the Town to enter into the necessary lease arrangement for the proposed golf course, and this Town Board supported such bills, and

WHEREAS, the State Parks Department has recommended that such bills be revised to accommodate its concerns, and

WHEREAS, the State Senate and Assembly have revised such bills and have introduced Senate Bill 1766-A/Assembly Bill 2997-A to replace the aforementioned bills, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board supports these revised bills and hereby requests the State Senate and Assembly to enact Senate Bill 1766-A and Assembly Bill 2997-A, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to execute the Home Rule Request forms for the aforementioned Senate and Assembly bills and to forward same to the Home Rule Counsels for the Senate and Assembly, with copies to Senator William Stachowski and Assemblyman Paul Tokasz.

Upon Roll Call....

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

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

WHEREAS, Cleve Hill Baseball, Inc. has requested the Town's permission to hold its opening day parade on Saturday, May 15, 1993 (rain date - May 22, 1993) and to have a police escort for same, and

WHEREAS, this parade would begin behind the Cleveland Hill Elementary School in the parking lot; then proceed down Gilmore Road to Maplevue Circle; then proceed right onto Merrymont Drive, left onto Cleveland Drive, left onto Harlem Road; and then proceed left onto Huth Road to the school grounds near the tennis courts, and

WHEREAS, this Board desires to approve the aforesaid parade and to provide a police escort for same, NOW, THEREFORE, BE IT

RESOLVED, that Cleve Hill Baseball, Inc. be and hereby is authorized to conduct its parade at the above mentioned time and place, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort arrangements for such parade and to ensure compliance with Section 1660(a)(6) of the Vehicle and Traffic Law of the State of New York.

Upon Roll Call....

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

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

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of renting campground facilities known as Camp Aloha for a summer camp for handicapped Cheektowaga youths from August 15th - August 21st, 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

Item No. 11 continued

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 \$1800 and a meals cost not to exceed \$68 per person, and

WHEREAS, such agreement has been prepared and is acceptable between parties, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with the Camp Fire Council of Buffalo and Erie County, Inc. for the renting of the aforementioned campground facilities, and BE IT FURTHER

RESOLVED, that the Cheektowaga Youth and Recreational Services Department, as in the past, seek reimbursement from any appropriate state and charitable source, in addition to any camper fees to cover the necessary costs of said activity.

Upon Roll Call....

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

Item No. 12 Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

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.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>COMPANY</u>	<u>EMT EXPIRES</u>
DiJames, Daniel V.	Tonawanda, NY 14223	Town's	1/31/96

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

BE IT RESOLVED that the following individuals be terminated from the Youth and Recreational Services Department:

Jason Backes	14043
Deborah Braniecki	14206
Elizabeth Chrznavski	14227
Mary Lou Czajka	14225
Amy Furminger	14043
Joe Gajewski	14211
Catherine Giles	14043
Gerald Hickson	14225
Denise Jaskowiak	14206
Leonard Kosobucki	14043
Robert E. Kowalewski	14227
Cindy Principato	14225
Jeffrey Pula	14206
Andrea Rzeski	14211
Norbert Rzeski	14211
Jeffrey Schneider	14227
Jill Sam	14225
Colleen Schaub	14227
Shawn Surdej	14212
Aaron Vanderlip	14227
Sarah Zebehazy	14211
Dawn Zilbauer	14225

Upon Roll Call....

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

Item No. 13b Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

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

EFFECTIVE

FACILITIES DEPARTMENT

Charles Zasada	4/19/93
Ryan McNella	4/05/93

YOUTH AND RECREATIONAL SERVICES

Aaron Vanderlip	Immediately
Shawn Surdej	"

TOWN CLERK'S OFFICE

Cheri Nowakowski	Immediately
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Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be transferred from Line Item 7140.1611 to 7140.1636 (Soccer) as indicated:

Item No. 14 continued

From Recreation Leader II to Recreation Leader VIII (Soccer) at a salary rate of \$7.00 per Hour:

Paul Dennis 14225

From Recreation Instructor III to Recreation Leader I at a salary rate of \$5.25 per hour:

Ben Dennis 14225

From Recreation Supervisor I to Recreation Leader II at a salary rate of \$5.50 per hour:

Matthew Bean 14225

From Recreation Supervisor to Recreation Specialist IV at a salary rate of \$5.50 per hour:

Matthew Haberl 14225

From Recreation Instructor II to Recreation Instructor III at a salary rate of \$5.00 per hour:

Paul Lutz 14225

From Recreation Instructor II to Recreation Instructor III at a salary rate of \$5.00 per hour:

Heather Chapp 14206

From Recreation Instructor II to Recreation Instructor III at a salary rate of \$5.00 per hour:

Tim Kronenwetter 14225

From Recreation Instructor I to Recreation Instructor II at a salary rate of \$4.75 per hour:

Erica Staszak 14225

BE IT RESOLVED, that the following individual be transferred from Line Item 7140.1611 to 7140.1636 at her present rate and title:

RECREATION ATTENDANT I - \$4.25 PER HOUR:

Amy Weber 14225

BE IT RESOLVED, that the following individuals be transferred as indicated:

From Recreation Supervisor (7140.1611) to Recreation Supervisor VI (Softball - 7140.1633) at a salary rate of \$6.75 per hour:

Richard Andrzejewski 14227

From Recreation Supervisor (7140.1613) to Recreation Supervisor III (Softball - 7140.1633) at a salary rate of \$6.00 per hour:

Kevin Burke 14206

BE IT RESOLVED, that the following individual be hired as indicated:

RECREATION SUPERVISOR VIII (7140.1642 - TENNIS - \$7.25 PER HOUR

Donald E. Nowak, Jr. 14227

Item No. 14 continued

BE IT RESOLVED, that the following individuals be hired as indicated
- (Line Item 7140.1636 - Soccer):

RECREATION SUPERVISOR III - \$6.00 PER HOUR:

Tony Pierino 14043*

RECREATION ATTENDANT I - \$4.25 PER HOUR:

Cheryl Stucke 14225

RECREATION INSTRUCTOR I (ALTERNATE) - \$4.25 PER HOUR:

Walter Gasiorek 14206

BE IT RESOLVED, that the following individual be hired as seasonal
employees for the Youth and Recreational Services Department as indicated:

RECREATION SUPERVISOR V (LACROSSE) - 7140.1625 - \$6.50 PER HOUR

Christopher G. Goss 14226*

RECREATION LEADER III (LACROSSE) - 7140.1625 - \$5.75 PER HOUR

Charles F. Kucinski 14228*

RECREATION INSTRUCTOR IV (LACROSSE) - 7140.1625 - \$5.25 PER HOUR

Richard C. Franz 14226*

BE IT FURTHER RESOLVED, that all employees listed be hired/
transferred on a seasonal basis.

*Non-Residents

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following individuals be and hereby are
hired as SEASONAL EMPLOYEES in the various departments listed and in compliance with
the provisions of the Town's collective bargaining agreement between the Town of
Cheektowaga and the Town of Cheektowaga Employees Association for a period not to
exceed 24 weeks in a calendar year:

EFFECTIVE

FACILITIES DEPARTMENT - \$4.65 per hour (Laborer)

Jeffrey Rogowski	Immediately
David Kasprowicz	"
Jarrett Sinclair	"
Ronald Kaczmarek	"
Douglas Champagne	"
Anthony Micro	"

SEWER DEPARTMENT - \$4.65 per hour (Laborer)

Damian Klosko	Immediately
Jerel Bogdan	"
Shawn Loos	"
Mark Burkhard	"

Item No. 15 continued

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Jeffrey Nietopski

Immediately

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, two vacancies exist in the position of Detective in the Police Department, AND

WHEREAS, the Chief of Police and his screening committee recommend that Patrolman Daniel Conley and Patrolman Gary Edenhofer be appointed to said vacancies, AND

WHEREAS, these officers have successfully completed their six month probationary terms as acting Detectives, NOW, THEREFORE, BE IT

RESOLVED, that Daniel Conley and Gary Edenhofer be and hereby are appointed as Detectives in the Police Department, retroactive to November 16, 1992.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Light Motor Equipment Operator in the Recycling Department, AND

WHEREAS, notice of said vacancy was posted as per the collective bargaining agreement the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, John Jaroszewski, currently employed as a Laborer's Aide in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that John Jaroszewski be and hereby is appointed to the position of Light Motor Equipment Operator in the Recycling Department in accordance with the terms and conditions as set forth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective May 4, 1993.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Laborer's Aide in the Recycling Department, AND

WHEREAS, notice of said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

Item No. 16c continued

WHEREAS, no full-time employee bid on said vacancy, AND

WHEREAS, Daniel Carrier, currently employed as a part-time Laborer for the Town, applied for said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Daniel Carrier of , Cheektowaga, New York 14225 be and hereby is appointed to the position of Laborer's Aide in the Recycling Department, in accordance with the terms and conditions as set forth in the agreement the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective May 4, 1993.

Upon Roll Call....

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

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

WHEREAS, a vacancy exists in the position of Cleaner in the Facilities Department, AND

WHEREAS, notice of said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Mike Bratek, currently employed as a Laborer's Aide in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Mike Bratek be and hereby is appointed to the position of Cleaner in the Facilities Department in accordance with the terms and conditions as set forth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective May 4, 1993.

Upon Roll Call....

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

Item No. 16e Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, a temporary vacancy exists in the position of Clerk-Typist in the Justice Court, AND

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association does not require that a temporary position of 30 days or less be posted, AND

WHEREAS, Rose Majerowicz, a part-time employee in the Justice Court, has expressed an interest in filling said temporary vacancy, NOW, THEREFORE, BE IT

RESOLVED, that Rose Majerowicz of Cheektowaga, New York 14227 be and hereby is appointed to the position of Clerk-Typist (Temporary) in the Justice Court, effective April 28, 1993, for a period of 30 days; said term to expire on May 27, 1993.

Upon Roll Call....

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

Item No. 17a Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, this Town Board recognized the public need for sidewalks along Union Road, from George Urban Boulevard to Walden Avenue, due to extensive commercial development in recent years, AND

WHEREAS, bond authorization for said sidewalk work was initiated on April 5, 1993 with bonds to be appropriated for all work related to such sidewalk installation, AND

WHEREAS, the Town Engineer, on behalf of this Town Board, has solicited proposals for the provision of professional services to undertake a topographic and property survey, mapping and preliminary design to establish a sidewalk alignment and grade that will provide for a safe pedestrian walkway along Union Road, AND

WHEREAS, C & S Engineers, Inc., a consulting engineering firm having expertise and experience in performing such work, has submitted the lowest proposal for engineering services, NOW, THEREFORE, BE IT

RESOLVED, that C & S Engineers, Inc., 77 Broadway, Buffalo, New York 14203 is hereby retained to provide the aforementioned professional engineering service in accordance with their proposal of December 28, 1992 as submitted to and recommended by the Town Engineer, AND, BE IT FURTHER

RESOLVED, that the cost of said professional services in the bid amount of \$23,900 shall be chargeable to a temporary loan to be initiated by the Chief Accountant with repayment to said account thru appropriate bond sales, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is directed and authorized to sign said agreement with C & S Engineers, Inc.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 17b Motion by Councilman Blachowski, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga is currently experiencing a problem with an increase in the number of rodents in the Town, and

WHEREAS, this increase in the rodent population has caused health concerns from various residents in the Town, including those in the Cedargrove Heights area, and

WHEREAS, this Town Board acts as the Health Officer for the Town of Cheektowaga, and has authority to control and eradicate health problems within the Town, and

WHEREAS, Empire State Exterminating, a professional exterminating company having specialized expertise and knowledge in the control of and extermination of rodents, has submitted a proposal to provide services to address this problem, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains the services of Empire State Exterminating for a sum not to exceed \$3,000 for the extermination and control of rodents in the Cedargrove Heights area of Town at locations to be designated by the Community Development Director and Town Engineer, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to retain the services of Empire State Exterminating, AND BE IT FURTHER

RESOLVED, that funds for this activity will be paid from the Community Development Budget.

MEETING NO. 9
May 3, 1993

Item No. 17b continued

Upon Roll Call....

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

Item No. 18 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:	0100-1220-4008	Disaster Coordinator Expense	\$ 500.00
	0100-1355-4001	Office Supplies	336.00
	0100-7620-4625	Group Activities	2,000.00
To:	0100-1220-4010	Disaster Preparedness	500.00
	0100-1355-2005	Office Equipment	336.00
	0100-7620-2501	Equipment	2,000.00

SPECIAL DISTRICTS

From:	4100-8141-2799	Appropriated Fund Balance	646.00
	4200-8142-4432	Maintenance	1,765.00
	4300-8143-4432	Maintenance	135.00
	4400-8144-4432	Maintenance	2,847.00
	4500-8145-4432	Maintenance	2,764.00
	4600-8146-4432	Maintenance	2,450.00
	4700-8147-4432	Maintenance	734.00
	4800-8148-2799	Appropriated Fund Balance	1,159.00
To:	4100-8141-4145	Professional Services	646.00
	4200-8142-4145	Professional Services	1,765.00
	4300-8143-4145	Professional Services	135.00
	4400-8144-4145	Professional Services	2,847.00
	4500-8145-4145	Professional Services	2,764.00
	4600-8146-4145	Professional Services	2,450.00
	4700-8147-4145	Professional Services	734.00
	4800-8148-4145	Professional Services	1,159.00

Upon Roll Call....

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

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

BE IT RESOLVED, that the following Vouchers and Warrants are sub-
mitted to the Town of Cheektowaga prior to April 30, 1993 are hereby approved and
made a part hereof:

GENERAL FUND	\$ 77,246.80
HIGHWAY FUND	25,611.35
TRUST & AGENCY FUND	2,586.62
CDBG HUD FUND	10,499.25
PART TOWN FUND	230.68
RISK RETENTION FUND	24,116.05
SPECIAL DISTRICTS FUND	132,452.11
HUD REHABILITATION FUND	1,572.00
CAPITAL FUND	<u>15,007.91</u>

\$289,322.77

Item No. 19 continued

Upon Roll Call....

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Building Permits
Received and Filed.

Item No. 21 Annual Financial Report for the Fiscal Year 1992
Received and Filed.

Item No. 22 Minutes of Cheektowaga Public Library - March 24, 1993
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 23 Summons & Complaint: Paul M. Deuschle vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Facilities
Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 24 NYSDOT Designation of Restricted Highway-Harlem Road Beginning 1000'
south of McNaughton Avenue and Ending 2000' north of Genesee Street
Beginning 1500' west of Route 240 and Ending 1500' east of Route 240
and all Intersecting Roads
Received and Filed.

Item No. 25 County of Erie: Proposed Amendments to the Erie County Sanitary Code
Received and Filed.

Item No. 26 Petition Regarding 30 Alpine Place
Received and Filed.

* * * * *

MOTION BY SUPERVISOR SWIA TEK, SECONDED BY COUNCILMAN JOHNSON
TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S)
AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

* * * * *

IV. SUSPENSION OF RULES

Item No. 27 Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski
Councilman Blachowski

WHEREAS, bids were received by this Town Board at a bid opening on
April 14, 1993 for a Portable Alternative Light Source, and such bids were referred
to the Chief of Police for analysis, tabulation and report, and

Item No. 27 continued

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

RESOLVED, that the bid be awarded to Payton Scientific Inc., 244 Delaware Avenue, Buffalo, New York 14202, being the lowest responsible bidder meeting specifications, and BE IT FURTHER

RESOLVED, that these expenses are charged to New York Division of Criminal Justice Grant number C713930, and the purchase order to be drawn on line 0100-3120-2205.

Upon Roll Call....

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

Item No. 28a Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, the Law Enforcement Training Directors' Association of New York State will sponsor a training conference May 19th-21st, 1993 in Lake Placid, New York.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Cap. John Howlett, Administrative Commander and Sgt. John Glascott, Training Director. Some of the topics for presentation are Physical Fitness Requirements (ADA), On-going Supervisory Training and Funding for Police Training in the 90's. The Police Department will be responsible for the lodging, meals, gasoline and tolls approximately amounting to \$275.00, and a Town of Cheektowaga police vehicle will be used for transportation to and from this conference, and FURTHER BE IT

RESOLVED, that the Chief of Police, Bruce Chamberlin, is authorized to send Capt. John Howlett and Sgt. John Glascott to this conference. This expense will be charged to line 0100-3120-4085.

Upon Roll Call....

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

Item No. 28b Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, the Hamburg Borough Police Department is hosting the fourth annual K-9 Seminar in Hamburg, Pennsylvania May 10-12, 1993.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Officer Daniel Smith and "Gringo" to this training seminar, Officer Smith will be using the Cheektowaga Police Department K-9 vehicle for transportation to and from this seminar, and the Police Department will be responsible for reimbursing Officer Smith for gasoline for the vehicle, in return for Officer Smith assisting in the K-9 training, the Hamburg Borough Police Department will provide the tuition, lodging and meals, and FURTHER BE IT

RESOLVED, that the Chief of Police is authorized to send Officer Smith to this annual seminar and that the time he spends at this training be authorized as normal duty time. This expense will be charged to line 0100-3120-4085.

Upon Roll Call....

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

Item No. 28c Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

WHEREAS, the New York State Departments of Agriculture and Markets, Health and Environmental Conservation in cooperation with the State University of New York at Delhi is sponsoring the Animal Control Academy for animal control officers on June 1st-4th, 1993 in Delhi, New York.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Dog Control Officer Bernadette Futch to this training program which will cover such topics but not limited to: State and municipal licensing, budgeting and financial considerations, roles, duties and public relations, capture and restraining. The Police Department will be responsible for the registration, lodging and mileage approximately amounting to \$400.00, and FURTHER BE IT,

RESOLVED, that the Chief of Police is authorized to send Bernadette Futch to this training program and that the time she spends at this training be authorized as normal duty time. This expense will be charged to lines 0100-3120-4085 and 0100-3510-4030.

Upon Roll Call....

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

Item No. 29 Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, Benderson Development Corporation (the "Applicant"), has applied to the Town of Cheektowaga for an environmental review of its request for a rezoning of vacant property located on the west side of Transit Road between Como Park Boulevard and Strasmer Road from R-Residential District and NS-Neighborhood Service District to C-Retail Business District in order to construct a retail plaza/store (the "Project"), pursuant to the State Environmental Quality Review Act ("SEQRA"), AND

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

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

WHEREAS, the Town of Cheektowaga, as lead agency, issued a Positive Declaration by resolution dated October 19, 1992 for the Project, thereby directing the Applicant prepare a Draft Environmental Impact Statement (DEIS), AND

WHEREAS, as a component of this DEIS, a traffic impact study showing projected traffic volume and mitigation measures must be completed and submitted to the Town and New York State Department of Transportation (NYSDOT), AND

WHEREAS, projects are being contemplated for, properties on Transit Road in the vicinity of the Applicants site, AND

WHEREAS, the NYSDOT has suggested by letter dated April 21, 1993 that any traffic studies conducted for projects along Transit Road analyze the combined effects of these projects, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby determines that the traffic impact study that must be submitted to the Town and NYSDOT for the Applicant's project must analyze the combined effect of all the developments in the area including any projects proposed for the northwest and southwest corners of Transit Road and Losson Roads, BE IT FURTHER

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

Item No. 29 continued

Upon Roll Call....

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

Item No. 30 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, Ken W. Kloeber, Consulting Engineers, was previously retained by this Town Board to perform a wetlands evaluation study of the proposed golf course site, and

WHEREAS, said wetlands evaluation study was submitted and reviewed by the Town Engineer and other Town personnel, and

WHEREAS, the Town is now in the final stages of the planning process for the golf course and, in order to complete the golf course design and specifications, it is necessary to further retain the services of Ken W. Kloeber, Consulting Engineers, to perform the following work:

1. Finalized wetlands delineation;
2. Tree survey, tree preservation plan and plan for new planting;
3. Phase I environmental site evaluation;
4. Phase II site evaluation in selected areas;
5. Endangered species and archaeological impact review;
6. Soil borings for preliminary building and detention pond design;
7. Pumping test for irrigation water supply well;
8. Unified stormwater management plan.

and,

WHEREAS, Ken W. Kloeber, Consulting Engineers, has agreed to perform said work at a cost not to exceed \$69,000, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains the services of Ken W. Kloeber, Consulting Engineers, 8397 Boston State Road, Boston, New York 14025 to perform the above-referenced work at a cost not to exceed \$69,000 without further Town Board authorization, and BE IT FURTHER

RESOLVED, that said moneys shall be appropriated from budget line item number 5817-7140-1100.

Upon Roll Call....

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

Item No. 31 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Sewer Maintenance Garage Restoration and Digester Conversion at Plant #5, which bids were duly received and opened on April 22, 1993, AND

WHEREAS, said bids were referred to the Town Engineer and to Nussbaumer & Clarke, Inc., Consulting Engineers, for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a memo from the Engineering Department dated May 3, 1993, AND

WHEREAS, said report recommends that Contract A for General Construction Work be awarded to Baker Development Construction, Inc., and that Contract B for Heating, Ventilating and Air Conditioning Work be awarded to Allied Controls, Inc., Contract C for Plumbing Work be awarded to Matthew Kandefer, Inc. and Contract D for Electrical Work be awarded to Warren's Electric for their submission of the lowest bids meeting the requirements of the specifications, NOW, THEREFORE, BE IT

Item No. 31 continued

RESOLVED, that Contract A for General Construction Work be and hereby is awarded to Baker Development Construction, Inc., 1251 Electric Avenue, Lackawanna, New York 14218 at the bid price of \$314,700.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that Contract B for Heating, Ventilation and Air Conditioning Work be and hereby is awarded to Allied Controls, Inc., 531 Virginia Street, Buffalo, New York 14202 at the bid price of \$48,226.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that Contract C for Plumbing Work be and hereby is awarded to Matthew Kandefer, Inc., 2215 Broadway, Buffalo, New York 14212 at the bid price of \$9,932.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that Contract D for Electrical Work be and hereby is awarded to Warren's Electric, 77 Reading Street, Buffalo, New York 14220 at the bid price of \$34,022.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said agreements with Baker Development Construction, Inc. for Contract A, with Allied Controls, Inc. for Contract B, with Matthew Kandefer, Inc. for Contract C and with Warren's Electric for Contract D, AND, BE IT FURTHER

RESOLVED, that funding for said projects shall be chargeable to Account No. 2500-8125-1930 for the sewer maintenance garage work and Account No. 5806-8135-1100 for the digester conversion work.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



MEMO

TO: Thomas Johnson
Chairman

FROM: Chester Bryan
Town Engineer

RE: Sewer Maintenance Garage Restoration
and Digester Modifications

DATE: May 3, 1993

On Thursday, April 22, 1993, sealed bids were opened and read by the Town Clerk for the two projects at Plant #5. One is the restoration of the sewer maintenance garage to correct for fire damage and the other is to begin the work of converting the digesters to storage facilities.

Under State bidding requirements, four bid categories were received. These are as follows:

Contract A - General

There were six bids submitted. The lowest 3 totals are as follows:

Baker Development Construction, Inc.	\$314,700.00
Ferraina Construction, Inc.	\$315,867.00
Nichter Associates, Inc.	\$321,000.00

Contract B - HVAC

Four bids were received with the three lowest as follows:

Allied Controls, Inc.	\$ 48,226.00
Joseph Davis, Inc.	\$ 49,877.00
Vastola Heating and Air Conditioning	\$ 54,874.00

Alexander Community Center ♦ 275 Alexander Avenue ♦ Cheektowaga, New York 14211 ♦ 716 / 896-0788

Contract C - Plumbing

Three bids were received as follows:

Matthew Kandefer, Inc.	\$ 9,932.00
Kandey Company	\$ 11,475.00
WSI Welding Specialties, Inc.	\$ 14,100.00

Contract D - Electrical

Ten bids were received with the three lowest as follows:

Warren's Electric	\$ 34,022.00
Tunney Electric, Inc.	\$ 35,766.00
Grand Island Electric, Inc.	\$ 36,281.00

We are submitting a resolution for Town Board approval for the award of bids under the four categories to the lowest responsible bidders meeting the requirements of our specifications. It is to be noted that the bids reflect the total cost for both projects together.

In separating the bid amounts as submitted, the individual cost of each project are as follows:

Maintenance Garage

Contract A	\$134,700.00
Contract B	\$ 48,226.00
Contract C	\$ 9,932.00
Contract D	\$ 28,798.00

Maintenance Garage Total \$221,656.00

Digester Conversion

Contract A	\$180,000.00
Contract D	\$ 5,224.00

Digester Conversion Total \$185,224.00

CLB:dms

MEETING NO. 9
May 3, 1993

Item No. 32 Motion by Supervisor Swiatek, Seconded by Councilman Rogowski
to adjourn this meeting.

Richard M. Moleski
Town Clerk

PUBLIC HEARINGS
(held prior to Town Board meetings)

NO.

ITEM

Meeting No. 11 June 7, 1993

- | | |
|---|--|
| 1 | Proposed Dissolution of Drainage Districts Nos. 1 through 7 in the Town of Cheektowaga |
|---|--|

Meeting No. 12 June 21, 1993

- | | |
|---|--|
| 1 | Rezoning of property at 30 Alpine Place from R-Residence, C-Retail Business to CF-Community Facilities |
|---|--|

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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 17th day of May, 1993 at 7:30 o'clock P.M., Eastern Daylight Savings Time there were:

PRESENT: Acting Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Bruce Chamberlin, Chief of Police, Ronald Marten, Building and Plumbing Inspector, Salvatore LaGreca, Chairman, Planning Board; James Kirisits, Town Attorney, Jerome Gabryszak, Community Development Director, and Legislator Raymond Dusza.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 48 of the Code of the Town of Cheektowaga, (Parks Ordinance) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

Section 48-10.1, Bicycle Helmets Required.

No person shall operate a bicycle within the limits of any park or park approach unless he or she shall wear a protective helmet. Such a helmet must be equipped with either a neck or chin strap, be reflectorized on both sides thereof, and be A.N.S.I. approved.

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 Motion by Councilman Jaworowicz Seconded by Councilman Rogowski
Councilman Blachowski Councilman Johnson

WHEREAS, a vacancy exists in the office of Supervisor in the Town of Cheektowaga, County of Erie, New York, because of the resignation of Frank E. Swiatek, the duly elected Supervisor, effective at 11:59 p.m. on May 10, 1993, and

WHEREAS, Dennis H. Gabryszak has held the office of Councilman in the Town of Cheektowaga, County of Erie, New York, since January 1, 1984; and, in addition he has held the appointed office of Deputy Supervisor in the Town since 1988; and

WHEREAS, by reason of experience, knowledge and temperament, Dennis H. Gabryszak, is qualified to fill the aforesaid vacancy in the office of Town Supervisor.

Item No. 3 continued

NOW, THEREFORE, BE IT RESOLVED, that in pursuance of the power vested in us by Section 64, Subdivision 5 of the Town Law, we, the members of the Town Board of the Town of Cheektowaga, New York, do hereby appoint Dennis H. Gabryszak, residing at 36 Ely Road, Cheektowaga, New York, to fill the vacancy existing in such office of Supervisor. Such appointment is effective immediately and said Dennis H. Gabryszak shall hold such office until December 31, 1993.

Upon Roll Call....

AYES: Councilmen Jaworowicz, Rogowski, Blachowski and Johnson
NAYES: 0
ABSTAINED: Councilman Gabryszak and Solecki
ABSENT: 0

Item No. 4 Order Calling for Public Hearing regarding Proposed Dissolution of
Drainage District No. 1 thru 7

* SEE NEXT PAGES

AFFIDAVIT - NEXT PAGE

At a regular meeting of the
Town Board of the Town of
Cheektowaga, in the County
of Erie, New York, held at
the Town Hall, in said Town,
on the 17th day of May, 1993.

PRESENT:

Honorable _____, Supervisor
Patricia A. Jaworowicz, Councilperson
Richard B. Solecki, Councilperson
William P. Rogowski, Councilperson
Jacqueline A. Blachowski, Councilperson
Thomas M. Johnson, Jr., Councilperson

In the Matter X
:
of the : ORDER CALLING
:< PUBLIC HEARING
Proposed Dissolution of Drainage District :
Nos. 1 through 7, in the Town of : JUNE 7, 1993
Cheektowaga, in the County of Erie, :
New York, pursuant to Article 12-C of the :
Town Law. :
X

WHEREAS, the Town Board of the Town of Cheektowaga
(herein called "Town Board" and "Town", respectively), in the
County of Erie, New York, proposes to dissolve Drainage District
Nos. 1 through 7 (as extended) (together herein called the
"Districts"), which Districts are wholly located within the Town,
including a part of the Village of Depew, and were heretofore
created by resolutions and orders duly adopted by the Town Board
on their respective dates, and to manage, maintain, operate and
repair as a Town function, pursuant to Article 12-C of the Town
Law, the improvements or services heretofore provided by said
Districts; and

WHEREAS, the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within such benefited area in just proportion to the amount of benefit which the improvement conferred upon the same; and

WHEREAS, the cost of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts proposed to be dissolved shall thereafter be a charge upon the area of the Town outside of any villages except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges;

Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, Cheektowaga, New York, in the Town, on the 7th day of June, 1993, at 7:00 o'clock P.M. (Prevailing Time), or as soon thereafter as such matter may be heard, to

consider the dissolution of such Districts as herein referred to,
and to hear all persons interested in the subject thereof,
concerning the same and for such other action on the part of the
Town Board with relation thereto as may be required by law, and
be it

FURTHER ORDERED, that the Town Clerk publish at least
once in the "CHEEKTOWAGA TIMES", a newspaper published in
Cheektowaga, New York, and hereby designated as the official
newspaper of the Town for such publication, and post on the
bulletin board in the office of the Town Clerk, a copy of this
Order, certified by the Town Clerk, the first publication and
said posting to be not less than ten (10) nor more than twenty
(20) days before the day designated herein for said public
hearing as aforesaid.

DATED: MAY 17, 1993

TOWN BOARD OF THE TOWN OF
CHEEKTOWAGA

Dennis A. Gajewski
Supervisor

Joseph A. Sackow
Councilperson

Will R. Rogosh
Councilperson

Patricia A. Jaworski
Councilperson

Thomas M. Gilmartin
Councilperson

Richard B. Solecki
Councilperson

Councilperson

(SEAL)

Members of the Town Board of the
Town of Cheektowaga, in the County
of Erie, New York



28915.1

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

I, Richard M. Moleski, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 17th day of May, 1993, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 17th day of May, 1993.

(SEAL)

Richard M. Moleski
Town Clerk

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, in said Town, on the 17th day of May, 1993.

PRESENT:

Honorable Dennis H. Gabryszak, Supervisor
 Patricia A. Jaworowicz, Councilperson
 Richard B. Solecki, Councilperson
 William P. Rogowski, Councilperson
 Jacqueline A. Blachowski, Councilperson
 Thomas M. Johnson, Jr., Councilperson

In the Matter of the Proposed Dissolution of Drainage District Nos. 1 through 7, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Article 12-C of the Town Law.

ORDER CALLING PUBLIC HEARING, June 7, 1993

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, proposes to dissolve Drainage District Nos. 1 through 7 (as extended) (together herein called the "Districts"), which Districts are wholly located within the Town, including a part of the Village of Depew, and were heretofore created by resolutions and orders duly adopted by the Town Board on their respective dates, and to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided by said Districts; and

WHEREAS, the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within such benefited area in just proportion to the amount of benefit which the improvement conferred upon the same; and

WHEREAS, the cost of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts proposed to be dissolved shall thereafter be a charge upon the area of the Town outside of any villages except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges; Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, Cheektowaga, New York, in the Town, on the 7th day of June, 1993, at 7:00 o'clock P.M. (Prevaling Time), or as soon thereafter as such matter may be heard, to consider the dissolution of such Districts as herein referred to, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES", a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and post on the bulletin board in the office of the Town Clerk, a copy of this Order, certified by the Town Clerk, the first publication and said posting to be not less than ten (10) nor more than twenty (20) days before the day designated herein for said public hearing as aforesaid.

DATED: May 17, 1993

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Dennis H. Gabryszak, Supervisor
 Jacqueline A. Blachowski, Councilperson
 William P. Rogowski, Councilperson
 Patricia A. Jaworowicz, Councilperson
 Thomas M. Johnson, Jr., Councilperson
 Richard B. Solecki, Councilperson
 Members of the Town Board of the Town of Cheektowaga, in the County of Erie, New York

STATE OF NEW YORK
 COUNTY OF ERIE

I, Richard M. Moleski, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 17th day of May, 1993, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 17th day of May, 1993.

Richard M. Moleski
 Town Clerk

PUBLISH: May 20, 1993

STATE OF NEW YORK
 COUNTY OF ERIE
 TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza

....., of the town
 of Cheektowaga, in said County of Erie, being
 duly sworn, deposes and says that he (she) is
 clerk
 of the Cheek-
 towaga Times, a public newspaper published
 weekly in said town; that the notice, of which
 the annexed printed slip, taken from said news-
 paper is a copy, was inserted and published in
 said paper once a week for¹ weeks:
 first publication May 20, 1993 ;
 last publication May 20, 1993 ;
 and that no more than six days intervened be-
 tween publications.

Melissa Gugliuzza

Sworn to before me this20th.....

day ofMay....., 19.93....

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 12/11/93

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, in said Town, on the 17th day of May, 1993.

PRESENT:

Honorable Dennis H. Gabryszak, Supervisor
 Patricia A. Jaworowicz, Councilperson
 Richard B. Solecki, Councilperson
 William P. Rogowski, Councilperson
 Jacqueline A. Blachowski, Councilperson
 Thomas M. Johnson, Jr., Councilperson

In the Matter of the Proposed Dissolution of Drainage District Nos. 1 through 7, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Article 12-C of the Town Law.

ORDER CALLING PUBLIC HEARING, June 7, 1993

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, proposes to dissolve Drainage District Nos. 1 through 7 (as extended) (together herein called the "Districts"), which Districts are wholly located within the Town, including a part of the Village of Depew, and were heretofore created by resolutions and orders duly adopted by the Town Board on their respective dates, and to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided by said Districts; and

WHEREAS, the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within such benefited area in just proportion to the amount of benefit which the improvement conferred upon the same; and

WHEREAS, the cost of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts proposed to be dissolved shall thereafter be a charge upon the area of the Town outside of any villages except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges;

Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, Cheektowaga, New York, in the Town, on the 7th day of June, 1993, at 7:00 o'clock P.M. (Pre-vailing Time), or as soon thereafter as such matter may be heard, to consider the dissolution of such Districts as herein referred to, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES", a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and post on the bulletin board in the office of the Town Clerk, a copy of this Order, certified by the Town Clerk, the first publication and said posting to be not less than ten (10) nor more than twenty (20) days before the day designated herein for said public hearing as aforesaid.

DATED: May 17, 1993

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Dennis H. Gabryszak, Supervisor
 Jacqueline A. Blachowski, Councilperson
 William P. Rogowski, Councilperson
 Patricia A. Jaworowicz, Councilperson
 Thomas M. Johnson, Jr., Councilperson
 Richard B. Solecki, Councilperson
 Members of the Town Board of the Town of Cheektowaga, in the County of Erie, New York

**STATE OF NEW YORK
 COUNTY OF ERIE**

I, Richard M. Moleski, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 17th day of May, 1993, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 17th day of May, 1993.

Richard M. Moleski
 Town Clerk

PUBLISH: May 20, 1993

**STATE OF NEW YORK
 COUNTY OF ERIE
 TOWN OF CHEEKTOWAGA**

ss.

Melissa Gugliuzza

....., of the town
 of Cheektowaga, in said County of Erie, being
 duly sworn, deposes and says that he (she) is
 clerk
 of the Cheek-
 towaga Times, a public newspaper published
 weekly in said town; that the notice, of which
 the annexed printed slip, taken from said news-
 paper is a copy, was inserted and published in
 said paper once a week for¹ weeks:
 first publication..... May 20, 1993..... ;
 last publication..... May 20, 1993..... ;
 and that no more than six days intervened be-
 tween publications.

Melissa Gugliuzza

Sworn to before me this20th.....

day ofMay....., 19.93...

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 12/11/93

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

WHEREAS, a Notice to Bidders was duly published for receipt of bids for a three (3) year Preventative Maintenance and Service Agreement for Heat, Ventilation, Air Conditioning and Generators at various Town owned buildings, which bids were received and publicly opened on April 29, 1993, and

WHEREAS, bids were reviewed by R. P. Morrow Associates, P.C. and the Director of Facilities for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board, and

WHEREAS, said report recommends that the bid be awarded to Mollenberg-Betz, Inc., 300 Scott Street, Buffalo, New York, 14204, for the Base Bid total price of \$127,159.00, NOW, THEREFORE, BE IT

RESOLVED, that the bid for a three (3) year Preventative Maintenance and Service Agreement for Heat, Ventilation, Air Conditioning and Generators at various Town-owned buildings be and hereby is awarded to Mollenberg-Betz, Inc., at a total Base Bid price of \$127,159.00, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a contract for such services with Mollenberg-Betz, Inc., and BE IT FURTHER

RESOLVED, that funds for said action are available from Facilities Department Accounts #1625-4000-4432 and #7110-4000-4451 and Libraries Account #01-00-7410-4439.

Upon Roll Call....

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

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

WHEREAS, by resolution dated April 19, 1993, this Town Board, issued a Notice to Bidders for the furnishing of ten (10) new or used removable pointer printomatic voting machines with handicap panels for the Town Clerk's Office, and

WHEREAS, two (2) bids were received and opened on April 29, 1993, and

WHEREAS, adequate moneys are not available in the Town Clerk's budget and moneys from the 1993 bond issue are not expected to be available until later in the year, NOW, THEREFORE, BE IT

RESOLVED, that the bids received for the furnishing of voting machines be and hereby are rejected.

Upon Roll Call....

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

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

WHEREAS, on June 6, 1955, the Town Board of the Town of Cheektowaga adopted an ordinance now known as Chapter 65, Article II of the Code of the Town of Cheektowaga, setting forth specifications for the construction of sidewalks in the Town and

WHEREAS, Section 200-a of the Town Law of the State of New York authorizes a town board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks in towns between the town and property owners, and

Item No. 7 continued

WHEREAS, this Town Board, by resolution dated September 3, 1991, adopted Local Law No. 4 of the year 1991, entitled "A Local Law Apportioning the Cost of Repairing Sidewalks", and

WHEREAS, the Town Superintendent of Highways has supplied this Town Board with the attached list of sidewalks in the Town which are in need of repair or replacement, NOW, THEREFORE, BE IT

ORDERED, that the owners of properties listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before June 17, 1993, in accordance with the Town's Streets and Sidewalks Ordinance, and BE IT FURTHER

ORDERED, that, should such property owners choose not to repair/replace their sidewalks as so notified, the Town will cause such sidewalks to be repaired/replaced, and audit and pay 50% of the expense thereof against the property which abuts such sidewalk over a period of two (2) years, with interest at the rate of 6.00%, and BE IT FURTHER

ORDERED, that the Town Clerk be and hereby is directed to notify the owners of properties listed on the attached sheets(s) of this Order by sending the attached Notice via certified mail addressed to each such owner at his address as it appears on the Town assessment roll.

Upon Roll Call.....

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

* SEE ATTACHED LIST

NOTICE OF ADOPTION OF ORDER
OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE that, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on May 17, 1993, YOU ARE HEREBY ORDERED to repair the sidewalk in front of your property.

Such work must be completed on or before **June 17, 1993..**

In the event you choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done and will audit and pay the expense of doing such work and assess 50% of the expense thereof (including interest at the rate of 6.00%) against your property in two (2) annual installments; this amount will be added to your Town tax bills for the next two (2) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so on or before September 15, 1993; you will be notified of the amount you owe for sidewalk repairs.

If the Town performs the work, it is estimated that your cost for the sidewalk repair will be \$1.50 per square foot (estimated cost of \$30.00 per 20-square-foot block).

If you choose to perform the work yourself or have a contractor perform such work, be advised that you will be responsible for paying 100% of the cost of the sidewalk work (the Town will not pay 50% of the cost).

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

Dated: May 17, 1993



RICHARD M. MOLESKI
Town Clerk

Office of The Town Clerk

Richard M. Moleski

Town Clerk
686-3434

Mary F. Holtz

1st Deputy
686-3433

Vickie L. Dankowski

2nd Deputy
686-3430

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

May 18, 1993

Dear Resident:

Based on a recommendation from the Town Highway Superintendent, the Cheektowaga Town Board adopted a resolution on May 17, 1993 directing you and other property owners to repair the sidewalks in front of your properties. This letter and the enclosed Notice are being mailed by this office pursuant to such Town Board resolution.

In accordance with State law, the Cheektowaga Town Board enacted a local law in September of 1991 requiring property owners to pay 50% of the cost of repairing their sidewalks. This new law applies to you. Property owners, under this new law, are given the option of repairing the sidewalks themselves; if you choose to repair your own sidewalk, you must do so on or before June 17, 1993 and the Town will not reimburse you for any of these costs. If, however, you allow the Town to perform the sidewalk repair work, the Town will pay 50% of the cost of such work; you will then be billed for 50% of the actual cost for such work. Payment to the Town shall be made as follows:

1. On or before September 15, 1993, you may submit full payment to the Town.
2. If the Town does not receive full payment from you by September 15, 1993, the Town will add your cost of the sidewalk repair to your 1994 and 1995 County/Town tax bills.

The Town Highway Department will be responsible for scheduling the approved Town contractor to do the necessary sidewalk repair work. The repair work to be done to your sidewalk will be estimated by markings placed on your sidewalk by the Town Highway Department; please be advised that the actual repair work may differ from the estimated sidewalk repair work in some instances. The cost of the sidewalk repair work will also be computed by the Town Highway Department based on a cost of \$1.50 per square foot (\$30 per 20 square foot block).

I hope the above information is of some assistance to you.

Sincerely yours,

Richard M. Moleski
Town Clerk

Town Hall, Broadway & Union Road ♦ Cheektowaga, New York 14227

1993 SIDEWALK REPLACEMENT PROGRAM

LONG AVENUE

	<u>ADDRESSES:</u>	<u>FOOTAGE TO BE REPLACED:</u>
Genesee	#2392 (Cor. of Long) - Principal Doors	201'
	25	68'
	37	42'
	41	58'
	49	24'
	51	8'
	55	34'
	38	34'
	34	9'
	14	14'
	46	24'

1993 SIDEWALK REPLACEMENT PROGRAM

ANDREWS AVENUE

ADDRESSES:

FOOTAGE TO BE
REPLACED:

East Delevan	#1625 (Cor. of Andrews)	19'
Genesee	Cor. (Fay's Drug Store)	125'
	86	20'
	82	25'
	70	36'
	62	16'
	56	40'
	54	25'
	52	16'
	50	32'
	46	32'
	38	24'
	36	10'
	28	15'
	26	15'
	24	25'
	20	31'
	18	33'
	16	27'
Genesee	2352	112'
	15	25'
	17	20'
	19	15'
	27	26'
	33	15'
	43	40'
	45	20'
	49	40'
	51	25'
	55	25'
	75	40'
	79	40'

1993 SIDEWALK REPLACEMENT PROGRAM

LEMOINE AVENUE

	<u>ADDRESSES:</u>	<u>FOOTAGE TO BE REPLACED:</u>
	#184	21'
	176	11'
	172	17'
	162	25'
	154	14'
	148	11'
	128	27'
	122	20'
	114	21'
	88	26'
	84	26'
	78	15'
	72	27'
	60	23'
	36	16'
	38	16'
	20	8'
Gruner	176 (on Lemoine side)	32'
Gruner	190 (on Lemoine side)	56'
	27	17'
	33	5'
	39	16'
	45	23'
	59	32'
	71	30'
	75	25'
	79	15'
	83	21'
	115	17'
	125	26'
	131	21'
	135	16'
	141	16'
	147	16'
	155	16'
	165	11'
	181	20'
Broadway	2651 (on Lemoine side)	52'
Broadway	2641 (on Lemoine side)	61'

1993 SIDEWALK REPLACEMENT PROGRAM

LYNETTE COURT

<u>ADDRESSES:</u>	<u>FOOTAGE TO BE REPLACED:</u>
#100	20'
94	30'
90	20'
86	5'
82	15'
78	40'
74	20'
70	11'
66	20'
62	15'
58	25'
54	15'
50	30'
46	35'
38	20'
34	20'
30	15'
26	20'
18	15'
12	52'
9	40'
13	15'
17	30'
21	15'
37	35'
41	10'
45	15'
49	25'
57	20'
61	30'
69	20'
73	10'
85	25'
89	15'

1993 SIDEWALK REPLACEMENT PROGRAM

RIFFEL TERRACE

ADDRESSES:

FOOTAGE TO BE
REPLACED:

#20	15'
21	20'
25	10'
29	20'
33	57'
37	20'
36	58'

N. Transithill 41 (Cor. of Riffel)

10'

DOUGLAS DRIVE

ADDRESSES:

FOOTAGE TO BE
REPLACED:

#11

15'

1993 SIDEWALK REPLACEMENT PROGRAM

SCHOEDEL AVENUE

ADDRESSES:

FOOTAGE TO BE
REPLACED:

Andrews	#57 (Cor. of Schoedel)	25'
	11	40'
	21	15'
	25	15'
	50	24'
	56	15'
	18	35'
	73 (Corner)	35'

1993 SIDEWALK REPLACEMENT PROGRAM

BRIARCLIFF ROAD

	<u>ADDRESSES:</u>	<u>FOOTAGE TO BE REPLACED:</u>
Cleveland	500 (Cor. of Briarcliff)	35'
	67	34'
	73	11'
	77	45'
	83	74'
	93	56'
	99	49'
	101	25'
	107	45'
	113	36'
	123	11'
	127	49'
	133	35'
	137	40'
	143	30'
	147	41'
	153	25'
	157	20'
	161	26'
	171	25'
Wayne	77 (Cor. of Briarcliff)	20'
Wayne	63 (Cor. of Briarcliff)	59'
	172	26'
	168	50'
	164	49'
	158	31'
	154	21'
	148	28'
	142	24'
	138	13'
	134	26'
	128	31'
	124	36'
	118	21'
	114	35'
	108	36'
	104	40'
	98	49'
	94	46'
	90	23'
	88	32'
	78	24'
	74	23'
	60	20'

1993 SIDEWALK REPLACEMENT PROGRAM

CRESTHAVEN DRIVE

<u>ADDRESSES:</u>	<u>FOOTAGE TO BE REPLACED:</u>
134	73'
130	16'
122	13'
118	5'
108	52'
102	11'
90	43'
84	12'
78	11'
72	29'
68	10'
54	14'
50	29'
36	81'
Mañlon 39 (Cor. of Cresthaven)	19'
Cleveland 802 (Cor. of Cresthaven)	11'
1	21'
3	39'
39	9'
43	22'
59	13'
63	20'
67	24'
81	26'
87	56'
105	11'
111	21'
115	26'
123	41'
131	11'

1993 SIDEWALK REPLACEMENT PROGRAM

CRESTVIEW AVENUE

<u>ADDRESSES:</u>	<u>FOOTAGE TO BE REPLACED:</u>
16	34'
26	20'
30	36'
34	40'
38	20'
52	30'
56	76'
62	46'
68	31'
74	36'
78	36'
82	55'
86	24'
90	16'
94	21'
Kuhn 25 (Cor. of Crestview)	40'

1993 SIDEWALK REPLACEMENT PROGRAM

DARWIN DRIVE

	<u>ADDRESSES:</u>	<u>FOOTAGE TO BE REPLACED:</u>
Cleveland	574 (Cor. of Darwin)	50'
	503	56'
	499	54'
	495	25'
	485	37'
	481	25'
	477	30'
	471	41'
	465	18'
	460	29'
	464	50'
	472	7'
	476	21'
	486	25'
	494	7'
	500	62'
	504	15'
	512	11'

Item No. 8 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

BE IT RESOLVED, that Emerald Gardens Subdivision, a 124-lot subdivision located south of Losson Road and east of Towers Boulevard, be and hereby is accepted by this Town Board in accordance with the attached letter from the Town Superintendent of Highways, and BE IT FURTHER

RESOLVED, that the developer will insure that a wetlands delineation report is filed with the Town and the U.S. Army Corps of Engineers and that approval is granted by the Town and the U.S. Army Corps of Engineers before any further clearing or grading occurs or any wetlands are filled, and BE IT FURTHER

RESOLVED, that, as shown on the attached partial tree survey, a 30 foot wide town preservation easement will be maintained undisturbed along the east boundary of the parcel with lots on Towers Boulevard, except for the extension of Whitney Place (Topacz Drive), and along the south boundary with lots on LeHavre Drive, for the purpose of preserving a tree line, and BE IT FURTHER

RESOLVED, that, pursuant to authority contained in Section 277 of the Town Law, this Town Board hereby requires the developer to show and reserve on such subdivision map cover a park entrance access easement being at least 20 feet in width from the west terminus of Whitney Place (Topacz Drive) to the west boundary of the subdivision (east 15 feet of Sublot 39 and west 15 feet of Sublot 38) for a future walking connection to Eiffel Park, the Town shall be responsible for continuing the connection to the Park through any intervening property, and BE IT FURTHER

RESOLVED, that, as reflected on the partial tree survey and throughout the parcel, wherever a tree exists of 15 inches or more diameter outside a delineated roadway, sewer or utility path, every effort must be made to preserve said tree during subdivision development; permits covering removal for good cause must be obtained through the Town Building Inspections Department; and the foregoing conservation easements and preservation requirements will also be conveyed with each deed of sale for each affected lot within the subdivision, and BE IT FURTHER

RESOLVED, that along the tributary of Slate Bottom Creek that runs through the north portion of the parcel and thence southwesterly, the embankments be established at a 3:1 or better slope for flood capacity and erosion control, and that a permanent maintenance/access easement be conveyed to the Town of 50 feet from top of bank, as determined by the Town Engineer, and BE IT FURTHER

RESOLVED, that all underground utility power facilities and light standards with feed shall be installed by the developer and deeded to the Town together with storm sewers and roads, and BE IT FURTHER

RESOLVED, that the developer shall insure the planting of replacement trees in Town rights-of-way and easements as determined by the Highway Superintendent and Town Engineer in concert with the Cheektowaga Conservation Advisory Council, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the U. S. Army Corps of Engineers.

* * * * *

Motion by Councilman Johnson and seconded by Councilman Jaworowicz to amend the above resolution and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski
 Blachowski and Johnson

NAYES: 0

ABSENT: 0

* * * * *

Item No. 8 continued

Motion by Councilman Johnson

Seconded by Councilman Jaworowicz

BE IT RESOLVED, that Emerald Gardens Subdivision, a 124-lot subdivision located south of Losson Road and east of Towers Boulevard, be and hereby is accepted by this Town Board in accordance with the attached letter from the Town Superintendent of Highways, and BE IT FURTHER

RESOLVED, that the developer will insure that a wetlands delineation report is filed with the Town and the U.S. Army Corps of Engineers and that final acceptance of this subdivision shall require approval by the U.S. Army Corps of Engineers for the filling of any wetlands and BE IT FURTHER

RESOLVED, that, as shown on the**attached partial tree survey, a 30 foot wide town tree preservation easement will be maintained undisturbed along the east boundary of the parcel with lots on Towers Boulevard, except for the extension of Whitney Place (Topacz Drive), and along the south boundary with lots on LeHavre Drive, for the purpose of preserving the existing trees, and BE IT FURTHER

RESOLVED, that, pursuant to authority contained in Section 277 of the Town Law, this Town Board hereby requires the developer to show and reserve on such subdivision map cover a park entrance access easement being at least 20 feet in width from the west terminus of Whitney Place (Topacz Drive) to the west boundary of the subdivision (south 10 feet of Sublot 39 and north 10 feet of Sublot 38) for a future walking connection to Eiffel Park, which shall be conditioned on the Town securing the connection to the Park through any intervening property, and BE IT FURTHER

RESOLVED, that, as reflected on the partial tree survey and throughout the parcel, wherever a tree exists of 15 inches or more diameter outside a delineated roadway, sewer or utility path, every effort must be made to preserve said tree during subdivision development; permits covering removal for good cause must be obtained through the Town Building Inspections Department; and the foregoing easements and preservation requirements will also be conveyed with each deed of sale for each affected lot within the subdivision, and BE IT FURTHER

RESOLVED, that along the tributary of Slate Bottom Creek that runs through the north portion of the parcel and thence southwesterly, the embankments be established at a 3:1 or better slope for flood capacity and erosion control, and that a 120 foot wide stream corridor shall be deeded to the Town with the subdivision map to reflect said dedication, and BE IT FURTHER

RESOLVED, that a drainage easement at subplot 51 shall be provided for maintenance access to said stream, and BE IT FURTHER

RESOLVED, that the developer shall implement an erosion control plan acceptable to the Town Engineer and shall, upon relocation of the stream channel, immediately re-vegetate the affected banks and, BE IT FURTHER

RESOLVED, that all underground utility power facilities and light standards with feed shall be installed by the developer and deeded to the Town together with storm sewers and roads, and BE IT FURTHER

RESOLVED, that the developer shall insure the planting of replacement trees in Town rights-of-way and easements as determined by the Highway Superintendent and Town Engineer in concert with the Cheektowaga Conservation Advisory Council, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the U. S. Army Corps of Engineers.

Upon Roll Call....

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

* SEE ATTACHED PAGES

** Partial tree survey - unable to copy to put in book. Survey is filed in
1993 SUBDIVISION FILE - Town Clerk's Office

Highway Department

3145 Union Road
Cheektowaga, NY 14227-1083
716 / 686-3450
Mobile: 716 / 863-5867

Christopher J. Kowal
Superintendent of Highways

April 29, 1993

Honorable Supervisor, Frank Swiatek
and Honorable Town Board
Cheektowaga, NY 14227

Re: Approval of Plans
EMERALD GARDENS SUBDIVISION

Dear Honorable Members of the Board:

Mr. C. L. Bryan, Town Engineer; Mr. T. R. Skowron, Highway Engineer; Mr. R. Marten, Bldg. Inspector and I have reviewed plans for the Emerald Gardens Subdivision. These plans, in substance, are found to be in conformance with current specifications of the Town of Cheektowaga as they relate to road construction and storm sewer installation affecting highway drainage. All rear yard and grading situations will be addressed as construction progresses due to tree removal restrictions. The Building Inspector and Town Engineer will address these issues as they become germane to this process of construction.

A properly designed storm sewer system is shown with design data submitted for review.

Road construction will conform to current Highway specifications as shown on plans.

Tree planting as required by law and required of developers and builders, will be enforced by the Building Inspector.

Public improvement fees may be used to hire an Engineer for coordinated inspection during construction.

The lot grading and balancing must be acceptable to the Town Engineer and the Building Inspector as condition to acceptance of Town highways.

The roads in this subdivision are described as follows:

EMERALD LANE - A 60' wide R.O.W. beginning in Losson Rd. and running southerly for a distance of \pm 700' fronting sublots 1 - 5, 56 - 60.

EMERALD LANE EAST - A 60' wide R.O.W. beginning in Emerald Lane and running east and south to a point in Topaz Dr. for a distance of \pm 1340' fronting sublots 5 - 21, 61 - 63, 77, 78, 100, 101, & 124.

- cont'd -

Residence: 260 Cass Ave. • Cheektowaga, New York 14227 • 716 / 865-7165
Promoting Pride - Progress - Professionalism

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

RECEIVED
APR 29 11:43
TOWN ENGINEER

EMERALD LANE WEST - A 60' wide R.O.W. beginning in Emerald Lane and running west a distance of $\pm 1590'$ to a point in Topaz Dr. fronting sublots 37 - 56, 112, 113, 87, 88, 89, & 64 - 69.

TOPAZ DRIVE - A 60' wide R.O.W. running east & west from Emerald Lane East to Emerald Lane West, a distance of $\pm 1280'$, fronting sublots 22 - 37, 21, & 113 - 124 incl.

GARNET DRIVE - A 60' wide R.O.W. running east & west from Emerald Lane East to Emerald Lane West, a distance of $\pm 1100'$, fronting sublots 89 - 112 incl.

PERIDOT PLACE - A 60' wide R.O.W. running east & west from Emerald Lane West to Emerald Lane East, a distance of $\pm 920'$, fronting sublots 69- 87 incl.

Issuance of building permits should be withheld until after Highway acceptance and filing of Bond and Deed.

If P.I.P fees are exhausted, then any further reasonable costs of inspection must be borne by the Developer.

The plans, in substance and subject to revision, are acceptable, conditionally. An "As-Built" set of Plans will be a requirement of this office as part of the acceptance of these roads as Town Highways.

Very truly yours,

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

Chris Kowal / n.s.

Christopher J. Kowal
Superintendent of Highways

TRS/CJK/nms

cc: Town Attorney
Town Clerk ✓
Town Engineer
Bldg. Inspector
Highway Engineer
Files

Item No. 9 Motion by Councilman Blachowski Seconded by Councilman Solecki

WHEREAS, this Town Board previously passed General Obligation Bond resolutions for the financing of various town-wide projects, and this Board is looking to market such bond resolutions, and

WHEREAS, the Town's financial advisor, Munistat Services, Inc. has arranged a meeting with Moody's Investors Services on May 24, 1993 at 11:00A.M. in New York City to present them with the documentation and information they will need to update their credit review and rating of the Town, and

WHEREAS, the financial advisor has stated that it would be most helpful and in the best interest of the Town for representatives of the Town to be present at this meeting, and this Board is in agreement with such request, NOW, THEREFORE, BE IT

RESOLVED, that Dennis H. Gabryszak and Robert E. Kaczmarek be and hereby are authorized to attend the aforesaid credit review meeting with Moody's Investor Service, and all reasonable and necessary expenses incurred as a consequence of such attendance, in the amount not to exceed \$1,2000.00 shall be appropriated from budget line item number 0100-1910-4082.

Upon Roll Call....

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

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

WHEREAS, Williams Trucking Co. has submitted Change Order #1 in the amount of \$653.62 for overtime expenses incurred to ensure completion of the Reconstruction of the Community and Economic Development Office, Alexander Community Center, AND

WHEREAS, Scaffidi & Moore Architects and the Facilities Director have approved Change Order #1 as being in the best interests of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approve Change Order #1 in the amount of \$653.62 to Williams Trucking Co., 31 Prospect Place, Buffalo, New York, 14201 for overtime expenses incurred on April 10, 1993, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Account #5301-7110-9310.

Upon Roll Call....

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

Item No. 11 Motion by Supervisor Gabryszak Seconded by Councilman Rogowski

WHEREAS, Industrial Power and Lighting Corp. has submitted a requisition for final payment for Electrical Work related to Energy Conservation Improvements at the Cheektowaga Sanitation Department/Central Garage Building, AND

WHEREAS, Babinsky.Klein Engineering, P.C. and the Facilities Director have reviewed and approved the Contractor's Letter of Guarantee and Warranty, Consent of Surety Company to Final Payment, Contractor's Affidavit of Release of Liens and Application and Certificate for Payment, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approved final payment in the amount of \$2,448.25 for Electrical Work at the Sanitation Department/Central Garage to Industrial Power and Lighting Corp., 701 Seneca Street, Buffalo, New York 14210, and BE IT FURTHER

Item No. 11 continued

RESOLVED, that funds for said action are available from Capital Improvement Account #5912-1625-1100.

Upon Roll Call....

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

Item No. 12 Motion by Councilman Johnson Seconded by Councilman Jaworowicz
Councilman Blachowski

WHEREAS, this Town Board retained EMS Consulting to prepare a traffic signal warrant analysis for the intersection of William Street and Cayuga Creek Road, and

WHEREAS, such traffic signal warrant analysis has now been completed and demonstrates that a traffic signal is justified at this intersection to increase public safety and provide a desired level of service, and

WHEREAS, since William Street and Cayuga Creek Road are Erie County highways, the Erie County Department of Public Works, Division of Highways, must issue a permit for a traffic signal to be located at this intersection, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the Erie County Department of Public Works, Division of Highways, to issue a permit to the Town for a traffic signal to be located at the intersection of William Street and Cayuga Creek Road, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution, together with two (2) copies of the traffic signal warrant analysis performed by EMS Consulting Inc. to the Erie County Department of Public Works, Division of Highways.

Upon Roll Call....

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

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

WHEREAS, the Pfohl Brothers Landfill on Pfohl Road in the Town of Cheektowaga has been the subject of intensive study and cleanup by New York State, and was designated a New York State Inactive Hazardous Waste Site, and

WHEREAS, a State cleanup on this site has been in progress for approximately one year and, during such cleanup, almost 3,000 steel drums of waste and elevated levels of radioactivity were found on the site.

WHEREAS, the U.S. Environmental Protection Agency ("EPA") has proposed to put the Pfohl Brothers Landfill on the Superfund National Priorities list, and is going through a 60-day public comment period before action, and

WHEREAS, this Town Board is concerned about the effects of this inactive hazardous waste site on nearby residents and of possible pollutants leaking into Ellicott Creek and Aero Lake, and

WHEREAS, if the Pfohl Brothers Landfill was placed on the Superfund list, it would bring Federal help in financing the cleanup, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby goes on record in favor of having the Pfohl Brothers Landfill placed on the superfund National Priorities list and to take all necessary action to have homeowners in this area relocated under the Superfund funding, and BE IT FURTHER

Item No. 13 continued

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the EPA, the NYS DEC and to U.S. Congressman Jack Quinn and Senators Alphonse D'Amato and Daniel P. Moynihan.

Upon Roll Call....

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

Item No. 14a Supervisor Gabryszak Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga is a member of the Cheektowaga Action Partnership, a local coalition chartered to coordinate alcoholism and other drug abuse prevention/education programs in the community, and

WHEREAS, the Town of Cheektowaga, as lead agency for the Cheektowaga Action Partnership, applied for and received two grants, each in the amount of \$487,310, from the United States Public Health Service, Center for Substance Abuse Prevention, Community Partnership Program, and

WHEREAS, the United States Public Health Service, Center for Substance Abuse Prevention is accepting refunding applications to continue the Community Partnership Program grant period for a third year, and

WHEREAS, the Cheektowaga Action Partnership requires additional funding to continue substance abuse prevention/education activities, and

WHEREAS, award of this refunding in the amount of \$537,141 will underwrite 100% of the costs associated with this program, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates be authorized and directed to complete the necessary application, forms, etc. to be submitted to the United States Public Health Service, Center for Substance Abuse Prevention for the purpose of refunding 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 Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski
Blachowski and Johnson
NAYES: 0
ABSENT: 0

Item No. 14b Motion by Supervisor Gabryszak Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga, under the auspices of the Conservation Corp Program, has constructed an extensive nature trail system in Stiglmeier Park, and

WHEREAS, weathering and usage contribute to the deteriorating condition of the trail system, and

WHEREAS, grant monies are available from the National Recreational Trails act to refurbish, expand, and maintain trail systems, and

WHEREAS, the Town of Cheektowaga is seeking funding in an amount not to exceed \$22,600 to replace a portion of the Cattail Lane trail boardwalk in Stiglmeier Park, and

WHEREAS, grant monies from the National Recreational Trails Act will provide 80% of the monies necessary to refurbish Cattail Lane, NOW, THEREFORE, BE IT

Item No. 14b continued

RESOLVED, that Robert J. Miller and Associates be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Office of Parks, Recreation, and Historic Preservation, National Recreational Trails Act Program for the purpose of applying for this grant, and BE IT FURTHER

RESOLVED, that required matching funds, in an amount not to exceed \$5,655, are available from the following Youth and Recreational Services Department budget line items: 7310-1811, 7310-1812, or 7310-4689, 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 Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski
Blachowski and Johnson
NAYES: 0
ABSENT: 0

Item No. 14c Motion by Supervisor Gabryszak Seconded by Councilman Rogowski

WHEREAS, the Town is lead agent for the Cheektowaga Action Partnership, a local coalition chartered to coordinate alcoholism and other drug abuse prevention/education programs within the community, and

WHEREAS, CAP is desirous of holding an informational breakfast meeting of local public and parochial schools at the Sheraton Inn, Buffalo Airport, Monday June 3rd, 1993, and

WHEREAS, funds are available for reserving space for said meeting (0100-7320-4000) THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute a booking agreement between the Town's Cheektowaga Action Partnership and the Sheraton Inn, Buffalo Airport for a sum not to exceed \$560.00.

Upon Roll Call....

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

Item No. 14d Motion by Supervisor Gabryszak Seconded by Councilman Rogowski

BE IT RESOLVED that the Supervisor be and hereby is directed to sign an agreement between the Department of Youth and Recreational Services and the Country Flare Band, to cover the expense of their performances during the annual Haunted Forest to be held in Stiglmeier Park during the period of October 18th - 21st, 1993 at a cost not to exceed \$2,000 (Line Item 7140.4492)

Upon Roll Call....

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

Item No. 14e Motion by Supervisor Gabryszak Seconded by Councilman Blachowski

WHEREAS, Williams Trucking Co. has submitted Certificate of Substantial Completion, AIA Document G704 for Reconstruction of Community and Economic Development, Alexander Community Center, AND

Item No.14e continued

WHEREAS, the Certificate of Substantial Completion established April 29, 1993 as the date of commencement of applicable warranties required by the Contract Documents, AND

WHEREAS, Scaffidi & Moore Architects and the Facilities Director have reviewed and approved the Certificate of Substantial Completion, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorize the Supervisor to sign and execute the Certificate of Substantial Completion AIA Document G704 submitted by the Williams Trucking Co., 31 Prospect Place, Buffalo, New York 14201.

Upon Roll Call....

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

Item No. 15 Motion by Supervisor Gabryszak Seconded by Councilman Blachowski

WHEREAS, Cub Scout Pack #618 has requested permission to conduct an overnight campout on Saturday, June 12, 1993 to Sunday, June 13, 1993 at Stiglmeier Park, AND

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed", NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, and that said waiver be extended to Cub Scout Pack #618 for use of Stiglmeier Park on June 12th and June 13, 1993, 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 Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski
Blachowski and Johnson
NAYES: 0
ABSENT: 0

Item No. 16 Town Board consent for volunteer to assist Dog Control Officer.
This item was withdrawn.

Item No. 17a Motion by Councilman Solecki Seconded by Supervisor Gabryszak

WHEREAS, a Waste Expo '93 will be held in Chicago, Il. from June 22 - 25, 1993, and

WHEREAS, a said expo being held relates to solid waste, and

WHEREAS, David J. Kulik, General Crew Chief of the Town Sanitation/Recycling Departments has requested permission to attend this expo, and

WHEREAS, this Board feels that it would be advantageous to the Town for Mr. Kulik to attend this expo, NOW, THEREFORE, BE IT

RESOLVED, that David J. Kulik be and hereby is authorized to attend the aforementioned Waste Expo '93 and to be absent from the Town of Cheektowaga from June 21-27, 1993 for such expo, and, BE IT FURTHER

Item No. 17a continued

RESOLVED, that the reasonable and necessary expenses in an amount not to exceed \$2,500.00 shall be appropriated from budget line item number 1500-8173-4088.

Upon Roll Call....

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

Item No. 17b Motion by Councilman Johnson Seconded by Councilman Rogowski

WHEREAS, the Eleventh Annual Greater Buffalo Environmental Conference sponsored by the New York State Department of Environmental Conservation, United States Environmental Protection Agency, the New York Water Pollution Control Association and various local agencies is being conducted in Buffalo, New York on May 24-25, 1993, AND

WHEREAS, this conference is dedicated to promoting the understanding of U.S.E.P.A., N.Y.S.D.E.C. and local regulations which effect the environment and pollution prevention, AND

WHEREAS, William R. Pugh, P.E., Assistant Town Engineer, has expressed a desire to attend this environmental conference, AND

WHEREAS, this Town Board feels that Mr. Pugh's attendance at the aforesaid conference will be a great value to the Town, NOW, THEREFORE, BE IT

RESOLVED, that William R. Pugh be and hereby is authorized to attend the Eleventh Annual Greater Buffalo Environmental Conference in Buffalo, New York on May 24th and 25th, AND, BE IT FURTHER

RESOLVED, that the registration fee amounting to \$80.00 shall be paid out of the Town Budget Line Item No. 2500-8125-4087.

Upon Roll Call....

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

Item No. 18a Motion by Councilman Rogowski Seconded by Councilman Blachowski

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

FACILITIES DEPARTMENT

EFFECTIVE

Anthony Mirco
Gary Cieply

Immediately
Immediately

Upon Roll Call....

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

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

WHEREAS, Section 73 of the New York State Civil Service Law states, in part, the following: "When an employee has been continuously absent from and unable to perform the duties of his position for one (1) year or more by reason of a disability, other than a disability resulting from occupational injury or disease, as defined in the Workers' Compensation Law, his employment status may be terminated and his position may be filled by a permanent appointment."

Item No. 18b continued

WHEREAS, Sherry Witt, a Senior Clerk in the Assessor's Office, last day of work was March 19, 1991, NOW, THEREFORE, BE IT

RESOLVED, that Sherry Witt be terminated from employment with the Town of Cheektowaga, effective immediately, AND, BE IT FURTHER

RESOLVED, that, as a result of said termination under Section 73 of the New York State Civil Service Law, she may, within one (1) year after termination, submit medical documentation certifying that she is physically fit to perform the duties of her position and shall be reinstated to her former position or a position in a lower grade, if a vacancy exists. If there is no current vacancy, she is placed on a preferred list for four (4) years and is eligible to fill the next appropriate vacancy.

Upon Roll Call....

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

Item No. 19a Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, a vacancy exists in the position of Laborer's Aide in the Recycling Department, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, no full-time employee bid on said vacancy, AND

WHEREAS, Joseph Dietl applied for said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Joseph Dietl of be and hereby is appointed to the position of Laborer's Aide in accordance with the terms and conditions as set forth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective May 18, 1993.

Upon Roll Call....

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

Item No. 19b Motion by Councilman Solecki Seconded by Councilman Blachowski

WHEREAS, Susan Mulcahy, an Account Clerk in the Sanitation Department will be on vacation from June 14th thru 18th, 1993, and,

WHEREAS, as per Section 18.02 of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, Justine Sinnott, a part-time employee in the Sanitation Department, will be assigned to this Account Clerk position while said incumbent is on vacation, NOW, THEREFORE, BE IT

RESOLVED, that Justine Sinnott be and hereby is appointed to the position of Account Clerk in the Sanitation Department from June 14th thru and including June 18th, AND, BE IT FURTHER

RESOLVED, that as per section 18.02 (2-g) of said collective bargaining agreement, the rate for said position will be \$11.74 per hour.

Item No. 19b continued

Upon Roll Call.....

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

Item No. 20a Motion by Supervisor Gabryszak Seconded by Councilman Blachowski

WHEREAS, a resolution was passed on May 3rd hiring seasonal employees for the Department of Youth and Recreational Services' soccer program (7140.1636), and

WHEREAS, no effective date was listed on such resolution, NOW, THEREFORE, BE IT

RESOLVED, that the effective date of hire of these employees be and hereby is stated as being May 1st.

BE IT RESOLVED that the following individual, hired at the May 3rd Town Board meeting as a Recreational Instructor (Alternate) be re-hired as indicated:

RECREATION ATTENDANT (ALTERNATE) - \$4.25 per hour - 7140.1636

Walter Gasiorek 14206

BE IT RESOLVED that the following individuals be hired as seasonal employees for the Youth & Recreational Services Department as indicated:

POOL SUPERVISOR - 7180.1902 - \$11.00 per hour

Brian Hansen 14043

RECREATION LEADER VIII (Gymnastics) - 7140-1630 - \$7.00 per hour

Jenny Mae Krier 14225

RECREATION SPECIALIST VIII (GYMNASTICS) 7140.1630 - \$6.50 per hour

Mark Monaco 14043

RECREATION INSTRUCTOR III (GYMNASTICS) - 7140.1630 - \$5.00 per hour

Michelle Frazier 14225

Shawn Zent 14225

RECREATION INSTRUCTOR II (GYMNASTICS) - 7140.1630 - \$4.50 per hour

Sabrina Kotowski 14043

Upon Roll Call.....

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

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

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES 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, for a period not to exceed 24 weeks in a calendar year:

MEETING NO. 10
May 17, 1993

Item No. 20b continued

RECYCLING DEPARTMENT - \$5.00 per hour (Laborer)

EFFECTIVE

Jeffrey Wheeler	Immediately
John Kapron	"
Gregory Klima	"
Bill Goldsmith	"
Christopher Trietly	"
Brian Handzinski	"
Jason Kenjockety	"
Stephen Schottman	"
Richard Perrino	"
Thomas Jakubowicz	"
Michael Gault	"
Rick Higley	"
Donald Kusz	"
John L. Ross	"

MAIN PUMP STATION - \$5.00 per hour (Laborer)

David Kuerzdoerfer	Immediately
Timony Dusing	"

Upon Roll Call....

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

Item No. 20c Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be and hereby are hired as **PART-TIME EMPLOYEES**, not to exceed 19 hours on a weekly basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT - \$5.00 per hour (Clerical)

EFFECTIVE

Tracy A. Dryja	Immediately
Sandra J. Kennuth	"

JUSTICE COURT - \$5.00 per hour (Clerical)

Jennifer Masters	Immediately
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SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Jeffey M. Schuler	Immediately
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SENIOR SERVICES DEPARTMENT - \$5.50 per hour (Van Driver)

Scott Stevenson	5/14/93
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Upon Roll Call....

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

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

WHEREAS, this Town Board by resolution dated November 23, 1992 engaged the engineering consulting firm of Pratt & Huth Associates to conduct a flood plain analysis and map amendment evaluation for the portion of Scajaquada Creek located between the New York State Thruway and Dick Road, AND

MEETING NO. 10
May 17, 1993

Item No. 21a continued

WHEREAS, said flood plain analysis and evaluation of the flood hazard boundaries has been completed by Pratt & Huth Associates and the findings submitted to the Office of the Town Engineer, AND

WHEREAS, the study findings indicate that the flood hazard boundaries and base flood elevations depicted on the current Flood Insurance Rate Map, prepared by the Federal Emergency Management Agency, do not reflect the benefits derived from downstream improvements projects which have produced a reduction in base flood elevations and a reduced flood plain area, AND

WHEREAS, in order to support a request for amendment to the Flood Insurance Rate Map, which will have a beneficial impact on several hundred properties, it is necessary to complete the final phase of the flood study, AND

WHEREAS, Pratt & Huth Associates has submitted an engineering services proposal for the final phase of the flood study intended to establish the required engineering documentation supporting a request for map amendment to the Federal Emergency Management Agency, NOW, THEREFORE, BE IT

RESOLVED, that the firm of Pratt & Huth Associates, 60 Earhart Drive, Williamsville, New York 14221, is hereby retained to provide the aforementioned professional engineering services in accordance with the proposal dated May 3, 1993 at a fee not to exceed \$15,530. AND, BE IT FURTHER

RESOLVED, that funds for said services shall be chargeable against Account No. 5109-1440-9120, Scajaquada Creek & Tributaries Erosion Control.

Upon Roll Call....

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

Item No. 21b Retain firm regarding 2911 William Street Appeal.
This item was withdrawn.

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

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

GENERAL FUND

FROM:	0100-7310-4687 Child and Family Service	\$734.92
	0100-7310-4685 Y.E.S. Program	28.40
	0100-7310-4677 Cath Char. S.I.S. Program	1,305.00
	0100-7310-4677 Cath Char. S.I.S. Program	2,000.00
	0100-7140-1612 Recreation Attendant	8,000.00
	0100-7140-1613 Recreation Supervisor	3,000.00
	0100-7140-1614 Recreation Attendant	15,000.00
	0100-7140-1613 Recreation Supervisor	3,000.00
	0100-7140-1614 Recreation Attendant	15,000.00
	0100-7310-4691 Dev. Dis Day Camp	2,000.00
	0100-7140-1813 New Programs	7,000.00
	0100-7140-1621 Umpires and Referees	3,000.00
	0100-7140-1612 Recreation Attendant	8,000.00
	0100-7110-1435 Groundskeeper	8,000.00
	0100-7110-1435 Groundskeeper	1,700.00
TO:	0100-7310-2501 Office Equipment	\$734.92
	0100-7310-2501 Office Equipment	28.40
	0100-7310-2501 Office Equipment	1,305.00
	0100-7110-1496 Seasonal Diamond Maintenance	2,000.00
	0100-7110-1496 Seasonal Diamond Maintenance	8,000.00
	0100-7140-1645 Sports Rotation	3,000.00

Item No. 22 continued

TO:	0100-7140-1645 Sports Rotation	15,000.00
	0100-7140-1648 Arts & Crafts Rotation	3,000.00
	0100-7140-1648 Arts & Crafts Rotation	15,000.00
	0100-7310-4698 Overnight Camp	2,000.00
	0100-7310-4698 Overnight Camp	7,000.00
	0100-7140-4527 Soccer Expense	3,000.00
	0100-7140-1651 Theater Workshop	8,000.00
	0100-7110-1496 Seasonal Diamond Maintenance	8,000.00
	0100-7110-1391 Part Time Clerical	1,700.00

Upon Roll Call....

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

Item No. 23 Motion by Supervisor Gabryszak Seconded by Councilman Blachowski

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to May 14, 1993 are hereby approved and made a part hereof:

GENERAL FUND	\$2,656,666.68
HIGHWAY FUND	695,552.67
TRUST & AGENCY FUND	227,334.77
CDBG HUD FUND	14,149.93
PART TOWN FUND	57,270.34
RISK RETENTION FUND	135,050.70
DEBT SERVICE FUND	1,727,180.00
SPECIAL DISTRICTS FUND	3,487,446.98
HUD REHABILITATION FUND	20,173.00
CAPITAL FUND	179,810.52
	<u>\$9,200,635.59</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 24 Minutes of Cheektowaga Traffic Safety Commission
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 25a Summons & Complaint: Michael & Patricia Hoinski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Joan Meyers, Supervisor's Office; Sewer Maintenance Department; Allied Claims Service, Insurance Carrier.
Received and Filed.

Item No. 25b Summons & Complaint: Florence Chrzanowski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Joan Meyers, Supervisor's Office; Highway Department; Allied Claims Service, Insurance Carrier.
Received and Filed.

- Item No. 26a Notice of Claim: Joseph A. Miller vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Joan Meyers, Supervisor's Office; Police Department; Allied Claims Service, Insurance Carrier.
Received and Filed.
- Item No. 26b Notice of Claim: Theresa Betz vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Joan Meyers, Supervisor's Office; Sanitation Department; Allied Claims, Insurance Carrier.
Received and Filed.
- Item No. 27 Petition from residents regarding sale of 1 Floral Place
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Council Members; Building Department.
Received and Filed.

* * * * *

Motion by Supervisor Gabryszak and seconded by Council Johnson to suspend the rules to include the following resolutions and the voting was as follows:

Upon Roll Call....

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

* * * * *

V. SUSPENSION OF RULES

- Item No. 28 Motion by Supervisor Gabryszak Seconded by Councilman Blachowski

WHEREAS, J. C. Penney has requested to utilize John C. Stiglmeier Park on Sunday, June 6, 1993 to hold a walk-a-thon to benefit the United Way, and

WHEREAS, J. C. Penney has agreed to provide the Town with an insurance certificate to hold the Town harmless for any injuries, etc. which might occur to participants in this walk-a-thon, NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby given to J. C. Penney to use Stiglmeier Park on Sunday, June 6, 1993 for the walk-a-thon to benefit the United Way provided an insurance certificate acceptable to the Town Attorney and Town's Insurance Consultant is provided to the Town prior to such date.

Upon Roll Call....

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

- Item No. 29 Motion by Councilman Johnson Seconded by Councilman Rogowski

WHEREAS, in 1990, this Town Board created the Cheektowaga Conservation Advisory Council ("CCAC") to review various matters and to prepare an open space inventory for the Town, and

WHEREAS, under State law, the CCAC has the duty of maintaining an up-to-date index of wetlands, open areas and other natural resources within the Town, and

WHEREAS, in order to perform these duties, it is necessary for the CCAC to have professional expertise and assistance, and

Item No. 29 continued

WHEREAS, Earth Dimensions, Inc. has submitted to proposals to the Town perform the following work:

1. Prepare a preliminary wetlands identification report for the purpose of establishing the location of potential wetlands areas within the Town and general inventory of these areas (at a cost of \$3,600);
2. Prepare an update to the Soil Survey Atlas sheets (at a cost of \$1,600).

NOW, THEREFORE, BE IT

RESOLVED, that, subject to the approval by the NYS DEC, Earth Dimensions, Inc. be and hereby is retained by this Town Board to perform the above referenced work, as per the attached proposals, at the compensation listed above, and BE IT FURTHER

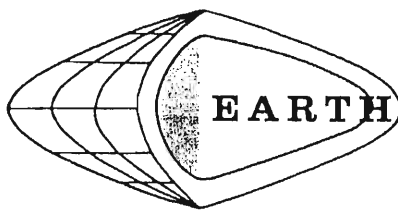
RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached proposal agreements, and BE IT FURTHER

RESOLVED, that Earth Dimensions, Inc. be and hereby is also placed on retainer, in accordance with the attached schedule for professional services dated May 17, 1993, to perform review work on various matters as requested by the CCAC and the Town Engineer at a cost not to exceed \$4,800, and BE IT FURTHER

RESOLVED, that moneys for such services shall be appropriated from moneys realized from the sale of bonds approved earlier this year for Open Space survey work; partial reimbursement to the Town from the NYS DEC shall be applied for to offset the costs of retaining this firm.

Upon Roll Call....

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



EARTH DIMENSIONS, INC.

Soil and Hydrogeologic Investigations • Wetland Delineations
1091 Jamison Road • Elma, NY 14059
(716) 655-1717 • FAX (716) 655-2915

WP17793

May 17, 1993

Mr. Chester Bryan, Town Engineer
Mr. Michael Papero, Chairman, Conservation Advisory Council
Mr. Thomas Johnson, Town Councilman
Town of Cheektowaga
275 Alexander Drive
Cheektowaga, NY 14211

Gentlemen:

We understand your need for consulting services on an 'as needed' basis for environmental matters regarding town planning, specifically the following:

1. Evaluating and determining the presence of wetlands on any specific site
2. Determining dominant tree species on any specific site
3. Assessing the presence of potential contamination on any specific site
4. Reviewing documents and attending meetings.

Enclosed are our standard rates, terms, and conditions that will apply to these activities. This proposal is valid for 90 days. At the time of its acceptance, the rates will be guaranteed for the period of the contract.

We look forward to working with you on these activities, and we are pleased that you have chosen Earth Dimensions, Inc.

Sincerely yours,

Donald W. Owens
President

DWO:bro
encl: Terms and Conditions; Standard Rates

RECEIVED
MAY 18 1993

KEEPING
COPY



DIMENSIONS, INC.
Soil Investigations and Wetland Delineations

ATTACHMENT A
STANDARD RATES, TERMS AND CONDITIONS

I. COMPENSATION FOR PROFESSIONAL SERVICES

The consulting services to be provided as part of this agreement will be billed at the rates given below. In the event that this agreement provides for a specific scope of work to be provided for a fixed price, the rates given below will apply to all "out-of-scope" work to be provided by Earth Dimensions, Inc. (EDI).

<u>DISCIPLINE</u>	<u>HOURLY RATE</u>
Project Manager/Senior Wetland Ecologist	\$90.00
Senior Soil Scientist	\$90.00
Staff Soil Scientist	\$70.00
Project Engineer	\$90.00
Project Hydrogeologist	\$70.00
Project Geologist	\$70.00
Field Service Engineer	\$70.00
Environmental Scientist	\$55.00
Wetland Ecologist	\$70.00
Aquatic Biologist	\$70.00
Technician	\$42.00
Drafting	\$37.00
Word Processing	\$26.00

II. ADDITIONAL CHARGES

Express postage, freight, travel and living expenses, prints, photocopies, and long distance telephone calls (outside New York State) will be charged to client at EDI's cost. There will be no charge for mileage accumulated in Erie County and Niagara County. Automobile mileage will be charged at \$0.26 for travel elsewhere. Analytical laboratory testing, sampling equipment and accessory rental, and monitoring well supplies and development apparatuses, will be charged at the laboratory's list price plus fifteen (15) percent.

III. PAYMENT TERMS

Invoices will be issued at the end of each month for services provided during that month. Payments of all invoices are due within ten (10) calendar days of the invoice date. Overdue payments will be subject to a 1.5 percent per month (18.0 percent per annum) service charge when payment is delayed beyond thirty (30) calendar days of the invoice date.



DIMENSIONS, INC.

Soil Investigations and Wetland Delineations

IV. EFFECTIVE PERIOD

This proposal is valid for ninety (90) days and excludes any applicable taxes. The above prices are effective through August 31, 1993.

V. CONTRACT MODIFICATION OR CANCELLATION

Within five (5) days prior written notice via certified mail, EDI or client may modify or cancel this contract. All labor hours and expenses accumulated to the final day of service will be payable as outlined above. Upon receipt of payment, EDI will return all appropriate project materials to client for their use.

VI. INDEMNIFICATION

The Client assumes no liability for injury to persons or property occasioned wholly or in part by a negligent act, omission or willful misconduct of EDI, its lower-tier subcontractors, agents or employees, including any and all expense, legal or otherwise, arising out of the work done under this Subcontract. Likewise, neither EDI nor its lower-tier subcontractors shall be liable for injury to persons or property caused by the negligent act or omission or willful misconduct of the Client, its agents or employees.

VII. CONFIDENTIALITY AGREEMENT

This proposal is confidential and contains proprietary information. It is not to be disclosed to a third party without the prior written approval of EDI.

VIII. CORPORATE POLICIES

A. Confidentiality

Any non-public information supplied by the client is kept as confidential until and unless a formal release is obtained.

The nature and scope of our services for any client are considered to be confidential.

Information to be supplied to outside agencies (eg., reports, requests for exemptions, permits or registrations) will be, when requested, prepared by EDI and then sent, approved, and submitted, by the client.



DIMENSIONS, INC.

Soil Investigations and Wetland Delineations

and not EDI. The client assumes full responsibility for the accuracy, completeness, and scope of information supplied in all cases, whether researched, prepared and/or drafted by EDI or not.

In instances where EDI may represent a client, either openly or on a nondisclosed (blind) basis, only information approved by the client will be presented, and the client assumes responsibility, therefore, in all instances and aspects.

In the event of termination of our services per any agreements in effect, such materials or information as particularly relate to the client will be promptly returned or destroyed.

B. Ethics

EDI's responsibility is to its clients. EDI's goal is to assist them in complying with and, where possible, benefiting from the regulations affecting their business area. We do endeavor to guide implementation of the most practical and inexpensive programs possible to achieve safety and compliance.

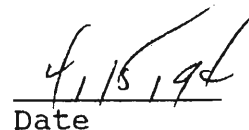
Concurrently, EDI assumes the professional and social responsibility to meet the objectives of protecting human and environmental health, safety and integrity, as embodied in the applicable laws and regulations. Therefore, EDI does not assist in finding "loopholes" or developing avoidance procedures not in the spirit of said laws and regulations.

EDI deals only with subcontractors, suppliers and professionals as have been found to maintain similar high standards of integrity, capabilities and ethics. This protects our clients and our own interests.

IX. ACCEPTANCE

Please indicate acceptance of the terms and conditions given above by signing in the space below.


Name, Title


Date

May 17, 1993

Item No. 30 Motion by Councilman Johnson Seconded by Councilman Rogowski

WHEREAS, the New York State Department of Transportation ("DOT") has awarded the contract for the reconstruction of Harlem Road, DOT Project D254543, to Anastasi Trucking & Paving Company, which has recently commenced work on said project, and

WHEREAS, in order to facilitate the construction of a storm sewer within the highway right-of-way at the intersection of Harlem Road and Central Boulevard, Anastasi Trucking & Paving Company has requested permission to temporarily locate an existing wood signal pole from the right-of-way onto Town Park property immediately adjacent to the highway right-of-way at the southwest corner of the aforesaid intersection, and to place anchor guy wires on such property, and

WHEREAS, such a temporary pole relocation will not interfere with the use and enjoyment of Town Park lands, NOW, THEREFORE, BE IT

RESOLVED, that a temporary license be and hereby is granted to Anastasi Trucking Company and the DOT to temporarily relocate the aforesaid wood signal standard onto Town Park property, as shown on the attached map, subject to the following terms:

1. This license is granted for a period not to exceed one year.
2. Anastasi Trucking Company shall restore the Town Park property to the condition it was in prior to the relocation of the utility pole.

Upon Roll Call.....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski
Blachowski and Johnson

NAYES: 0

ABSENT: 0

* SEE ATTACHED MAP

CENTRAL BLVD

EXIST SPAN.

AIRRAID
POLE

EXIST
SIGNAL
POLE

TEMP
RELOCATED
POLE
WITH
DOWN
GUY

EXIST SW.

PROP 30" STORM

HAYDEN RD.

Item No. 31 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, in August of 1991, this Town Board, subject to certain conditions, approved the rezoning of 2911 William Street, Cheektowaga, New York from RA-Apartment District to C-Retail Business District for the proposed Liberty Park Inn and Entertainment Center, and

WHEREAS, since such time, changes have occurred in the area, including the apparent abandonment of plans to construct the Liberty Park Inn, and

WHEREAS, this Board wishes to commence proceedings to rezone 2911 William Street back to RA-Apartment District, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby directs the Building Inspections Department, Town Attorney's Office and Town Clerk's Office to prepare the necessary documentation to initiate the process for the rezoning of 2911 William Street to RA-Apartment District.

* * * * *

Motion by Councilman Blachowski and seconded by Councilman Rogowski to table this item and the voting was as follows:

Upon Roll Call.....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski
Blachowski and Johnson

NAYES: 0

ABSENT: 0

* * * * *

Item No. 32 Motion by Supervisor Gabryszak and seconded by Councilman Rogowski to adjourn the meeting in memory of Julia Wegner, mother of former Councilman Donald Wegner.

Richard M. Moleski,
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of June, 1993 at 7:30 o'clock P.M., Eastern Daylight Savings Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski, (Appointed in Item 3)

ABSENT: Councilman William P. Rogowski (Present only for Public Hearing, leaving at 7:45 P.M.)

Also present were: Richard M. Moleski, Town Clerk; Chet Bryan, Town Engineer; Bruce Chamberlin, Chief of Police; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Chairman, Planning Board; James Kirisits, Town Attorney; Robert Kaczmarek, Supervising Accountant; David Kulik, General Crew Chief-Sanitation Department; Christopher Kowal, Highway Superintendent; Kenneth Kopacz, Director of Youth and Recreational Services and John Malloy, Deloitte and Touche, Accounting Firm.

I. FROM THE TABLE

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

WHEREAS, in August of 1991, this Town Board, subject to certain conditions, approved the rezoning of 2911 William Street, Cheektowaga, New York from RA-Apartment District to C-Retail Business District for the proposed Liberty Park Inn and Entertainment Center, and

WHEREAS, since such time, changes have occurred in the area, including the apparent abandonment of plans to construct the Liberty Park Inn, and

WHEREAS, this Board wishes to commence proceedings to rezone 2911 William Street back to RA-Apartment District, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby directs the Building Inspections Department, Town Attorney's Office and Town Clerk's Office to prepare the necessary documentation to initiate the process for the rezoning of 2911 William Street to RA-Apartment District.

MOTION BY UNANIMOUS, AND SECONDED BY UNANIMOUS
TO TABLE THIS ITEM AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski and Johnson
NAYES: 0
ABSENT: Councilman Rogowski

II. RESOLUTIONS

Item No. 3 Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak
Councilman Blachowski and Johnson

WHEREAS, a vacancy exists in the office of Councilman in the Town of Cheektowaga, County of Erie, New York, because of the resignation of Dennis H. Gabryszak, the duly elected Councilman, effective May 17, 1993, and

Item No. 3 continued

WHEREAS, this Board wishes to fill such vacancy to ensure there is a full Town Board to take action on various matters, and

WHEREAS, William L. Wielinski, a past Town employee (Supervising Accountant), has experience with Town government, and has expressed a desire to serve as Councilman, NOW, THEREFORE, BE IT

RESOLVED, that, in pursuance of the power vested in us by Section 64(5) of the Town Law, we, the members of the Town Board, do hereby appoint William L. Wielinski, Cheektowaga, New York 14225, to fill the vacancy existing in such office of Councilman, said appointment to be effective immediately; said William L. Wielinski shall hold such office until December 31, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Blachowski and Johnson

NAYES: 0

ABSTAINED: Councilman Solecki

ABSENT: Councilman Rogowski

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

WHEREAS, the Town of Cheektowaga has previously adopted a Park Ordinance (Chapter 48 of the Town Code) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting an amendment to the said Park Ordinance to require bicyclists to wear protective helmets and gave due notice thereof as required by law, and

WHEREAS, a public hearing on said proposed amendment was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 17th day of May, 1993 at 7:30 o'clock p.m., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt the following amendment to the Park Ordinance (Chapter 48 of the Town Code) of the Town of Cheektowaga, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Park Ordinance (Chapter 48 of the Town Code) be and the same hereby is amended and changed as follows:

RESOLVED, that a new Section 48-10.1, which relates to the bicycle helmet requirement in Town parks, shall be added and shall read as follows:

Section 48-10.1, Bicycle Helmets Required.

No person shall operate a bicycle within the limits of any park or park approach unless he or she shall wear a protective helmet. Such a helmet must be equipped with either a neck or chin strap, be reflectorized on both sides thereof, and be A.N.S.I.-approved

and,

BE IT FURTHER RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 7th day of June, 1993; that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein.

That the aforementioned amendment to the Park Ordinance (Chapter 48 of the Town Code) of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of

MEETING NO. 11
June 7, 1993

Item No. 4 continued

its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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 7th day of June, 1993 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT:

Councilman Rogowski

Motion by Councilman Jaworowicz seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has previously adopted a Park Ordinance (Chapter 48 of the Town Code) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting an amendment to the said Park Ordinance to require bicyclists to wear protective helmets and gave due notice thereof as required by law, and

WHEREAS, a public hearing on said proposed amendment was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 17th day of May, 1993 at 7:30 o'clock p.m., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt the following amendment to the Park Ordinance (Chapter 48 of the Town Code) of the Town of Cheektowaga, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Park Ordinance (Chapter 48 of the Town Code) be and the same hereby is amended and changed as follows:

Resolved, that a new Section 48-10-1, which relates to the bicycle helmet requirement in Town parks, shall be added and shall read as follows: Section 48-10.1, Bicycle Helmets Required.

No person shall operate a bicycle within the limits of any park or park approach unless he or she shall wear a protective helmet. Such a helmet must be equipped with either a neck or chin strap, be reflectorized on both sides thereof, and be A.N.S.I.-approved and

BE IT FURTHER RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 7th day of June, 1993; that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein.

That the aforementioned amendment to the Park Ordinance (Chapter 48 of the Town Code) of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Upon roll call...

Supervisor Gabryszak Voting
AYE
Councilman Jaworowicz Voting
AYE
Councilman Solecki Voting
AYE
Councilman Rogowski Voting
ABSENT
Councilman Blachowski Voting
AYE
Councilman Johnson Voting
AYE
Councilman Wielinski Voting
AYE

AYES: 6
NAYES: 0
ABSENT: 1

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 June 7, 1993, 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 4, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 7th day of June 1993.

Richard M. Moleski
Town Clerk

PUBLISH: June 10, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza

....., of the town

of Cheektowaga, in said County of Erie, being

duly sworn, deposes and says that he (she) is

clerk

..... of the Cheek-

towaga Times, a public newspaper published

weekly in said town; that the notice, of which

the annexed printed slip, taken from said news-

paper is a copy, was inserted and published in

said paper once a week for1..... weeks:

first publication.....June.10.1993.....;

last publication.....June.10.1993.....;

and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day ofJune....., 1993

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 12/11/93

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 June, 1993 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT:

Councilman Rogowski

Motion by Councilman Jaworowicz seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has previously adopted a Park Ordinance (Chapter 48 of the Town Code) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting an amendment to the said Park Ordinance to require bicyclists to wear protective helmets and gave due notice thereof as required by law, and

WHEREAS, a public hearing on said proposed amendment was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 17th day of May, 1993 at 7:30 o'clock p.m., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt the following amendment to the Park Ordinance (Chapter 48 of the Town Code) of the Town of Cheektowaga, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Park Ordinance (Chapter 48 of the Town Code) be and the same hereby is amended and changed as follows:

Resolved, that a new Section 48-10-1, which relates to the bicycle helmet requirement in Town parks, shall be added and shall read as follows:

Section 48-10.1, Bicycle Helmets Required.

No person shall operate a bicycle within the limits of any park or park approach unless he or she shall wear a protective helmet. Such a helmet must be equipped with either a neck or chin strap, be reflectorized on both sides thereof, and be A.N.S.I.-approved and

BE IT FURTHER RESOLVED,

that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 7th day of June, 1993; that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein.

That the aforementioned amendment to the Park Ordinance (Chapter 48 of the Town Code) of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Upon roll call...

Supervisor Gabryszak	Voting
AYE	
Councilman Jaworowicz	Voting
AYE	
Councilman Solecki	Voting
AYE	
Councilman Rogowski	Voting
ABSENT	
Councilman Blachowski	Voting
AYE	
Councilman Johnson	Voting
AYE	
Councilman Wielinski	Voting
AYE	

AYES: 6
NAYES: 0
ABSENT: 1

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 June 7, 1993, 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 4, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 7th day of June 1993.

Richard M. Moleski
Town Clerk

PUBLISH: June 10, 1993

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza

....., 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 for1..... weeks: first publication.....June.10.,1993.....; last publication.....June.10.,1993.....; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day ofJune....., 1993.....

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 12/11/93

Item No. 5a Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, Canaan Ministries has made application and requested the Rezoning from R-Residence, C-Retail Business to CF-Community Facilities for property located at 30 Alpine Place, with the permission of the owner of the property, namely Most Holy Redeemer Church, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 21, 1993 at 7:00 P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 21st day of June, 1993 at 7:00 o'clock, P.M., Eastern daylight Saving Time of said day for the purpose of considering the appliaction of MOST HOLY REDEEMER CHURCH/CANAAN MINISTER-IES to Rezone from R-RESIDENCE & C- RETAIL BUSINESS District to CF - COMMUNITY FACILITIES District on property loacted at 30 ALPINE PLACE and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 of the Zoning Law of the Town of Cheektowaga, New York.

Lots 103 & 104. Beginning on Alpine Place 348.5' from Genesee Street, East 103', North 60', West 103' and South 103'.

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 Dennis H. Gabryszak
Councilman William Wielinski
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 10, 1993

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

Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
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..... clerk
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tween publications.

Melissa Gugliuzza

Sworn to before me this 10th.....

day of June....., 19⁹³.....

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 12/11/93

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 21st day of June, 1993, at 7:00 o'clock, P.M., Eastern daylight Saving Time of said day for the purpose of considering the application of MOST HOLY REDEEMER CHURCH/CANAAN MINISTRIES to Rezone from R-RESIDENCE & C - RETAIL BUSINESS District to CF - COMMUNITY FACILITIES District on property located at 30 ALPINE PLACE and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 of the Zoning Law of the Town of Cheektowaga, New York.

Lots 103 & 104. Beginning on Alpine Place 348.5' from Genesee Street, East 103', North 60', West 103' and South 103'.

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 Dennis H. Gabryszak
Councilman William Wielinski
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 10, 1993

Melissa Gugliuzza....., of the town
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duly sworn, deposes and says that he (she) is
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towaga Times, a public newspaper published
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Melissa Gugliuzza

Sworn to before me this10th.....

day ofJune....., 19⁹³.....

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 12/11/93

Item No. 5b Motion by Councilman Johnson, Seconded by Councilman Solecki

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on June 21, 1993 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 June, 1993, 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 June 21, 1993 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 intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Losson Road	East-west	Wedgewood Drive	Northbound	S.E. Corner

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

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

D. No standing here to corner

Basswood Drive North side for a distance of 50 feet westerly from the west curblin of Parwood Drive

Section 76-103 of the traffic ordinance shall be amended by adding thereto the following:

B. Standing prohibited in designated areas

Goering Avenue North side from the east curblin of Union Road easterly 180 feet to a point.

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

Richard M. Moleski
Town Clerk

Dated: June 7, 1993

Item No. 5b continued

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

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 June 21, 1993 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 intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street: Losson Road. Direction: East-west. Entrance Street: Wedgewood Drive. Traffic Stops: Northbound. Sign Location: S.E. Corner

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

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

D. No Standing here to corner

Basswood Drive. North side. For a distance of 50 feet westerly from the west curblane of Parwood Drive

Section 76-103 of the traffic ordinance shall be amended by adding thereto the following:

B. Standing prohibited in designated areas

Goering Avenue. North side. From the east curblane of Union Road easterly 180 feet to a point

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

Dated: June 7, 1993

RICHARD M. MOLESKI
- Town Clerk

PUBLISH: June 10, 1993

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

Melissa Gugliuzza
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of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
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Melissa Gugliuzza

Sworn to before me this10th.....

day ofJune....., 1993

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 12/11/93

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 June 21, 1993 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 intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street: Losson Road. Direction: East-west. Entrance Street: Wedgewood Drive. Traffic Stops: Northbound. Sign Location: S.E. Corner

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

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

D. No Standing here to corner

Basswood Drive. North side. For a distance of 50 feet westerly from the west curbline of Parwood Drive

Section 76-103 of the traffic ordinance shall be amended by adding thereto the following:

B. Standing prohibited in designated areas

Goering Avenue. North side. From the east curbline of Union Road easterly 180 feet to a point

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

Dated: June 7, 1993

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 10, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza....., of the town
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tween publications.

Melissa Gugliuzza.....

Sworn to before me this10th.....

day ofJune....., 19⁹³.....

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 12/11/93

Item No. 5c Motion by Councilman Johnson, Seconded by Councilman Solecki

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on June 21, 1993 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 June, 1993, 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 June 21, 1993 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 XV

Truck Route System

Section 76-150. Trucks permitted, shall be amended to read as follows:

- A. A truck system, upon which all trucks, tractors and tractor-trailer combinations, excluding tandems, having a total gross weight in excess of five (5) tons are permitted to travel and operate, shall consist of the following highways;

- (1) Aero Drive, from the Town of Amherst line to Transit Road
- (2) Cayuga Road, from Genesee Street to the Town of Amherst line
- (3) Delavan Avenue, from the Buffalo City line to Pine Ridge Road
- (4) Dick Road, from Broadway to Genesee Street
- (5) Dingens Street, from the Buffalo City line to Harlem Road
- (6) Eggert Road, from Sugar Road to the Buffalo City line
- (7) French Road, from Union Road to Transit Road
- (8) Galleria Drive, from Walden Avenue to Union Road
- (9) Holtz Drive, from Genesee Street to Aero Drive
- (10) Kensington Avenue, from the Buffalo City line to the Amherst Town line
- (11) Pine Ridge Road, from Genesee Street to Maryvale Drive
- (12) Richard Drive, from the Buffalo City line, to William Street
- (13) Sugar Road, from Eggert Road to Pine Ridge Road
- (14) William Street, from the Buffalo City line to Harlem Road
- (15) William Street, from the NYS Thruway (I-90) eastbound ramps to Union Road
- (16) Youngs Road, from Aero Drive to the Town of Amherst line

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

Richard M. Moleski
Town Clerk

Dated: June 7, 1993

* * * * *

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

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 June 21, 1993 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 XV

Truck Route System

Section 76-150. Trucks permitted, shall be amended to read as follows:

A. A truck route system, upon which all trucks, tractors and tractor-trailer combinations, excluding tandems, having a total gross weight in excess of five (5) tons are permitted to travel and operate, shall consist of the following highways;

- (1) Aero Drive, from the Town of Amherst line to Transit Road
- (2) Cayuga Road, from Genesee Street to the Town of Amherst line
- (3) Delavan Avenue, from the Buffalo City line to Pine Ridge Road
- (4) Dick Road, from Broadway to Genesee Street
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- (7) French Road, from Union Road to Transit Road
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- (16) Youngs Road, from Aero Drive to the Town of Amherst line

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

Dated: June 7, 1993

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 10, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza

....., 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 June 10, 1993; last publication June 10, 1993; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this 10th

day of June, 19⁹³

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 12/11/93

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 June 21, 1993 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 XV

Truck Route System

Section 76-150. Trucks permitted, shall be amended to read as follows:

A. A truck route system, upon which all trucks, tractors and tractor-trailer combinations, excluding tandems, having a total gross weight in excess of five (5) tons are permitted to travel and operate, shall consist of the following highways;

- (1) Aero Drive, from the Town of Amherst line to Transit Road
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Dated: June 7, 1993

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 10, 1993

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

Melissa Gugliuzza

....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... clerk
..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....June 10, 1993.....;
last publication.....June 10, 1993.....;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day ofJune....., 19⁹³.....

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 12/11/93

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

WHEREAS, by resolution dated May 3, 1993, bids for seven (7) 1994 trucks with Recycling Body, were advertised, and

WHEREAS, on May 24, 1993 bids were received and opened, and

WHEREAS, David J. Kulik, General Crew Chief of the Recycling/Sanitation Departments has reviewed and analyzed these bids,

NOW, THEREFORE, BE IT BE IT RESOLVED, that the bid be awarded to the lowest responsible bidder as shown in the attached bid proposal. (Lowest bidder being Bison Truck Center Inc., 2370 Walden Avenue, P.O. Box 201, Cheektowaga, New York 14225-0201) and BE IT FURTHER

RESOLVED, that expenditures shall be charged to account no. 5304-8173-9365.

* * * * *

MOTION BY COUNCILMAN SOLECKI, SECONDED BY COUNCILMAN WIELINSKI
TO AMEND ITEM NO. 6 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

* * * * *

AMENDED

WHEREAS, by resolution dated May 3, 1993, bids for seven (7) 1994 trucks with Recycling Body, were advertised, and

WHEREAS, on May 24, 1993 bids were received and opened, and

WHEREAS, David J. Kulik, General Crew Chief of the Recycling/Sanitation Departments has reviewed and analyzed these bids,

NOW, THEREFORE, BE IT BE IT RESOLVED, that the bid be awarded to the lowest responsible bidder as shown in the attached bid proposal. (Lowest bidder being Bison Truck Center Inc., 2370 Walden Avenue, P.O. Box 201, Cheektowaga, New York 14225-0201) and BE IT FURTHER

RESOLVED, that expenditures shall be charged to account no. 5304-8173-9365 and, BE IT FURTHER

RESOLVED, that this award is contingent upon proceeds being made available from the sale of bonds authorized earlier this year for the purchase of said vehicles.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

*SEE NEXT PAGE(S) FOR ATTACHMENT

BID PROPOSAL

Pursuit to and in accordance with your advertisement for bids dated May 6, 1993 and the specifications relating thereto, the undersigned hereby offers to deliver the following to the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York.


ITEM I

Eight (8) 1994 Trucks with Recycling Bodies for a bid price of:

SIX HUNDRED THIRTY-THREE THOUSAND, SIX \$633,664.00
HUNDRED SIXTY-FOUR DOLLARS & NO CENTS

ITEM II

Seven (7) 1994 Trucks with Recycling Bodies for a bid price of:

FIVE HUNDRED FIFTY-FOUR THOUSAND, FOUR HUNDRED \$554,456.00
FIFTY-SIX DOLLARS & NO CENTS 

ITEM III

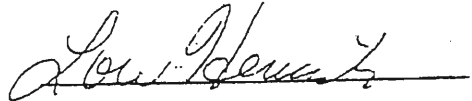
Six (6) 1994 Trucks with Recycling bodies for a bid price of:

FOUR HUNDRED SEVENTY-FIVE THOUSAND, TWO \$475,248.00
HUNDRED FORTY-EIGHT DOLLARS & NO CENTS
** 24 HOUR SERVICE MONDAY - FRIDAY

Delivery Max 130 days after receipt of order.

(See Item I of Bid Conditions)

SIGNED



TITLE

Municipal Sales Representative

COMPANY

BISON TRUCK CENTER, INC.

ADDRESS

2370 Walden Avenue

Buffalo, NY 14225

PHONE NUMBER (716) 684-0010

MEETING NO. 11
June 7, 1993

Item No. 7a Motion by Councilman Solecki, Seconded by Councilman Johnson

WHEREAS, the Sanitation/Recycling Department is in need of a storage building for storing its newly purchased recycling vehicles, AND

WHEREAS, plans and specifications have been completed and the project is ready for bidding, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for general construction work for a pre-engineered metal building, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed proposals will be received by the Town of Cheektowaga on June 21, 1993 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, at which time they will be publicly opened and read.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 21st day of June at 11:00 A.M., local time, in the Cheektowaga Town Hall, for furnishing all tools, equipment, materials and labor for the General Construction of a Pre-Engineered Metal Building for the Town of Cheektowaga Sanitation Department, complete in place and ready for use in accordance with the Contract Documents therefore, including plans, specifications, instructions to bidders, etc., prepared by the Town of Cheektowaga Engineering Department and Viestarts Racenis, Consulting Architect for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Clerk in the Town Hall.

Bids may be obtained at the Town Clerk's Office, located on the first floor of the Cheektowaga Town Hall on Broadway and Union Roads for a payment of \$50.00 per set of documents. Deposits should be in the form of two \$25.00 checks made payable to the Town of Cheektowaga.

The envelope containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Pre-Engineered Metal Building for Cheektowaga Sanitation Department".

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

Any bidder returning such plans and specifications in good condition within 30 days following the award of the contract or the rejection of the bids, will be refunded the full amount of deposit. Similarly, non-bidders will be refunded one-half of the deposit. Material suppliers and anyone returning the bid documents before the bid opening will also be classed as non-bidders. Any bidder requesting more than one (1) set of plans and specifications may purchase the excess, but it is understood that they are not returnable.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bid bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled date for the opening of bids.

Item No. 7a continued

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the Contract award.

Attention of the bidder is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

Bidders on this work will be required to comply with the President's Executive Order No. 11246. The requirements for bidders and contractors under this Order, which concern non-discrimination in employment, are explained in the specifications.

The Town of Cheektowaga, New York is an exempt organization under tax laws and is exempt from payment of sales and compensating use taxes of the State of New York and Cities and Counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in this bid.

This contract shall be completed within 120 consecutive calendar days, to begin give (5) days following the "Notice to Commence Work" by the Owner.

BY ORDER OF: Richard M. MOLESKI
TOWN CLERK
TOWN OF CHEEKTOWAGA

DATED: June 7, 1993

PUBLISHED: June 10, 1993

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 21st day of June at 11:00 A.M., local time, in the Cheektowaga Town Hall, for furnishing all tools, equipment, materials and labor for the General Construction of a Pre-Engineered Metal Building for the Town of Cheektowaga Sanitation Department, complete in place and ready for use in accordance with the Contract Documents therefore, including plans, specifications, instructions to bidders, etc., prepared by the Town of Cheektowaga Engineering Department and Viestarts Racenis, Consulting Architect for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Clerk in the Town Hall.

Bids may be obtained at the Town Clerk's Office, located on the first floor of the Cheektowaga Town Hall on Broadway and Union Roads for a payment of \$50.00 per set of documents. Deposits should be in the form of two \$25.00 checks made payable to the Town of Cheektowaga.

The envelope containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Pre-Engineered Metal Building for Cheektowaga Sanitation Department".

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

Any bidder returning such plans and specifications in good condition within 30 days following the award of the contract or the rejection of the bids, will be refunded the full amount of deposit. Similarly, non-bidders will be refunded one-half of the deposit. Material suppliers and anyone returning the bid documents before the bid opening will also be classed as non-bidders. Any bidder requesting more than one (1) set of plans and specifications may purchase the excess, but it is understood that they are not returnable.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bid bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the Contract award.

Attention of the bidder is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

Bidders on this work will be required to comply with the President's Executive Order No. 11246. The requirements for bidders and contractors under this Order, which concern non-discrimination in employment, are explained in the specifications.

The Town of Cheektowaga, New York is an exempt organization under tax laws and is exempt from payment of sales and compensating use taxes of the State of New York and Cities and Counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in this bid.

This contract shall be completed within 120 consecutive calendar days, to begin five (5) days following the "Notice to Commence Work" by the Owner.

BY ORDER OF:
RICHARD M. MOLESKI
TOWN CLERK
TOWN OF CHEEKTOWAGA

DATED: June 7, 1993

PUBLISHED: June 10, 1993

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

Melissa Gugliuzza, 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 for1..... weeks:
first publication.....June 10, 1993.....;
last publication.....June 10, 1993.....;
and that no more than six days intervened between publications.

Melissa Gugliuzza
Sworn to before me this10th.....

day ofJune....., 19⁹³
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 12/11/93

LEGAL NOTICE

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Bidders on this work will be required to comply with the President's

Executive Order No. 11246. The requirements for bidders and contractors under this Order, which concern non-discrimination in employment, are explained in the specifications.

The Town of Cheektowaga, New York is an exempt organization under tax laws and is exempt from payment of sales and compensating use taxes on the State of New York and Cities and Counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in this bid.

This contract shall be completed within 120 consecutive calendar days to begin five (5) days following the "Notice to Commence Work" by the Owner.

BY ORDER OF
RICHARD M. MOLESKI
TOWN CLERK
TOWN OF CHEEKTOWAGA

DATED: June 7, 1993

PUBLISHED: June 10, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza

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of Cheektowaga, in said County of Erie, being
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weekly in said town; that the notice, of which
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first publication.....June..10..1993..... ;
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tween publications.

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Sworn to before me this10th.....

day ofJune....., 19⁹³.....

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 12/11/93

Item No. 7b Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga is sponsoring three (3) summer day camps for children (Camp Crabapple, Camp JI-IK-DO-WAH-GAH and Camp Flamingo) from July 6, 1993 to August 13, 1993, and

WHEREAS, it is necessary that bus transportation be provided to transport these children to and from Camp Crabapple, Camp JI-IK-DO-WAH-GAH and Camp Flamingo, and

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of the aforesaid bus transportation to be provided from July 6, 1993 to August 13, 1993, said Notice shall be published in the June 10, 1993 issue of the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bid proposals will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 11:00 A.M. on Wednesday, June 16, 1993, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Clerk is hereby designated to publicly open and read sealed bid proposals at 11:00 A.M. on Wednesday, June 16, 1993.

* * * * *

NOTICE TO BIDDERS
PROPOSALS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York, until 11:00 A.M., Eastern Daylight Time, on Wednesday, June 16, 1993 for the furnishing of daily transportation to and from three day camp programs for children to be located at the Alexander Street Community Center, 275 Alexander Avenue, (near Straley Avenue) Cheektowaga, New York. Included in the bid should be the use of three full-size school buses and one wheel chair van. Please bid separately on the buses and on the wheel chair van, which will be utilized only if warranted by enrollment. Children which will be utilized only if warranted by enrollment. Children will be transported from the Cheektowaga, Sloan and Depew area to the camp site and vice versa, Monday through Friday, beginning July 6, 1993 through August 13, 1993. Arrival time at camp is scheduled for 9:30 A.M. Dismissal and take home is scheduled for 2:30 P.M. Also included in the bid should be transportation for five weekly field trips to and from various points of interest in the Western New York area.

Information for bidders may be obtained from the camps' Program Coordinator at the Cheektowaga Youth and Recreation Department (275 Alexander Avenue) 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 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 Cheektowaga, Erie County, New York.

Richard Moleski
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE
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PROPOSALS

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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 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 Cheektowaga, Erie County, New York.

Richard Moleski
Town Clerk

PUBLISH: June 10, 1993

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

Melissa Gugliuzza, of the town
of Cheektowaga, in said County of Erie, being
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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 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 Cheektowaga, Erie County, New York.

Richard Moleski
Town Clerk

PUBLISH: June 10, 1993

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

.....Melissa Gugliuzza....., of the town
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first publication.....June 10, 1993..... ;
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Melissa Gugliuzza

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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 12/11/93

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

WHEREAS, by resolution dated April 19, 1993, this Town Board authorized the Chief of Police to attend the Police Executive Research Forum in Washington, D.C. from May 2-5, 1993, at an expense not to exceed \$800.00 and,

WHEREAS, the actual expenses incurred by the Chief of Police for attending such forum amounted to \$911.31, NOW, THEREFORE, BE IT

RESOLVED, that the foresaid resolution dated April 19, 1993, be and hereby is amended to authorize the Town to pay the expenses incurred by the Chief of Police for attending such forum in an amount not to exceed \$911.31.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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

WHEREAS, by resolution dated May 3, 1993, Contract B for Heating, Ventilating and Air Conditioning Work associated with the restoration of the Sewer Maintenance Garage was awarded to Allied Controls, Inc. of 531 Virginia Street, Buffalo, New York 14202 for the bid price of \$48,226.00 which firm name was listed on the bid deposit checks submitted for the bid documents, AND

WHEREAS, the said heating, ventilating and air conditioning bid was actually submitted by the sister firm operating under the name of Allied Mechanical Inc., NOW, THEREFORE, BE IT

RESOLVED, that the contract award for heating, ventilating and air conditioning as recommended by Nussbaumer & Clarke, Inc. and the Town Engineer be and hereby is changed to Allied Mechanical, Inc., 531 Virginia Street, Buffalo, New York 14202 at their bid price of \$48,226.00, said being the correct firm designation.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the 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 May 18, 1993, recommended the environmental determinations shown on the attached memo dated May 19, 1993, 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 May 19, 1993 memo attached hereto:

Item I 49 Stradtman Street

Item V Marrano-Kelly Park Drainage System

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

M E M O

TO: Supervisor Dennis Gabryszak
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: Thomas Adamczak
Building Inspector

DATE: May 19, 1993

The following is a summary of the proposals which have been reviewed by the Town Environmental Advisory Committee at a meeting held on May 18, 1993 in the Town Hall Council Chambers.

ITEM I 49 Stradtman Street - Proposed 20,000 Sq. Ft.
Office/Warehouse

Applicant: Stradtman Associates
The applicant provided a new site plan and drainage calculations. The new site plan shows additional trees along the East property line as well as fencing. Drainage will be directed to a storm sewer system and will incorporate swales along the East property lines to benefit the neighboring residents.

The overall project will require the removal of some blacktop and this will be replaced with landscaped areas and tree plantings.

The Town Engineer indicated that the drainage plan requires a few minor modifications and therefore the committee is recommending that the Town Board issue a Negative Declaration for this project subject to the final approval of the drainage by the Town Engineer and landscaping by the Planning Board (prior to issuance of a building permit).

ITEM II 2735 Union Road - Proposed Club/Banquet
Facilities

Applicant: Catholic Club of Cheektowaga
Two residents from Bennett Road were present at the meeting to inquire as to the details of the project. They were shown the site plan and brought up-to-date by the committee.

RE: EAC - May 18, 1993
May 19, 1993
Page: 4

ITEM V Marrano-Kelly Park Drainage System

Applicant: Town of Cheektowaga

The Town is proposing to construct a rear yard drainage system within the Town of West Seneca along the rear yards of the Marrano Drive homes and connect this drainage system into the Kelly Park drainage ditch.

The County has reviewed the proposal and has made no comment. The Town of West Seneca has previously requested that the Town of Cheektowaga to be the Lead Agency in this matter and to show that ample capacity would be provided within this new drainage system for adjacent property in West Seneca including approximately 17 acres of vacant land east of French Lea. Therefore, this committee is recommending to the Town Board that they issue a Negative Declaration for this system and that the Town Engineer then proceed to acquire easements within the Town of West Seneca for this system.

UPDATES:

Erie County has submitted to the Town a Draft Negative Declaration for the proposed Overflow Retention Facility (ORF) in the French Road area.

The County has submitted additional information in the form of an environmental information document with regards to pump stations and a new force main within the Erie County Sewer District 1. Since the facilities are within the Town of West Seneca the committee has no comment on this project other than it would benefit the district residents.

An environmental referral was also received regarding a new Industrial Parkway pump station which would eliminate the need for the Eiffel Estates and Pebble Creek pumping stations. As part of the project 12 inch, 14 inch and 24 inch force mains as well as gravity sewer connections would be constructed from the new station to the new ORF.

The NYSDOT has reviewed the updated Traffic Impact Study for the Walden Place shopping center on Walden Avenue near Union Road and has determined that the development will not have a significant impact on the state highway system.

Attachments



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

WHEREAS, Bella Vista Group, Inc. (the "Applicant") has applied to the Town for an environmental review of its proposal to construct a 125,000 square foot retail building with potential for a 30,000 square foot addition on 30+ acres on the northwest corner of Losson and Transit Roads in the Town (the "Project"), pursuant to the State Environmental Quality Review Act ("SEQRA"), and

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

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

WHEREAS, the Applicant has completed a wetlands delineation and has stated that it will not disturb the existing wetlands at the west end and along the north boundary of the property, and

WHEREAS, the Applicant has submitted documentation to the NYSDOT for a traffic study review by such agency, and

WHEREAS, the Applicant has committed itself to the following with respect to the Project:

1. Will re-stripe Losson Road as requested by Erie County.
2. Will perform Transit Road highway work as requested by NYSDOT and will meet and coordinate with the NYSDOT in all aspects of such highway work.
3. Will prohibit its truck traffic from turning right onto Losson Road.
4. Take various actions to mitigate noise.
5. Will perform stormwater management work, including construction of a detention pond, on the Project site subject to the approval of the Town Engineer.
6. Will comply with the tree preservation plan submitted for the Project and will attempt to relocate certain existing trees and supplement these with nursery stock.
7. Will prepare necessary legal descriptions for and grant the Town conservation easements for all existing wetland areas.
8. Will prepare legal descriptions for and deed to the Town a drainage corridor that follows the stream that runs through the property (subject to reservation of stream crossing rights).

and

WHEREAS, the Applicant has submitted a security plan on behalf of the retail establishment to the Town and has committed itself to providing security for the Project site, and

WHEREAS, the Cheektowaga Conservation Advisory Council, ("CCAC") and Town Environmental Review Advisory Committee ("EAC") have met on several occasions to review this Project and the EAC has recommended that, based on the aforementioned commitments made by the Applicant, this Town Board issue a Negative Declaration for the Project, NOW, THEREFORE, BE IT

RESOLVED, that, based on the aforementioned commitments made by the Applicant with respect to the Project, this Town Board hereby issues a Negative Declaration for the Project, and BE IT FURTHER

RESOLVED, that the Building Inspector, as Intake Officer for the Town, be and hereby is directed to file the Negative Declaration for the Project with the appropriate agencies.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 11b Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, by resolution dated November 2, 1992, this Town Board issued a Negative Declaration under SEQRA for a project proposed by Benderson Development Company known as Walden Place II subject to the condition that the application prepare and submit to the NYSDOT and the Cheektowaga Traffic Safety Commission a traffic safety analysis report to address vehicular movements, and take whatever action deemed necessary with respect to such vehicular movements, and

WHEREAS, such traffic study was completed and submitted to the NYSDOT and Cheektowaga Traffic Safety Commission, and it has been determined that there will be no noticeable impact on traffic in the area as a result of Walden Place II, and

WHEREAS, the site plan for such project has been modified and meets with the approval of this Board, NOW, THEREFORE, BE IT

RESOLVED, that this Board hereby issues a negative declaration under SEQRA with respect to Walden Place II.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 12 Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Buffalo Council of the American Federation of Labor and Congress of Industrial Organizations ("Buffalo AFL-CIO") has requested permission to conduct its annual Labor Day Parade in Cheektowaga on Monday, September 6, 1993, and

WHEREAS, such parade will form in the Thruway Mall parking lot and proceed down Harlem Road to Town Park, NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby given to the Buffalo AFL-CIO to hold its annual Labor Day parade in Cheektowaga along the aforementioned route, and BE IT FURTHER

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

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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

WHEREAS, the County Legislature has previously adopted an item pricing law to require that price stickers be placed on merchandise in larger grocery stores in Erie County, and

WHEREAS, legal action was taken by local supermarkets challenging such law, and

WHEREAS, the courts held that, although the law requiring price stickers to be placed on merchandise was legal, the penalty provisions of such law were excessive, and

WHEREAS, the Erie County Legislature is now proposing a revised penalty schedule and procedures for applying for an exemption from such law, and

Item No. 13 continued

WHEREAS, this Board is in favor of the item pricing law and of the proposed amendments to such law, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the Erie County Legislature and County Executive to adopt the proposed amendments to the item pricing law, and BE IT FURTHER

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

* * * * *

MOTION BY COUNCIL WIELINSKI, SECONDED BY COUNCILMAN SOLECKI
TO TABLE ITEM 13 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

* * * * *

Item No. 14 Motion by Councilman Wielinski, Seconded by Councilman Johnson

WHEREAS, in 1991, the Town of Cheektowaga purchased land between the terminus of Wedgewood Drive and Losson Road for the extension of Wedgewood Drive, and

WHEREAS, by resolution dated November 2, 1992, this Town Board awarded a bid for the construction and extension of Wedgewood Drive, and

WHEREAS, the Town Superintendent of Highways has informed this Board that such construction and extension of Wedgewood Drive is completed and the roadway is open to traffic, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby dedicates the aforesaid extension of Wedgewood Drive as a Town highway and directs the Town Superintendent of Highways to maintain same as a Town highway, and BE IT FURTHER

RESOLVED, that said highway shall be known as Wedgewood Drive and signs shall be posted accordingly.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 15 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

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

WHEREAS, a total of fourteen (14) hydrants must be installed in the Emerald Gardens Subdivision prior to acceptance of the water main extensions by the Erie County Water Authority as part of their water transmission system, NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the developer of the Emerald Gardens Subdivision to install fourteen (14) hydrants, to be installed in two (2) phases, at locations approved by Edward Saternus, Chief of the South Line Fire District No. 10, AND, BE IT FURTHER

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

Item No. 15 continued

RESOLVED, that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the subject hydrants with such charges being recovered by Town billings to the respective fire company, AND, BE IT FURTHER

RESOLVED, that the location of the hydrants, as approved by the Chief of South Line Fire District No. 10, are as follows:

P H A S E I

- (1) east side of Emerald Lane at the south line of S.L. No. 3
- (2) north side of Emerald Lane East at the common line of S.L. No. 5 and S.L. No. 6
- (3) east side of Emerald Lane East at the common line of S.L. No. 11 and S.L. No. 12
- (4) east side of Emerald Lane East at the common line of S.L. No. 17 and S.L. No. 18
- (5) south side of Topaz Drive at the common line of S.L. No. 23 and S.L. No. 24
- (6) north side of Emerald Lane West at the common line of S.L. No. 52 and S.L. No. 53
- (7) northwesterly side of Emerald Lane West at the common line of S.L. No. 48 and S.L. No. 49
- (8) south side of Peridot Place at the common line of S.L. No. 84 and S.L. No. 85
- (9) south side of Peridot Place at the common line of S.L. No. 78 and S.L. No. 79

P H A S E II

- (1) west side of Emerald Lane West at the common line of S.L. No. 42 and S.L. 43
- (2) south side of Garnet Drive at the common line of S.L. No. 109 and S.L. No. 110
- (3) south side of Garnet Drive at the common line of S.L. No. 103 and S.L. No. 104
- (4) south side of Topaz Drive at the common line of S.L. No. 35 and S.L. No. 36
- (5) south side of Topaz Drive at the common line of S.L. No. 29 and S.L. No. 30

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 16 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, in 1975, the Town purchased two (2) tennis court surfaces for use on the tennis courts in Town Park, and

WHEREAS, approximately eight (8) years ago, the use of such tennis court surfaces ceased, and

WHEREAS, such tennis court surfaces were then rolled up and stored in the Town Park Recreation Center ice arena, and remain stored and unused in such arena today, and

WHEREAS, such tennis court surfaces are surplus to the needs of the Town and are a trip-fall hazard in the Recreation Center arena, and

Item No. 16 continued

WHEREAS, over the past few years, the Town Recreation Department and Facilities Department have contacted various companies and municipalities to try to sell same, but to no avail, and

WHEREAS, Rick Lancellotti has offered to remove these tennis court surfaces from the Recreation Center arena at his cost and to pay the Town \$100.00 for same, and

WHEREAS, this Town Board feels this offer is fair for such surplus Town property, and also feels it will eliminate a safety hazard for the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to sell the aforementioned tennis court surfaces to Rick Lancellotti for the price of \$100.00 provided he removes same at his expense from the Town Recreation Center arena.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 17 Motion by Councilman Blachowski, Seconded by Councilman Solecki

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

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

WHEREAS, Scherrer Auctions will sell such motor vehicles and equipment at a public auction in accordance with its letter dated May 24, 1993, a copy of which is attached hereto, NOW, THEREFORE, BE IT

RESOLVED, that the Town hereby retains Scherrer Auctions, 550 Seneca Street, Buffalo, New York as per the attached proposal, to conduct a sale of the surplus Town vehicles and equipment identified on the attached list at a public sale to the highest responsible bidder at a date to be determined later, and BE IT FURTHER

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

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

*SEE NEXT PAGE(S) FOR ATTACHMENT

Scherrer Auctions

550 Seneca St. Buffalo, NY 14204 * 716 856-1400 * FAX 716 855-2774 * 1800 536-1401

May 24, 1993

Arthur Ferdinand, Jr.
Town of Cheektowaga
Central Garage
3175 Union Road
Cheektowaga, NY 14227

RE: Proposal to Sell at Auction Surplus Vehicles and Equipment for the Town of Cheektowaga

The Auction will be held on a mutually agreed date and location.

Scherrer Auctions will charge a commission of 10% (ten percent) of the gross proceeds plus advertising (Buffalo News) and any additional expenses previously agreed upon. All expenses will be taken out of the proceeds of sale. Balance of the proceeds will be paid to the Town of Cheektowaga within 15 (fifteen days). Our service will include broom cleaning the vehicles, check and fill oil levels, inflate tires and jump start and get as many vehicles running as possible. The vehicles will be driven past our mobile auction stand, and will be demonstrated to obtain the highest possible price.

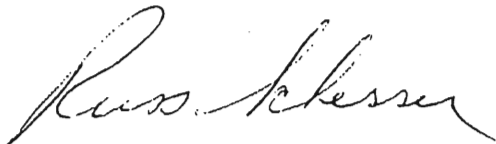
or

Scherrer Auctions will charge a buyers premium of 10% (ten percent) from the purchaser. The Town of Cheektowaga will pay advertising only no commission, the same preparation and auction services listed above will be provided.

Scherrer Auctions will use their professional knowledge and skills to promote the sale to make it as successful as possible. Announcements of the Cheektowaga sale and brochure will be promoted and handed out at our Erie county and state auctions.

I hope this proposal meets your approval, and I look forward to working with you in the near future. If you have any questions please do not hesitate to call me.

Respectfully,



Russ Scherrer

Central Garage
Arthur Ferdinand, Jr.
General Foreman

Growing In A New Direction



April 28, 1993

CENTRAL GARAGE AUCTION VEHICLE'S - 1993

	VEHICLE'S #	MAKE	MODEL	SERIAL #	YEAR	MILEAGE
1.	K-9	Dodge	Diplomat	1B3BG2649FX621121	1985	91032
2.	11 A	Dodge	Diplomat	1B3BG2640FX621122	1985	9086
3.	47	Dodge	Diplomat	1B3BG26S8JW159518	1988	78902
4.	19	Dodge	Diplomat	1B3BG2646FX630925	1985	24897
5.	75	Dodge	Diplomat	1B3BG26S9JW159513	1988	24702
6.	79	Dodge	Aries (Brown)	1B3BD26B5CF210551	1982	67232
7.	88	Dodge	Aries (Green)	1B3BD26B3CF210550	1982	68875
8.	87	Dodge	Aries (Grey)	1B3BD26B7CF210552	1982	82712
9.	77	Dodge	Aries (Blue)	1B3BD26B7CF210549	1982	57912
10.	41	Dodge	Diplomat	1B3BG26S1HX769698	1987	95515
11.	12 A	Dodge	Diplomat	1B3BG26S3HX769721	1987	5935
12.	7	Dodge	Diplomat	1B3XM26S9KW321849	1989	83911
13.	83	Plymouth	Gran Fury	1P3BB2645HX703735	1987	7241
14.		International - Van (No Keys) Body		DO522EHA47419	1975	101087
15.		MISCELLANEOUS GARAGE EQUIPMENT				
		7.5hp Air Compressor - (tank leaks)				
		Two (2) Rivit Machines (for brakes and clutches)				
		Air Operated Tire Changing Machine				
		Miller Welder - Model 300SP Ser# 72-628155				
16.		FMC Brush Chipper - (Highway Dept.)			1973	
		Model 16T318			#3002814	
17.		Dodge	Dart (DK GR)	LL29C4G281911	1974	15122

Any of the vehicles and items are sold "as is", therefore they may have had defective or missing parts.

Central Garage + 3175 Union Road + Cheektowaga, NY 14227 -1077+ 716 / 686-3439

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

WHEREAS, Dorene D. Christopher caused a notice of claim to be served upon the Town of Cheektowaga due to personal injuries sustained by her on October 28, 1990, when an automobile in which she was a passenger was struck by an automobile owned by the Town and operated by a town police officer, and

WHEREAS, on or about June 28, 1991, a summons and complaint on the aforesaid claim was served upon the Town, and

WHEREAS, the aforesaid lawsuit has been defended by attorneys for the Town under its self-insured liability claims program, and

WHEREAS, the said attorneys for the Town have recommended that the aforesaid lawsuit be settled and compromised by the payment of the sum of \$12,500.00 by the Town,

NOW, THEREFORE, BE IT RESOLVED, that the sum of \$12,500.00 be paid by the Town from its self-insured liability claims fund, in full and final settlement of the aforesaid lawsuit, subject to the approval, if required, of the court wherein such lawsuit is pending, and BE IT FURTHER

RESOLVED, that attorneys from the law firm of Damon & Morey (Joseph J. Schoellkopf, Jr., of counsel), be and they hereby are authorized to execute and procure all papers necessary to effectuate such settlement.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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

WHEREAS, senior residents comprise nearly 25% of our Town's population, and

WHEREAS, the Town of Cheektowaga Department of Senior Services offers senior residents an array of recreational activities, social opportunities, and human services, and

WHEREAS, transportation was the greatest need identified by senior residents responding to a recent survey conducted by the Department of Senior Services, and

WHEREAS, transportation to and from the Cheektowaga Senior Center, medical appointments, and health and human services agencies enables senior residents to maintain their independence and enjoy a greater quality of life, and

WHEREAS, grant monies are available through the New York State Local Initiative Program and Erie County to purchase vans for the purpose of transporting senior residents, NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby requests New York State Senator William Stachowski, New York State Assemblyman Paul Tokasz, and Erie County Legislator Raymond Dusza to secure funding for the purchase of vans to transport senior residents, and BE IT FURTHER

RESOLVED, that Robert J. Miller and Associates be authorized and directed to complete the necessary application, forms, etc. to be submitted to the offices of State Senator William Stachowski, State Assemblyman Paul Tokasz, and County Legislator Raymond Dusza for the purpose of applying for these grants, 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.

Item No. 19a continued

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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

WHEREAS, the Town of Cheektowaga seeks to make all municipal facilities accessible to individuals with handicapping conditions, and

WHEREAS, the Town of Cheektowaga operates two auxiliary pools located at the Dingens Street Park and the Maryvale Community Center which are currently not accessible to persons with handicapping conditions, and

WHEREAS, grant monies are available from the New York State Local Initiative Program through New York State Assemblyman Paul Tokasz for the purpose of equipping the Dingens and Maryvale swimming pools with devices necessary to accommodate usage by persons with handicapping conditions, NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby requests New York State Assemblyman Paul Tokasz to secure funding necessary to install handicapped accessible features at the Town's auxiliary swimming pools, and BE IT FURTHER

RESOLVED, that Robert J. Miller and Associates be authorized and directed to complete the necessary application, forms, etc. to be submitted to the office of State Assemblyman Paul Tokasz for the purpose of applying for 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 Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 20a Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

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 ambulances and has recommended that the Town Board license such ambulance(s), NOW, THEREFORE, BE IT

RESOLVED that the Town Board, pursuant to Section A-5 of the Ambulance Ordinance accept the recommendations of the Emergency Medical Services Board, and approve the following:

AMBULANCE LICENSES

<u>OWNER</u>	<u>VEHICLE: MAKE & MODEL</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
Town's Ambulance	(1) 1986 Ford	AA 3262	565
	(2) 1992 Ford	AA 4804	569

and, BE IT FURTHER

RESOLVED, that the Town Clerk is hereby authorized, directed and empowered to issue ambulance licenses to the applicants set forth above, providing such ambulance so listed meets the insurance requirements set forth in the Ambulance Ordinance.

Item No. 20a continued

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 20b Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

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.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

*SEE NEXT PAGE(S) FOR ATTACHMENT

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>COMPANY</u>	<u>EMT</u> <u>EXPIRES</u>
William K. Major	Holland, NY 14080	Town's	1/31/95
Denise Moch	Cheekotwaga, NY 14211	Town's	1/31/96

Item No. 21 Motion by Councilman Jaworowicz, Seconded by Councilman Solecki

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

EFFECTIVE

POLICE DEPARTMENT

Tracy Dryja	Immediately
Donna Szalwinski	Immediately

RECYCLING DEPARTMENT

Gary Czajka	6/19/93
Dennis Ferdinand	"
Peter Majerowski	"
Jeffrey Pijacki	"
Thomas Putt	"
John Zyla	"
Michael Then	"
William Goldsmith	"

SANITATION DEPARTMENT

Ralph Collins	5/22/93
---------------	---------

FACILITIES DEPARTMENT

Thomas Bukowski	5/15/93
-----------------	---------

Upon Roll Call....

AYES:	Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski, Johnson and Wielinski
NAYES:	0
ABSENT:	Councilman Rogowski

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

WHEREAS, this Town Board enacted Local Law No. 3 of the Year 1990 entitled "A Local Law to Create the Cheektowaga Conservation Advisory Council", and

WHEREAS, such local law provides for this Town Board to appoint members to the Cheektowaga Conservation Advisory Council ("CCAC") and to appoint a chairman to said CCAC, and

WHEREAS, Michael Papero has been serving as Chairman of the CCAC and has notified the Town that he will be stepping down as Chairman of the CCAC, and

WHEREAS, John Marriott has expressed a willingness to serve as Chairman of the CCAC, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the resignation of Michael Papero as Chairman of the CCAC, and hereby appoints John Marriott as Chairman of the CCAC, effective immediately.

Upon Roll Call....

AYES:	Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski, Johnson and Wielinski
NAYES:	0
ABSENT:	Councilman Rogowski

Item No. 23 Motion by Councilman Solecki, Seconded by Supervisor Gabryszak

WHEREAS, the term of Robert H. Winklhofer as a member of the Board of Assessment Review of the Town of Cheektowaga expired on September 30, 1992 and

Item No. 23 continued

WHEREAS, Robert H. Winklhofer has performed his duties as a member of the Board of Assessment Review in an exemplary manner, and

WHEREAS, this Board is desirous of retaining Robert H. Winklhofer as a member of the Board of Assessment Review, NOW, THEREFORE, BE IT

RESOLVED, that Robert H. Winklhofer of Cheektowaga, New York 14225 be and hereby is reappointed as a member of the Board of Assessment Review of the Town of Cheektowaga for a term ending September 30, 1997.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 24a Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, a vacancy exists in the position of Junior Accountant in the Accounting Department, AND

WHEREAS, the Town canvassed the valid Civil Service list for said position, AND

WHEREAS, Kathleen Travers appears on said eligible list, was interviewed and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Kathleen Travers of , Cheektowaga, New York 14225, be and hereby is appointed to the position of Junior Accountant in the Accounting Department, at a salary of \$25,103.93 per year, effective June 8, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 24b Appointment to Fill Vacancy in the Position of Senior Clerk in the Assessor's Office
This item was withdrawn.

Item No. 24c Motion by Councilman Solecki, Seconded by Councilman Blachowski

WHEREAS, a vacancy exists in the position of Light Motor Equipment Operator in the Recycling Department, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Daniel Carrier, currently employed as a Laborer's Aide in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, Daniel Carrier of , Cheektowaga, New York be and hereby is appointed to the position of Light Motor Equipment Operator in the Recycling Department in accordance with the terms and conditions as set forth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 8, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 24d Motion by Councilman Solecki, Supervisor Gabryszak

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

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Paul Stallone, currently employed as a Motor Equipment Operator in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, Paul Stallone of be and hereby is appointed to the position of Laborer in accordance with the terms and conditions as set forth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 8, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 24e Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Laborer's Aide in the Recycling Department, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, no full-time employee bid on said vacancy, AND

WHEREAS, Ralph Collins, Cheektowaga, New York meets all the necessary requirements, NOW, THEREFORE, BE IT

RESOLVED, that Ralph Collins be and hereby is appointed to the position of Laborer's Aide in the Recycling Department in accordance with the terms and conditions as set forth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 8, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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

WHEREAS, Robert Kapron, Clerk to the Justice Court, will be on sick leave, effective June 11th, for a period of 30 days, AND

WHEREAS, Margaret Mikler, a part-time employee in the Justice Court, will be responsible for some of Mr. Kapron's duties while he is on said leave, NOW, THEREFORE, BE IT

RESOLVED, that Margaret Mikler be and hereby is appointed as a temporary Clerk-Typist in the Justice Court, as per Section 18.02 of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, at the hourly rate of \$10.142, effective June 11, 1993 and ending July 10, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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

WHEREAS, due to maternity leave, a temporary vacancy exists in the position of Clerk in the Justice Court, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, no full-time employee bid on said vacancy, AND

WHEREAS, the Town canvassed the valid Civil Service list for the position of Clerk, AND

WHEREAS, Joan M. Cieply appears on said eligible list, was interviewed and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Joan M. Cieply of Cheektowaga, New York, be and hereby is appointed to the temporary position of Clerk in the Justice Court, in accordance with the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 21, 1993, AND, BE IT FURTHER

RESOLVED, that the salary of said position will be \$9.907 per hour.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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MOTION BY COUNCILMAN JAWOROWICZ, SECONDED BY SUPERVISOR GABRYSZAK
TO DISPENSE WITH READING THE NAMES IN ITEMS 26A, 26B and 26C AND
THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

* * * * *

Item No. 26a Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED that the following individuals be hired as indicated
(seasonal):

POOLS

Lifeguard I - (7180-1903) - \$4.50 per hour

Craig Bova	14225
Jeffrey Coia	14227
Sarah Garcea	14043
Jose Joven	14043
Amy Pacer	14043
Lenore G. Will	14043

Lifeguard II - (7180.1903) - \$5.00 per hour

Margaret Mary Brezowski	14211
Michelle Duquette	14215
Amy Garbacz	14206
Brian J. Gould	14227

Item No. 26a continued

Lifeguard II - 7180.1903 - \$5.00 per hour cont'd.

Michael Shawn Hughes	14043
Kimberly Kubiak	14206
Lisa Ann Lewandowski	14225
Edward J. Pawlowski	14043
Erica Staszak	14225
Jason Tolsma	14043
Sarah Warfield	14227
Michael Wyse	14225

Lifeguard III (7180.1903) - \$5.50 per hour

Gregory David Bean	14225
Amy M. Dauscher	14227
Amber Lynn Gorzynski	14206
Andrea Nietopski	14225
Michelle M. Olewnik	14227
Amy M. Owens	14227
Brian Roehmholdt	14225

Lifeguard IV (7180.1903) - \$5.75 per hour

Karen A. Kuehmeier	14225
Jared Martin	14043
Dawn M. Pszczolkowski	14211
Denee L. Schallmo	14225

Lifeguard I (7180.1903) (Alternates) - \$4.50 per hour

Jeanine Glijer	14225
Douglas S. Egloff	14215
Beth Krajewski	14227
Kathleen Kreil	14225
David Owens	14227
Tony Pawlowski	14043
Brian Michael Zanghi	14215

Lifeguard III (7180.1903) - Non-resident - \$5.50 per hour

Keith Polanski	14207
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Lifeguard I - (7180.1903) (Alternates) - Non-residents - \$4.50 per hour

Keriann Arndt	14086
Laura Carlson	14206
Rachel Covington	14226
Kelly Ann Herman	14059
Maria Magistrale	14086
Jason Thomas Nagle	14224
Jill Szczublewski	14043

Water Safety Instructor (WSI) (7180.1902) WSI IV - \$6.00 per hour

Renee Gajewski	14203
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Recreation Attendant - (Bathhouse) - \$4.25 per hour - 7180.1901

Tina Fischer	14206
Timothy Isch	14225
Elizabeth Kreavy	14225
Lori Lacey	14043
Linda Marie Patrick	14225

Recreation Supervisor (Special Events Supervisor) - \$8.65 per hour - (7180.1902)

John Hartman	14227
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Item No. 26a continued

Pool Supervisor II (7180.1902) - \$8.10 per hour

Kathy Bobeck 14227

Head Lifeguard - (7180.1902) - \$6.50 per hour

Keith Stachura 14225

Jacqueline H. Houser 14225

Water Safety Instructor (WSI) (7180.1902) WSI V - \$6.25 per hour

Ann Marie Gorski 14225

Michael Mekarski 14225

Day Camps

Developmentally Disabled Day Camp - (7310.1802)

Supervisor III (Activity Director I) - \$6.00 per hour

Leanne Fischer 14043

Recreation Attendant II (Counselor II) - \$4.50 per hour

Jennifer Golas 14043

Renee Lundquist 14225

Recreation Attendant IV (Counselor IV) - \$5.00 per hour

Jeffrey Jankowski 14043

Michelle Freedman 14225

Recreation Attendant IV (Counselor IV) - \$5.00 per hour (Alternate)

Jennifer Pace 14043

Recreation Attendant I (Counselor I) - \$4.25 per hour (Alternate)

Karen Safe 14212

Camp JI-IK-DO-WAH-GAH - (7310.1801)

Recreation Attendant IV (Counselor IV) - \$5.00 per hour

Tracy Hoerner 14043

Debra Pokorski 14225

Michael Rokitka 14225

Recreation Attendant III (Counselor III) - \$4.75 per hour

Adrienne Jozwiak 14225

Recreation Attendant II (Counselor II) - \$4.50 per hour

Kim Auger 14215

Jessica Wessel 14212

Recreation Attendant I (Counselor I) - \$4.25 per hour

Melissa Grabowski 14225

Natalie Lukasik 14225

Kristen Scarafia 14225

Alexander Summer Day Camp (7130.1810)

Recreation Attendant IV (Counselor IV) - \$5.00 per hour

Kathleen Pietraszak 14227

Item No. 26a continued

Recreation Attendant III (Counselor III) - \$4.75 per hour

Julie Chiarilli	14043
Cheryl Geary	14227
Craig Kornacki	14043
Jason Krasinski	14043
Amy Roska	14225
Dawn Steiner	14211
Lisa Sullivan	14227
Amy Tomaka	14043

Recreation Attendant II (Counselor II) - \$4.50 per hour

Laura Herko	14043
Amy Imiola	14227
Kelly Koshofer	14225
Carrie Taber	14227

Recreation Rotation

Arts and Crafts - (7140.1648)

Recreation Leader V - \$6.25 per hour

Deborah Sokolski	14043
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Recreation Attendant II - \$4.50 per hour

Shawn J. Ryan	14227
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Recreation Attendant I - \$4.25 per hour

Dawn Smith	14227
Ginger Wilczak	14227

Tennis

Tennis - (7140.1642)

Recreation Instructor VII - \$6.00 per hour

James Domzalski	14043
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Recreation Instructor IX - \$6.50 per hour

Andrew W. Boczkowski	14227
Anthony Lorigo	14227

Recreation Instructor IV - \$5.50 per hour

Lisa Frank	14225
Jay Nowak	14227

Theatre

Theatre Workshop - (7140.1651)

Sarah Kankiewicz	14206
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BE IT RESOLVED, that the following individuals be transferred as indicated (seasonal):

Pools

From Recreation Leader (7140.1615) to Pool Supervisor V (7180.1902 - \$8.40 per hour

Cathy Giles	14043
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Item No. 26a continued

From Recreation Leader (7140.1615) to Pool Supervisor IV (7180.1902)-\$8.10 per hour
Michelle Kunkel 14225

From Recreation Leader (7140.1615) to Pool Supervisor I (7180.1902) - \$7.20 per hour
Keith Sokolowski 14206

Theatre

Theatre Workshop (7140.1651)

From Supervisor IV (7140.1613) to Recreation Leader VIII (7140.1651) - \$7.00 per hour

Thomas T. Kazmierczak

From Supervisor III (7140.1613) to Recreation Leader VI (7140.1651) - \$6.50 per hour
Bonnie Nowicki

From Recreation Attendant II (7140.1614) to Recreation Specialist II (7140.1651) - \$5.00 per hour

Joanne Haas
David Isch

From Recreation Attendant II (7140.1614) to Recreation Specialist III (7140.1651) - \$4.75 per hour

Brenda Alder
Leanne Ventura

From Recreation Attendant I (7140.1614) to Recreation Attendant III (7140.1651) - \$4.50 per hour

Jeanne Gallivan

Recreation Rotation

Arts and Crafts (7140.1648)

From Recreation Attendant I (7140.1614) to Recreation Attendant II (7310.1648) - \$4.50 per hour

Chastity Taber

From Recreation Supervisor II (7140.1613) to Recreation Leader V (7140.1648) - \$6.25 per hour

Mary Pat Speyer

From Recreation Attendant II (7140.1612) to Recreation Leader III (7140.1648) - \$5.75 per hour

Kelly Moreno

From Recreation Attendant I (7140.1612) to Recreation Attendant II (7140.1648) - \$4.50 per hour

Corinne Kindzierski

Day Camps

From Adapted Recreation Program (7310.1803) to Day Camp for Developmentally Disabled (7310.1802)

Item No. 26a continued

Program Coordinator - \$9.25 per hour

Deborah Fleetwood

Senior Recreation Supervisor VII (Assistant Program Coordinator VII - \$7.50 per hour

Paulete Mecca

Supervisor V (Activity Director III)

Paul Marchewka - \$6.50 per hour

Supervisor IV (Activity Director II)

Anne Priester - \$6.25 per hour

Supervisor IX (Nurse II) - \$7.50 per hour

Barbara Walters

Supervisor III (Activity Director I)

Karen Noworyta - \$6.00 per hour

Recreation Attendant V (Senior Counselor I) (Alternate) - \$5.25 per hour

Christy Male

From Adapted Recreation Program (7310.1803) to Developmentally Disabled Day Camp (7310.1802)

Recreation Attendant II (Counselor II) - \$4.50 per hour

Carol Wichlacz

Recreation Attendant III (Counselor III) - \$4.75 per hour

Cecilia Panek

From Adapted Recreation Program (7310.1803) to Camp JI-IK-DO-WAH-GAH (7310.1801)

Recreation Attendant II (Counselor II) - \$4.50 per hour

Amy Zakrzewski

Amanda Varney

Recreation Attendant III (Counselor III) - \$4.75 per hour

Janine Urbanski

Amy Wetmore

Joanne Witakowski

Daniel Quigley

From Adapted Recreation Program (7310.1803) to Alexander Summer Day Camp (7310.1810)

Recreation Attendant II (Counselor II) - \$4.50 per hour

Lori Brucato

Recreation Attendant III (Counselor III) - \$4.75 per hour

Aimee Pickhardt

Joe Quinn

Item No. 26a continued

Recreation Attendant IV (Counselor IV) - \$5.00 per hour

Angela Krause
Linda Mutka

Recreation Attendant V (Counselor V) - \$5.25 per hour

Debbie Reed

Administrative Interns

From Clerk to Clerk (Administrative Assistant I) - 7310.1804) - \$5.25 per hour

Angela Krzemien

From Account Clerk Typist (7310.1804) to Clerk (Administrative Assistant IV) - 7310.1804 - \$6.00 per hour

Susan Switalski

BE IT RESOLVED, that the following individuals be hired as indicated:

Attendant IV - (7310.1804) - \$5.00 per hour

Sandy Stevens

14225

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 26b Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

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

WHEREAS, the Summer Youth Program starts on June 8th, 1993, participants work a maximum of 40 hours per week at \$4.25 per hour, and a termination date not to exceed September 3, 1993, NOW, THEREFORE, BE IT

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

Abati, Timothy	14211
Abraham Shawn	14225
Aiken, Douglas	14227
Aiken, Norbert	14227
Albano, Paul	14211
Albano, Richard	14206
Allein, Melanie	14225
Altemoos, Rebecca	14227
Amarena, Kathy	14225
Amarena, Sonia	14225
Ambellan, Gary	14211
Baker, Jason	14227
Baker, Jeffrey	14225
Baldwin, Sharon	14215
Balus, David	14225
Barbaritz, Keri Ann	14215
Barnes, Alison	14225
Beltz, Allen	14206
Benaglio, Darin	14227
Benschling, Brian	14225

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Blachaniec, Jacki	14227
Bonifacio, Joseph	14225
Borucki, Laurie	14225
Boyer, Kevin	14227
Broniszewski, Angel	14225
Brusehaber, Joseph	14225
Brutcher, Kevin	14225
Buchla, William	14225
Butera, Angela	14225
Butsch, Derek	Depew 14043
Carey, Michael	Sloan 14212
Carrick, Tina	14225
Carrico, Craig	14227
Ciminelli, Rebecca	14206
Ciraolo, Joseph	14227
Ciraolo, Russell	14227
Colburn, Jason	14215
Crump, Wayne	14225
Dailey, Colene	
Demyanick, Deric	14206
Diacio, Joseph	Depew 14043
Diebold, Tabitha	14215
Domor, Tina	14225
Dusing, Andrew	14206
Eastmer, Share	, Sloan 14212
Eckert, Jill	Depew 14043
Epps, Michelle	14225
Evans, Robert	14227
Falkiner, James	
Flanigan, Andrea	14225
Freier, Pamela	14211
Gallerie, Adam	Depew 14043
Gallerie, Walter	Depew 14043
Gamber, Aleesha	14225
Gamber, Michael	14225
Gast, Brian	14225
Genson, Joseph	14225
Giglio, Thomas	14043
Giudice, Andrea	14225
Gnacinski, Jason	14225
Gorski, Jeffrey	14206
Grace, Eric	14225
Grassl, Carl	14225
Greiner, Schon	14227
Guggemos, Robert	Depew 14043
Gwitt, Joshua	14225
Hall, Dana	14225
Hall, Minika	14225
Harris, Danielle	14211
Hartnett, Ryan	14227
Heiser, Michael	14225
Herkey, Denise	14206
Hetzel, Jason	Depew 14043
Hopkins, Gina	14225
Howard, Jeanette	14215
Jannotte, Marcy	14225
Jones, Jeremy	14227
Jurkiw, Taras	Depew 14043
Kania, Charles	Depew 14043
Klaczky, Barbara	14211
Klimko, Jason	14215
Kluczynski, Jeffrey	Sloan 14206
Kluczynski, Jody	Sloan 14206
Koller, Renee	14225
Kopcinski, Todd	14225
Koral, James Jr.	14227
Kosmowski, Carolyn	14225

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Kosmowski, Joanne	14225
Kowalewski, Amber	14211
Juczmariski, Aaron	Depew 14043
Landon, Louie	14227
Laudico, Charles	Tonawanda 14223
Lindell, Michael	14211
Linden, Jaclyn	14227
Lindner, Joseph	14225
Long, Sam	14227
Lukasik, Stanley	14225
Majeski, Paul	14227
Manier, Shannon	14225
Mantione, Josephine	14225
Mantione, Lorena	14225
Manyrath, Outhay	14212
Marciniak, Paul	14206
Maul, Shawn	14227
McCarville, Tricia	14215
McGarry, Robert	14227
McGuane, Neal	14225
McMillan, Kenneth	14225
Mead, Joseph	14212
Miesowicz, Charmaine	14225
Milewski, Bernard	14225
Miller, Brenda	14206
Miller, Daniel	14227
Morath, William	14215
Motley, Jermell	14225
Nelson, Tracey	14206
O'Brien, Erin	14227
Palma, Anthony	14227
Panasiewicz, Paula	14225
Parker, Holly	14227
Peters, Jennifer	14215
Peterson, Velita	14206
Piechalak, Ken	14227
Pieczynski, Paul	14225
Pignatora, Deanie	Sloan 14212
Pokorski, Nicole	14225
Porter, Tammie	14225
Principato, Ann Marie	14225
Raczyk, Jennifer	14225
Rafferty, Tammy	14225
Roche, Timothy	14225
Rolls, Thomas	14227
Rote, David	14225
Rupp, Sharon	14225
Rzoska, Bryan	14225
Sable, Andrew	14225
Scheib, Michelle	14225
Schmied, Christina	14225
Sliwinski, Brian	14225
Sliwinski, Jamie	14227
Smith, Cheryl	14227
Smith, Theresa	14043
Stanley, Jeffrey	14225
Suba, Andrew	14206
Summers, Michael	14225
Szymanski, Karl	14211
Tabak, Christian	14225
Theurer, Heather	14227
Tobolski, Kyle	14225
Urban, James	14227
Valenti, John	14227
Viscuso, Keith	14227
Wagner, Michael	14225
Walczak, Brad	

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Walenka, Michael	14225
Walsh, Lynn	14225
Weiglein, Robin	14225
Wentlent, Megan	14227
Winnicki, David	14211
Wojcicki, Jennifer	14227
Wojcik, Angela	14227
Wolfe, Jason	14227
Wolfe, Mark	14227
Yox, Lisa	14225
Zawadzki, Dawn	14211
Zielinski, Jamie	14225
Zielinski, Larry Jr.	14211
Zilbauer, Daniel	14225
Zwick, Rhonda	14225

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 26c Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES 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, for a period not to exceed 24 weeks in a calendar year:

EFFECTIVE

FACILITIES DEPARTMENT - \$4.65 per hour (Laborer)

Jeffrey Pula	Immediately
Paul Tadak	6/03/93
Thomas Potempa	6/03/93
Joseph Bielanin	5/25/93
Douglas Guy	Immediately
Jeffrey Rogowski	6/20/93

FACILITIES DEPARTMENT - \$5.00 per hour (Pool Mechanic)

Walter Gardon	Immediately
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SEWER MAINTENANCE DEPARTMENT - \$4.65 per hour (Laborer)

Scott Zaranek	Immediately
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AND, BE IT FURTHER

RESOLVED, that John Skonecki be and hereby is transferred as a Seasonal Employee from the Facilities Department to the Sewer Maintenance Department effective immediately.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 27 Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be and hereby are hired as PART-TIME EMPLOYEES, not to exceed 19 hours on a weekly 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. 27 continued

EFFECTIVE

FACILITIES DEPARTMENT - \$4.65 per hour (Laborer)

Christopher Boeringer
Patricia Kantor

Immediately
"

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Thomas Carney
Bryan Latkanich

Immediately
"

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 28a Motion by Councilman Jaworowicz, Seconded by Councilman Wielinski

WHEREAS, the U.S. Department of Justice and the Bureau of Justice Assistance is sponsoring a workshop for multijurisdictional narcotics task force commanders. The workshop is being held at the Howard Johnson Albany Central in Albany, New York June 7-10, 1993.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Capt. Thomas Rowan to this workshop. The workshop will cover such training topics but not limited to: Task Force Dynamics, Interagency Agreements, Personnel Issues and Case Management. The Police Department will be responsible for lodging and meals amounting to approximately \$250.00. A Town of Cheektowaga vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

RESOLVED, that Chief Bruce Chamberlin is authorized to send Capt. Thomas Rowan to this workshop and that the time he spends at this training be authorized as normal duty time. The expense will be charged to line 0100-3120-4085.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 28b Motion by Councilman Jaworowicz, Seconded by Councilman Wielinski

WHEREAS, the Law Enforcement Coordinating Committee, United States Attorney's Office and the Western District of New York is sponsoring an Assets Forfeiture/Money Laundering Training Program at the State University of New York at Geneseo, New York on June 8-9, 1993.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Lt. Matthew J. Starr, Lt. Eugene Leahy, Lt. Gary Dibble and Det. Gary Martz to this training program. The Police Department will be responsible for lodging and meals amounting to approximately \$268.00. A Town of Cheektowaga vehicle will be used for transportation to and from this training program, NOW, THEREFORE, BE IT

RESOLVED, that Chief Bruce Chamberlin is authorized to send the above officers to this training program and that the time they spend at this training be authorized as normal duty time. This expense will be charged to 0100-3120-4085.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 28c Motion by Councilman Blachowski, Seconded by Councilman Solecki

WHEREAS, the Department of Defense is sponsoring a Police Rifle Marksmanship School which will be held June 7-11, 1993 at Fort Drum, New York.

WHEREAS, Chief Bruce Chamberlin is requesting permission to send Det. Russell Paul and Officer Gerald Jankowski, both SWAT Team members, to this training school. All lodging, tuition and ammunition will be provided by the Department of Defense. The Cheektowaga Police Department will be responsible for meals during travel, gasoline and tolls approximately amounting to \$170.00. A Town vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

RESOLVED, that Chief Bruce Chamberlin is authorized to send Det. Russell Paul and Officer Gerald Jankowski to this training, and that the time they spend at this training be authorized as normal duty time. The expense will be charged to line 0100-3120-4007.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 28d Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

WHEREAS, The Western Council of the New York State Government Finance Officers' Association is conducting its annual summer seminar at the Hyatt Regency Hotel in Buffalo, New York on June 29-30, 1993, and

WHEREAS, the seminar agenda has topics relevant to the operation and management of the Town, and

WHEREAS, this seminar meets the Town's Goals and Objectives of employee training in technical matters, and

WHEREAS, it would be in the Town's best interest for representatives of the Town to be present at this seminar, NOW, THEREFORE, BE IT

RESOLVED, that Robert E. Kaczmarek and Angela Lynn Nenni be and hereby are authorized to attend the aforesaid seminar of the New York State Government Finance Officers' Association, and all reasonable and necessary expenses incurred as a consequence of such attendance, in the amount not to exceed \$275.00 shall be appropriated from budget line account item number 0100-1910-4082.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 28e Motion by Councilman Solecki, Supervisor Gabryszak

WHEREAS, the Town recently installed a multiple computer network to service the Assessor's Office, and

WHEREAS, the Erie County Assessor's Association is conducting an Intermediate Netware Course at Erie Community College North Campus, Amherst, New York on June 16, 1993, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are authorized to attend said training course at the cost of \$150.00 (\$50.00 per person), said cost to be paid from account #0100-1910-4082.

Robert E. Kaczmarek
Angela Lynn Nenni
Kevin J. Gawel

Item No. 28e continued

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 28f Motion by Councilman Solecki, Seconded by Supervisor Gabryszak

WHEREAS, the Town recently installed a multiple computer network to service the Assessor's Office, and

WHEREAS, the Erie County Assessors' Association is conducting a Real Property Intermediate System Training Course at Erie Community College South Campus, Orchard Park, New York on June 15th and June 18th, 1993, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are authorized to attend said training course at a cost of \$75.00 (\$15.00 per person), said cost to be paid from account #0100-1910-4082.

Kristine R. Jablonski	6/15/93
Nancy M. Scarafia	6/15/93
Kevin M. Gawel	6/18/93
Joan M. Szymanski	6/18/93
Angela Lynn Nenni	6/18/93

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 29 Authorize Volunteer to Assist Dog Control Officer
This item was withdrawn.

Item No. 30 Motion by Supervisor Gabryszak, Seconded by Councilman Solecki

WHEREAS, Section 24.08 of the Town of Cheektowaga Employees Association contract states that, ". . .the Town will pay 25% of the tuition for employees taking job-related courses. Employees must receive prior approval from the department head and the Town Board and successfully complete the course with a "B" grade or better, AND

WHEREAS, Amy Meyers of the Cheektowaga Action Partnership has requested approval, AND

WHEREAS, the department head, Kenneth Kopacz, has approved the following class as job-related and schedule so as not to interfere with her work shift:

PSC 103 (Constitutional Law)

NOW, THEREFORE, BE IT

RESOLVED, that by resolution, this Town Board gives its approval and authorizes the 25% reimbursement of tuition upon successful completion of the class with a grade "B" or better.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 31 Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, by resolution dated April 5, 1993, this Town Board adopted a Local Law Establishing a Board of Ethics, and

WHEREAS, Section V A. of such local law lists the various Town officers and employees who are required to file annual statements of financial disclosure, and

WHEREAS, this Board feels the job titles listed below involve policy-making duties under Article 18 of the General Municipal Law and the Town's Local Law Establishing a Board of Ethics, NOW, THEREFORE, BE IT

RESOLVED, that individuals serving in the following positions be and hereby are declared to hold policymaking positions in the Town and thus are required to file a statement of financial disclosure in accordance with A Local Law Establishing a Board of Ethics, on or before July 7, 1993:

Senior Engineering Assistant

Principal Engineering Assistant

and, BE IT FURTHER

RESOLVED, that, in subsequent years, such employees shall be required to file annual statements of financial disclosure on or before May 15, 1993, and BE IT FURTHER

RESOLVED, that the Coordinator of Employee Relations be and hereby is directed to forward certified copies of this resolution together with the financial disclosure forms to those Town employees holding the above referenced positions.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 32a Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, Michael Sebastiano and Stanley Senko had commenced a special proceeding for a judgment of the Supreme Court annulling the decision of the Zoning Board of Appeals, that the rezoning of premises at 2911 William Street from RA-Apartment District to C-Retail Business District by resolution dated August 5, 1991 was "void", and declaring that the zoning classification of such property "reverted back to RA-Apartment District", and

WHEREAS, the Hon. Jerome C. Gorski, Justice of the Supreme Court, annulled the aforesaid determination of the Zoning Board of Appeals, and further determined that premises at 2911 William Street "is zoning C-Retail Business District as setforth in the 1992 Zoning Law and Zoning Map," and

WHEREAS, this Board believes that the aforesaid decision of the Zoning Board of Appeals was reasonable, proper and lawful, NOW, THEREFORE, BE IT

RESOLVED, that Peter M. Kooshoian, an attorney with experience and specialized knowledge in appellate matters, be and be hereby is retained to process an appeal from the aforesaid judgment of the Hon. Jerome C. Gorski, J.S.C., and be it

FURTHER RESOLVED, that the reasonable fees of appellate counsel are not to exceed \$5,000.00 without prior written approval of this Board; and such fees shall be monitored and approved by the Town Attorney, and be it

FURTHER RESOLVED, that monies for such appeal shall be appropriated from budget line item #0100-1420-4000-4501.

MEETING NO. 11
June 7, 1993

Item No. 32a continued

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 32b Retain Firm to Perform Study Regarding Geographic Information System
("GIS")
This item was withdrawn.

Item No. 33 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

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

GENERAL FUND

From:	0100-3120-1581	Matron	\$ 5,000.00
	0100-3120-1591	Crossing Guard	10,000.00
	0100-7310-1802	Dev. Disabled Camp	18,290.00
	0100-7310-4683	Publications and Printing	500.00
	0100-7310-4689	Youth Conservation Corps.	500.00
	0100-7310-4689	Youth Conservation Corps.	500.00
	0100-7140-1614	Recreation Attendant	8,000.00
	0100-7140-1614	Recreation Attendant	7,000.00
	0100-7140-4191	Miscellaneous	1,000.00
	0100-7140-4491	Special Events	2,415.00
	0100-7140-4601	Aid to Youth	2,250.00
	0100-7140-4601	Aid to Youth	1,500.00
	0100-1355-4001	Office Supplies	665.00
To:	0100-1355-2005	Office Equipment	665.00
	0100-3120-4321	Data Processing Services	15,000.00
	0100-7310-1801	Camp Ji-Ik-Do-Wah-Gah	18,290.00
	0100-7310-4061	Publications & Dues	500.00
	0100-7310-4431	Equipment Repairs and Maintenance	500.00
	0100-7310-4001	Office Supplies	500.00
	0100-7140-1651	Theater Workshop	8,000.00
	0100-7140-1654	Basketball	7,000.00
	0100-7310-4001	Office Supplies	1,000.00
	0100-7140-4503	Concerts	2,415.00
	0100-7140-4518	Summer Day Camp	2,250.00
	0100-7180-4074	Clothing - Pools	1,500.00

CONSOLIDATED GARBAGE DISTRICT

From:	1500-8173-4598	Video	10,000.00
To:	1500-8173-4475	Norec	10,000.00

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

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

BE IT RESOLVED, that the following Vouchers and Warrants are sub-
mitted to the Town of Cheektowaga prior to June 4, 1993 are hereby approved and made
a part hereof:

MEETING NO. 11
June 7, 1993

Item No. 34 continued

GENERAL FUND	\$273,499.15
HIGHWAY FUND	73,111.47
TRUST & AGENCY FUND	5,873.33
CDBG FUND	30,882.29
PART TOWN FUND	3,242.77
RISK RETENTION FUND	6,817.25
HUD REHABILITATION FUND	12,845.00
SPECIAL DISTRICTS FUND	191,465.66
CAPITAL PROJECTS FUND	<u>26,222.89</u>
	\$623,959.81

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Rogowski

III. DEPARTMENTAL COMMUNICATIONS

Item No. 35 Building Permits
Received and Filed.

Item No. 36 Comprehensive Annual Financial Report for the Fiscal Year Ended
December 31, 1992
Received and Filed.

Item No. 37 Statement of Cash Receipts and Disbursements of the Receiver of Taxes
and Assessments, the Town Clerk and the Town Justice
Received and Filed.

Item No. 38a Minutes of Cheektowaga Planning Board - April 8, 1993
Received and Filed.

Item No. 38b Minutes of the Cheektowaga Traffic Safety Commission - May 18, 1993
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 39a Notice of Claim: Diane M. Dana vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Highway Department
and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 39b Notice of Claim: James Dittenhauser/Hanover Ins. Co. vs the Town of
Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office, Police Department
and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 40 NYSDOT Notice of Order: Access to Qualifying Highway System-Route 33,
Genesee Street Between Route 33, the Kensington Expressway and
Route 78.
Received and Filed.

Item No. 41 Petition Regarding the Sale of 107 Cromwell Drive.
Received and Filed.

* * * * *

MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN BLACHOWSKI
TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND
THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
 Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

* * * * *

V. SUSPENSION OF RULES

Item No. 42 Motion by Councilman Johnson, Seconded by Councilman Wielinski

BE IT RESOLVED, that the Niagara Mohawk Power Corporation be and
hereby is authorized to furnish and install a 100 Watt H.P.S. Standard Enclosed
Luminaire, and direct burial cable, to serve a street lighting installation at #15
Kuhn Road, at an annual increase to the General Lighting District Budget of \$331.43
in accordance with the street lighting proposal, AND BE IT FURTHER

RESOLVED, that the Town of Cheektowaga shall own and maintain the
concrete foundation and aluminum light standard, having installed said equipment at
the subject location.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,
 Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 43 Approve the Dissolution of Drainage District Nos. 1 through 7

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York.

June 7, 1993

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A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on June 7, 1993, at 7:30 o'clock P.M. (Prevailing Time).

There were present: Honorable Dennis H. Gabryszak,
Supervisor; and

Councilpersons: Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

There were absent: Councilman William P. Rogowski

Also present: Richard M. Moleski, Town Clerk
James Kirisits, Town Attorney

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*

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 7, 1993, APPROVING THE DISSOLUTION OF DRAINAGE DISTRICT NOS. 1 THROUGH 7, IN SAID TOWN, AND THE MANAGEMENT, MAINTENANCE, OPERATION AND REPAIR OF THE IMPROVEMENTS OR SERVICES HERETOFORE PROVIDED OR AUTHORIZED TO BE PROVIDED BY SUCH DISTRICTS AS A TOWN FUNCTION, AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM.

Recitals

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, proposes to dissolve Drainage District Nos. 1 through 7 (as extended) (together herein called the "Districts"), which Districts are wholly located within the Town, including a part of the Village of Depew, and were heretofore created by resolutions and orders duly adopted by the Town Board on their respective dates, and to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided by said Districts; and

WHEREAS, the costs of any improvement provided or authorized to be provided by said Districts, including the

authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and which are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said costs, and such costs shall be assessed, levied and collected from the several lots and parcels of land within such benefited area in just proportion to the amount of benefit which the improvement conferred upon the same.

Section 4. All future costs of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts hereby dissolved shall be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other town charges.

Section 5. The Town Clerk of the Town is hereby authorized and directed within ten (10) days after the effective date of this resolution, to file certified copies hereof with the State Comptroller, in the office of the State Department of Audit and Control at Albany, New York, and to duly record a certified copy thereof in the Office of the Clerk of Erie County.

Section 6. This resolution shall be subject to permissive referendum.

The adoption of the foregoing resolution was seconded by
Supervisor Gabryszak and duly put to a vote on roll call, which
resulted as follows:

AYES: 6

NOES: 0

ABSENT: 1

The resolution was declared adopted.

Councilman Johnson offered the following resolution and
moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK,
HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga,
shall within ten (10) days after the adoption of this resolution
cause to be published, in full, in the "CHEEKTOWAGA TIMES," a
newspaper published in Cheektowaga, New York, having a general
circulation within said Town and hereby designated the official
newspaper of the Town for such publication and posted on the sign
board of the Town maintained pursuant to the Town Law, a Notice
in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 7, 1993, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a resolution entitled:

"Resolution of the Town of Cheektowaga, New York, adopted June 7, 1993, approving the dissolution of Drainage Districts Nos. 1 through 7, in said Town, and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function, and providing that such resolution shall be subject to permissive referendum, "

an abstract of such resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: RECITING that the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, proposes to dissolve Drainage District Nos. 1 through 7 (as extended) (together herein called the "Districts"), which Districts are wholly located within the Town and were heretofore created by resolutions and orders duly adopted by the Town Board on their respective dates, and to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided by said Districts; and that the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and which are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within the benefited area in just proportion to the amount of benefit which the improvement

conferred upon the same; and that the cost of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts proposed to be dissolved shall thereafter be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges; and that pursuant to the Order duly adopted on May 17, 1993, the Town Board determined to proceed with the dissolution of the Districts and the management, maintenance, operation and repair of the improvement or service heretofore provided or authorized to be provided by such Districts as a Town function, and adopted an Order describing the proposed dissolution, the basis of assessing all improvement costs, specifically stating that the cost of the management, maintenance, operation and repair of the improvement or service heretofore provided or authorized to be provided by such Districts shall thereafter be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges, and specifying June 7, 1993, at 7:00 o'clock P.M. (Prevailing Time) or as soon thereafter as such matter may be heard, as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the proposed dissolution of the Districts and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and that certified copies of such Order were duly published and posted pursuant to the provisions of Article 12-C of the Town Law; and that a Public Hearing in the matter was duly held by the Town Board on this 7th day of June, 1993, commencing at 7:00 o'clock P.M. (Prevailing Time), or as soon thereafter as such matter could be heard, at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed dissolution of the Districts and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function;

SECOND: RESOLVING and DETERMINING that (a) the notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient; and (b) it is in the public interest to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided or authorized to be

provided by the Districts;

THIRD: APPROVING the dissolution of Drainage District Nos. 1 through 7 (as extended) (herein referred to as the "Districts"); and DETERMINING that such Districts shall be dissolved on January 1, 1994;

FOURTH: RESOLVING and DETERMINING that upon dissolution, all the property of the Districts shall become the property of the Town and it is expressly understood that the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and which are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within the benefited area in just proportion to the amount of benefit which the improvement conferred upon the same;

FIFTH: RESOLVING AND DETERMINING that all future costs of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts hereby dissolved shall be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges;

SIXTH: AUTHORIZING and DIRECTING the Town Clerk of the Town within ten (10) days after the effective date of this resolution, to file certified copies thereof with the State Comptroller, in the office of the State Department of Audit and Control at Albany, New York, and to duly record a certified copy thereof in the Office of the Clerk of Erie County; and

SEVENTH: DETERMINING and STATING that this resolution shall be subject to permissive referendum.

BY ORDER OF THE TOWN BOARD
DATED: JUNE 7, 1993

RICHARD M. MOLESKI
TOWN CLERK

Section 2. This resolution shall take effect
immediately.

*

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*

The adoption of the foregoing resolution was seconded by
Supervisor Gabryszak and duly put to a vote on roll call, which
resulted as follows:

AYES: 6

NOES: 0

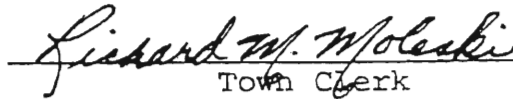
ABSENT: 1

The resolution was declared adopted.

CERTIFICATE

I, Richard M. Moleski, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on June 7, 1993, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 7th day of June, 1993.


Town Clerk

(Seal)

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

Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....June 10, 1993..... ;
last publication.....June 10, 1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza.....
Sworn to before me this10th.....
day ofJune....., 1993.....
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 12/11/93

LEGAL NOTICE

TOWN OF CHEEKTOWAGA,
NEW YORK

PLEASE TAKE NOTICE that on June 7, 1993, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a resolution entitled:

"Resolution of the Town of Cheektowaga, New York, adopted June 7, 1993, approving the dissolution of Drainage Districts Nos. 1 through 7, in said Town, and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function, and providing that such resolution shall be subject to permissive referendum."

an abstract of such resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: RECITING that the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, proposes to dissolve Drainage District Nos. 1 through 7 (as extended) (together herein called the "Districts", which Districts are wholly located within the Town and were heretofore created by resolutions and orders duly adopted by the Town Board on their respective dates, and to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided by said Districts; and that the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and which are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within the benefited area in just proportion to the amount of benefit which the improvement conferred upon the same; and that the cost of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts proposed to be dissolved shall thereafter be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges; and that pursuant to the Order duly adopted

on May 17, 1993, the Town Board determined to proceed with the dissolution of the Districts and the management, maintenance, operation and repair of the improvement or service heretofore provided or authorized to be provided by such Districts as a Town function, and adopted an Order describing the proposed dissolution, the basis of assessing all improvement costs, specifically stating that the cost of the management, maintenance, operation and repair of the improvement or service heretofore provided or authorized to be provided by such Districts shall thereafter be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges, and specifying June 7, 1993, at 7:00 o'clock P.M. (Prevailing Time) or as soon thereafter as such matter may be heard, as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the proposed dissolution of the Districts and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and that certified copies of such Order were duly published and posted pursuant to the provisions of Article 12-C of the Town Law; and that a Public Hearing in the matter was duly held by the Town Board on this 7th day of June, 1993, commencing at 7:00 o'clock P.M. (Prevailing Time), or as soon thereafter as such matter could be heard, at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed dissolution of the Districts and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function;

SECOND: RESOLVING and DETERMINING that (a) the notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient; and (b) it is in the public interest to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided or authorized to be provided by the Districts;

THIRD: APPROVING the dissolution of Drainage District Nos. 1 through 7 (as extended) (herein referred to as the "Districts"); and DETERMINING that such Districts shall be dissolved on January 1, 1994;

FOURTH: RESOLVING and DETERMINING that upon dissolution, all the property of the Districts shall become the property of the Town and it is expressly understood that the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and

interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and which are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within the benefited area in just proportion to the amount of benefit which the improvement conferred upon the same;

FIFTH: RESOLVING AND DETERMINING that all future costs of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts hereby dissolved shall be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges;

SIXTH: AUTHORIZING and DIRECTING the Town Clerk of the Town within ten (10) days after the effective date of this resolution, to file certified copies thereof with the State Comptroller, in the office of the State Department of Audit and Control at Albany, New York, and to duly record a certified copy thereof in the Office of the Clerk of Erie County; and

SEVENTH: DETERMINING and STATING that this resolution shall be subject to permissive referendum.

BY ORDER OF THE TOWN BOARD

Dated: June 7, 1993

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 10, 1993

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

.....Melissa Gugliuzza....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....June 10, 1993..... ;
last publication.....June 10, 1993..... ;
and that no more than six days intervened be-
tween publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this10th.....

day ofJune....., 19⁹³.....

.....*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 12/11/93

LEGAL NOTICE

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 7, 1993, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a resolution entitled:

"Resolution of the Town of Cheektowaga, New York, adopted June 7, 1993, approving the dissolution of Drainage Districts Nos. 1 through 7, in said Town, and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function, and providing that such resolution shall be subject to permissive referendum."

an abstract of such resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: RECITING that the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, proposes to dissolve Drainage District Nos. 1 through 7 (as extended) (together herein called the "Districts", which Districts are wholly located within the Town and were heretofore created by resolutions and orders duly adopted by the Town Board on their respective dates, and to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided by said Districts; and that the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and which are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within the benefited area in just proportion to the amount of benefit which the improvement conferred upon the same; and that the cost of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts proposed to be dissolved shall thereafter be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges; and that pursuant to the Order duly adopted

on May 17, 1993, the Town Board determined to proceed with the dissolution of the Districts and the management, maintenance, operation and repair of the improvement or service heretofore provided or authorized to be provided by such Districts as a Town function, and adopted an Order describing the proposed dissolution, the basis of assessing all improvement costs, specifically stating that the cost of the management, maintenance, operation and repair of the improvement or service heretofore provided or authorized to be provided by such Districts shall thereafter be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges, and specifying June 7, 1993, at 7:00 o'clock P.M. (Prevailing Time) or as soon thereafter as such matter may be heard, as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the proposed dissolution of the Districts and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and that certified copies of such Order were duly published and posted pursuant to the provisions of Article 12-C of the Town Law; and that a Public Hearing in the matter was duly held by the Town Board on this 7th day of June, 1993, commencing at 7:00 o'clock P.M. (Prevailing Time), or as soon thereafter as such matter could be heard, at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed dissolution of the Districts and the management, maintenance, operation and repair of the improvements or services heretofore provided or authorized to be provided by such Districts as a Town function;

SECOND: RESOLVING and DETERMINING that (a) the notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient; and (b) it is in the public interest to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, the improvements or services heretofore provided or authorized to be provided by the Districts;

THIRD: APPROVING the dissolution of Drainage District Nos. 1 through 7 (as extended) (herein referred to as the "Districts"); and DETERMINING that such Districts shall be dissolved on January 1, 1994;

FOURTH: RESOLVING and DETERMINING that upon dissolution, all the property of the Districts shall become the property of the Town and it is expressly understood that the costs of any improvement provided or authorized to be provided by said Districts, including the principal of and

interest on any bonds or other obligations authorized to be issued for the purposes of said Districts or which have been issued for the purposes of said Districts and which are outstanding and unpaid as of the date of such dissolution, shall be borne by the entire area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said costs, said area being hereby designated as the benefited area, and such costs shall be assessed, levied and collected from the several lots and parcels of land within the benefited area in just proportion to the amount of benefit which the improvement conferred upon the same;

FIFTH: RESOLVING AND DETERMINING that all future costs of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by said Districts hereby dissolved shall be a charge upon the area of the Town outside of any villages, except a part of the Village of Depew which will bear a part of said charge, and shall be levied and collected in the same manner and at the same time as other Town charges;

SIXTH: AUTHORIZING and DIRECTING the Town Clerk of the Town within ten (10) days after the effective date of this resolution, to file certified copies thereof with the State Comptroller, in the office of the State Department of Audit and Control at Albany, New York, and to duly record a certified copy thereof in the Office of the Clerk of Erie County; and

SEVENTH: DETERMINING and STATING that this resolution shall be subject to permissive referendum.

BY ORDER OF THE TOWN
BOARD

Dated: June 7, 1993

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 10, 1993

216
85.32

MEETING NO. 11
June 7, 1993

Item No. 44 Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is desirous of utilizing certificates of participation to finance the construction of the proposed Cheektowaga Municipal Golf Course, and

WHEREAS, due to the fact that such certificates of participation require entering into a lease agreement with respect to dedicated parkland, it is necessary that special State legislation be enacted to authorize same, and

WHEREAS, bills are pending in the State Senate (S.1766-A) and Assembly (A.2997-A) to authorize the Town to enter into the necessary lease arrangement for the proposed golf course, and this Town Board supported such bills, and

WHEREAS, based on a wetlands study of the golf course land, it has been determined that additional land will be needed from Rehm Road Park for the golf course to offset the delineated wetlands existing on the golf course, and

WHEREAS, the State Senate and Assembly have revised such bills and have introduced Senate Bill 1766-B/Assembly Bill 2997-B to replace the aforementioned bills, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board supports these revised bills and hereby requests the State Senate and Assembly to enact Senate Bill 1766-B and Assembly Bill 2997-B, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to execute the Home Rule Request forms for the aforementioned Senate and Assembly bills and to forward same to the Home Rule Counsels for the Senate and Assembly, with copies to Senator William Stachowski and Assemblyman Paul Tokasz.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 45 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson to adjourn this meeting in memory of Mrs. Charlotte Downey, wife of Depew Trustee, Norman Downey.

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 June, 1993 at 7:30 o'clock P.M., Eastern Daylight Savings Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chet Bryan, Town Engineer; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Chairman, Planning Board; James Kirisits, Town Attorney; Kenneth Kopacz, Director of Youth and Recreational Services and John Schaller, Assistant Chief of Police.

I. PUBLIC HEARINGS

Item No. 2a This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Losson Road	East-west	Wedgewood Drive	Northbound	S.E. Corner

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

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

D. No standing here to corner

Basswood Drive	North side	for a distance of 50 feet westerly from the west curblin of Parwood Drive
----------------	------------	--

Item No. 2a continued

Section 76-103 of the traffic ordinance shall be amended by adding thereto the following:

B. Standing prohibited in designated areas

Goering Avenue	North side	from the east curbline of Union Road easterly 180 feet to a point.
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The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

Item No. 2b 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 XV

Truck Route System

Section 76-150. Trucks permitted, shall be amended to read as follows:

- A. A truck system, upon which all trucks, tractors and tractor-trailer combinations, excluding tandems, having a total gross weight in excess of five (5) tons are permitted to travel and operate, shall consist of the following highways;

- (1) Aero Drive, from the Town of Amherst line to Transit Road
- (2) Cayuga Road, from Genesee Street to the Town of Amherst line
- (3) Delavan Avenue, from the Buffalo City line to Pine Ridge Road
- (4) Dick Road, from Broadway to Genesee Street
- (5) Dingens Street, from the Buffalo City line to Harlem Road
- (6) Eggert Road, from Sugar Road to the Buffalo City line
- (7) French Road, from Union Road to Transit Road
- (8) Galleria Drive, from Walden Avenue to Union Road
- (9) Holtz Drive, from Genesee Street to Aero Drive
- (10) Kensington Avenue, from the Buffalo City line to the Amherst Town line
- (11) Pine Ridge Road, from Genesee Street to Maryvale Drive
- (12) Richard Drive, from the Buffalo City line, to William Street
- (13) Sugar Road, from Eggert Road to Pine Ridge Road
- (14) William Street, from the Buffalo City line to Harlem Road
- (15) William Street, from the NYS Thruway (I-90) eastbound ramps to Union Road
- (16) Youngs Road, from Aero Drive to the Town of Amherst line

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

II. FROM THE TABLE

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

WHEREAS, the County Legislature has previously adopted an item pricing law to require that price stickers be placed on merchandise in larger grocery stores in Erie County, and

WHEREAS, legal action was taken by local supermarkets challenging such law, and

Item No. 3 continued

WHEREAS, the courts held that, although the law requiring price stickers to be placed on merchandise was legal, the penalty provisions of such law were excessive, and

WHEREAS, the Erie County Legislature is now proposing a revised penalty schedule and procedures for applying for an exemption from such law, and

WHEREAS, this Board is in favor of the item pricing law and of the proposed amendments to such law, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the Erie County Legislature and County Executive to adopt the proposed amendments to the item pricing law, and BE IT FURTHER

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

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 4 Initiate Process for Rezoning at 2911 William Street
This item was withdrawn.

III. RESOLUTIONS

Item No. 5 Motion by Councilman Johnson, Seconded by Unanimous

WHEREAS, this Town Board held a public hearing on June 21, 1993 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code to 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 intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Losson Road	East-west	Wedgewood Drive	Northbound	S.E. Corner

Item No. 5 continued

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

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

D. No standing here to corner

Basswood Drive	North side	for a distance of 50 feet westerly from the west curblane of Parwood Drive
----------------	------------	---

Section 76-103 of the traffic ordinance shall be amended by adding thereto the following:

Goering Avenue	North side	from the east curblane of Union Road easterly 180 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 Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

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 June, 1993 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT: 0

Motion by Councilman Johnson seconded by Unanimous

WHEREAS, this Town Board held a public hearing on June 21, 1993 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 intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street: Losson Road; Direction: East-west; Entrance Street: Wedgewood Drive; Traffic Stops: North-bound; Sign Location: S.E. Corner.

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

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

D. No standing here to corner

Basswood Drive/ North side; for a distance of 50 feet westerly from the west curbline of Perwood Drive

Section 76-103 of the traffic ordinance shall be amended by adding thereto the following:

Goering Avenue/ North side/ from the east curbline of Union Road easterly 180 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 filled 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 Gabryszak Voting AYE
Councilman Jaworowicz Voting

AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting

AYE
Councilman Blachowski Voting
AYE

Councilman Johnson Voting AYE
Councilman Wielinski 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 June 21 1993, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21st day of June 1993.

Richard M. Moleski
Town Clerk

PUBLISH: June 24, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza

....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for2..... weeks:
first publication.....June.24,1993..... ;
last publication.....June.24,1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this24th.....

day ofJune....., 19.93...

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 12/11/93

NO. 13

LEGAL NOTICE

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 June, 1993 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT: 0

Motion by Councilman Johnson seconded by Unanimous

WHEREAS, this Town Board held a public hearing on June 21, 1993 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 intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street: Losson Road; Direction: East-west; Entrance Street: Wedgewood Drive; Traffic Stops: North-bound; Sign Location: S.E. Corner.

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

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

D. No standing here to corner

Basswood Drive/ North side; for a distance of 50 feet westerly from the west curbline of Perwood Drive

Section 76-103 of the traffic ordinance shall be amended by adding thereto the following:

Goering Avenue/ North side/ from the east curbline of Union Road east-erly 180 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 filled 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 Gabryszak Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE
Councilman Blachowski Voting AYE
Councilman Johnson Voting AYE
Councilman Wielinski 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 June 21 1993, and minutes of said meeting have been duly recorded in

the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21st day of June 1993.

Richard M. Moleski
Town Clerk

PUBLISH: June 24, 1993

STATE OF NEW YORK COUNTY OF ERIE TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza

....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for2..... weeks:
first publication.....June.24,1993.....;
last publication.....June.24,1993.....;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this24th.....

day ofJune....., 19.93....

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 12/11/93

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the furnishing of bus transportation for 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 (see attached):

--NATIONAL SCHOOL BUS SERVICE
2306 WALDEN AVENUE
BUFFALO, NEW YORK 14225

AND, BE IT FURTHER RESOLVED, that the costs resulting from the awarding of this bid be funded through line item 7310.4671, 7140.4601 and T&A 894.

Upon Roll Call....

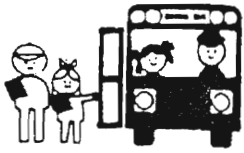
AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE



NATIONAL SCHOOL BUS SERVICE

2306 WALDEN AVE. • BUFFALO, NEW YORK 14225 • 716/684-1240

SAFETY AND SERVICE

June 14, 1993

TOWN OF CHEEKTOWAGA
YOUTH & RECREATIONAL SERVICES
TOWN HALL
CHEEKTOWAGA, NY 14227

GENTELMEN:

Our bid for school bus service (not wheelchair service), for transporting town residents to and from the Alexander Community Center at 275 Alexander St., Cheektowaga, is as follows:

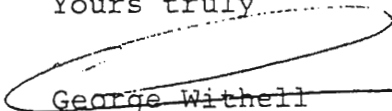
Six weeks service - Monday thru Friday, Summer 1993
(4 BUSES) \$10,899.00

Dates & times for field trips as shown on attached copy of Bid form--Cost per bus is:

Darien Lake	\$147.00
Niagara Splash	\$154.75 Tolls Inc.
Evangola Beach	\$147.00
Arcade & Attica R/R	\$157.20
Mumford Genesee Museum	\$210.20 Tolls Inc.

The cost for the field trips is in addition to daily service. The total to be determined by number of buses and trips actually made.

Yours truly


George Withell
CHARTER MANAGER

Attach:1

FIELD TRIPS

The following is a list of five (5) trips for which we will require four (4) full-size buses and one (1) wheelchair van. The children must be picked up from the Alexander Community Center, 275 Alexander Avenue (near Straley Avenue), Cheektowaga, New York, and taken to their destination and returned by 2:30 p.m. with the exception of extended field trips.

<u>DATE</u>	<u>LOCATION</u>
July 9th*	Darien Lake
July 16th*	Niagara Splash
July 23rd*	Evangola Beach
July 30th*	Arcade and Attica
August 6th*	Mumford Genesee Museum

*Extended field trips (when youth return from field trip, they will be taken directly to their drop-off site.)

July 9th	- return by 4:30
July 16th	- return by 4:40
July 23rd	- return by 4:30
July 30th	- return by 4:30
August 6th	- return by 4:30

BUS MONITORS

The counselors will be hired by the Town of Cheektowaga to monitor activity on the bus while it is in transit to and from the Alexander Community Center, 275 Alexander Avenue (near Straley Avenue), Cheektowaga, New York. If possible, it will be the responsibility of the counselor to be at the first camper's bus stop and to be dropped off at the last camper's bus stop.

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

WHEREAS, it is in order that bids be advertised for the purchase of ten (10) printomatic voting machines, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of ten (10) printomatic voting machines, notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 1st day of July, 1993 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

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town of Cheektowaga on the 1st day of July, 1993 at 11:00 A.M. Eastern Daylight Saving Time for the furnishing of ten (10) new or used removable pointer printomatic voting machines on the unit price basis with handicap panels. At this time, bids will be publicly opened in the Council Chambers at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York 14227

The detailed specifications may be examined at the office of the Town Clerk. Copies of the specifications are available for all prospective bidders. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR VOTING MACHINES".

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof.

Non-collusion forms must be signed and submitted with each bid. The Town Clerk may reject any or all bids submitted.

RICHARD M. MOLESKI
TOWN CLERK

DATE: June 21, 1993

PUBLISHED: June 24, 1993

* * * * *

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE

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In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof.

Non-collusion forms must be signed and submitted with each bid. The Town Clerk may reject any or all bids submitted.

RICHARD M. MOLESKI,
Town Clerk

DATE: June 21, 1993

PUBLISH: June 24, 1993

Melissa Gugliuzza

....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for?..... weeks:
first publication..... June 24, 1993..... ;
last publication..... June 24, 1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this 24th.....

day of June....., 19.93.....

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 12/11/93

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

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RICHARD M. MOLESKI,
Town Clerk

DATE: June 21, 1993

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NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/95

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

WHEREAS, there is a needs for the furnishing and installation of fiberglass vertical blinds at the Alexander Community Center, 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 and installation of fiberglass vertical blinds at the Alexander Community Center, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 6th day of July, 1993 at 11:00 A.M., Eastern Daylight Savings Time, at public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on July 6, 1993 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing and installation of fiberglass vertical blinds at the Alexander Community Center, 275 Alexander Avenue, Cheektowaga, New York 14211.

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

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

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

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

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

Richard M. Moleski
Town Clerk

DATED: June 21, 1993

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

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE
NOTICE TO BIDDERS

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

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

Richard M. Moleski
Town Clerk

Dated: June 21, 1993

PUBLISH: June 24, 1993

Melissa Gugliuzza
....., of the town
of Cheektowaga, in said County of Erie, being
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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 12/11/93.

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

LEGAL NOTICE

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

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

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

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

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

Richard M. Moleski
Town Clerk

Dated: June 21, 1993

PUBLISH: June 24, 1993

Melissa Gugliuzza
....., of the town
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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 12/11/93

Item No. 8 Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services is working with local councils on alcoholism as well as youth and community groups throughout the State to hold its 5th Annual "Safe Summer" campaign, and

WHEREAS, Safe Summer encourages all segments of the community to get involved in positive drug-free activities, and

WHEREAS, being off from work or school does not mean taking a vacation from common sense judgments about health and safety, especially in instances where alcohol and other drugs could play a significant role in summertime injuries, and

WHEREAS, this summer The Cheektowaga Action Partnership has once again scheduled events which promote healthy, abuse-free lifestyles,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga proclaim the summer of 1993 as "Safe Summer" and encourages residents to take part in those activities which are designated to make the season a memorable one by keeping our health and safety in mind.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, by resolution dated June 7, 1993, this Town Board appointed Margaret Mikler as a temporary Clerk-Typist in the Justice Court for a period of 30 days, AND

WHEREAS, the dates given on said resolution were incorrect, NOW, THEREFORE, BE IT

RESOLVED, that said resolution be and hereby is amended as follows:

Margaret Mikler be and hereby is appointed as a temporary Clerk-Typist in the Justice Court as per Section 18.02 of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, at the hourly rate of \$10.142, effective June 14, 1993 and ending July 13, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 109 Baywood Drive, Cheektowaga, New York, SBL #114.19-7-16 and according to the Assessor's Office is owned by Piotrowski Builders Incorporated, 81 Rollingwoods Lane, West Seneca, New York 14224, AND

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

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

Item No. 10 continued

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 11a Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga, in May, 1992, gave Mr. & Mrs. James McManus a Housing Rehabilitation Community Development loan for property owned by them and located at Cheektowaga, New York, and

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

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Mr. and Mrs. McManus and the Town's Housing Rehabilitation Community Development loan for Cheektowaga, New York, and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, the A.C. Gilbert Heritage Society will be holding an exhibition entitled "The Wonders of A.C. Gilbert" at the Thruway Mall on July 24, 1993, and

WHEREAS, the A.C. Gilbert Heritage Society wants to donate admissions proceeds from such exhibition to the Town to be used in conjunction with the construction of a handicapped playground in Town Park, and

WHEREAS, this Town Board is desirous of accepting the donation from the A.C. Gilbert Society to offset the cost of constructing the handicapped playground in Town Park and allowing the A.C. Gilbert Society to utilize the Town's name in conjunction with its exhibition, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts any and all donations from the A.C. Gilbert Society resulting from its July 24, 1993 exhibition and agrees to utilize such donations solely towards the construction of a handicapped playground in Town Park, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with the A.C. Gilbert Society.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AGREEMENT

This agreement is made this 21st day of June between:

THE A.C. GILBERT HERITAGE SOCIETY, 594 Front Street, Marion, Massachusetts (the "Society"); and

THE TOWN OF CHEEKTOWAGA

c/o Town Hall, Cheektowaga, New York (The "Fund").

In consideration of the agreements set forth in the writing the parties agree as follows:

1. The Fund authorizes the Society to utilize its name in connection with publicity for the Society's "The Wonders of A.C. Gilbert" Exhibition, to be held at Thruway Mall in the Town of Cheektowaga on July 24th, 1993, indicating that admissions proceeds to the exhibition will benefit the Fund.
2. The Society agrees that all admission proceeds, which shall be assessed at \$ 1.00 per adult, with children accompanied by an adult admitted free, shall accrue to the benefit of and be donated to the Fund, which the Fund agrees shall be used in conjunction with the construction of the planned Handicapped Playground at Town Park in the Town of Cheektowaga.
3. The Society agrees that the Fund may, at its discretion, place collection cans or other receptacles at the exhibition site at Thruway Mall for additional donations to the Fund from the public in attendance. The Society will take possession of such receptacles at the closing of the exhibition, and return same unopened to the designated agent of the Fund.
4. The Society shall provide the Fund with a statement of paid admissions and turn over proceeds of same to the Fund within 30 days of the exhibition.

A.C. GILBERT HERITAGE SOCIETY

By

James F. Murtick
Authorized Agent

TOWN OF CHEEKTOWAGA

By

Dennis M. Gabryszak

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

WHEREAS, Pyramid Company of Buffalo, has commenced proceedings against the Assessor, the Board of Assessment Review and the Town of Cheektowaga pursuant to Article 7 of the Real Property Tax Law of the State of New York, for the tax year 1992, for the property commonly known as the Galleria Mall and identified as SBL #102.02-1-5.1 and SBL #102.02-1-17.21 and

WHEREAS, Pyramid Company of Buffalo and the Town of Cheektowaga have had extensive settlement negotiations and after due consideration of all material facts, Pyramid Company of Buffalo and the Town have agreed to resolve their differences without further litigation and to settle and terminate the proceedings, and

WHEREAS, the attorneys for Pyramid Company of Buffalo and the Town have prepared the attached Stipulation of Settlement and Order and Memorandum of Understanding, and

WHEREAS, the Town Assessor has recommended the attached Stipulation of Settlement and Order and Memorandum of Understanding be approved by this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby approve the attached Stipulation of Settlement and Order and Memorandum of Understanding between Pyramid Company of Buffalo and the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that special counsel to the Town be and hereby is authorized to sign any and all legal documents necessary to effectuate such Stipulation of Settlement and Order and BE IT FURTHER

RESOLVED, that the Assessor and Supervisor of the Town of Cheektowaga are hereby authorized to sign the Memorandum of Understanding and BE IT FURTHER

RESOLVED, that this Town Board does direct that the Stipulation of Settlement and Order be submitted to the Supreme Court of the State of New York for an Order approving said Stipulation of Settlement between Pyramid Company of Buffalo and the Town of Cheektowaga.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Application of
PYRAMID COMPANY OF BUFFALO,

Petitioner,

vs.

ASSESSOR OF THE TOWN OF CHEEKTOWAGA
AND THE TOWN OF CHEEKTOWAGA,
COUNTY OF ERIE, NEW YORK,

Respondents.

STIPULATION OF SETTLEMENT
AND ORDER

Tax Year 1992/93

Index Nos. 9262/92
9263/92

Tax Parcels Nos.
102.02-1-17.21
202.02-1-5.1

WHEREAS, the Petitioner has instituted proceeding under Article 7 of the Real Property Tax Law by which it seeks to obtain judicial review of the assessment of the above-referenced tax parcels in the Town of Cheektowaga as they appear on the final tax rolls in the Town of Cheektowaga filed in 1992/93, and

WHEREAS, the parties, after due consideration of all material facts have agreed to resolve their differences without further litigation and to terminate said proceedings in accordance with the following terms and conditions:

1. For tax year 1993/94 Petitioner's assessments shall remain as follows:

Tax Parcel 102.02-1-5.1 - \$48,326,600

Tax Parcel 102.02-1-17.21 - \$36,380,400

2. Upon the establishment of the assessment as set forth above for tax year 1993/94 the Petitioner agrees to discontinue the proceedings for tax year 1992/93.

3. It is further agreed and understood by all parties that this agreement is made only for the purpose of resolving pending litigation in

order to avoid the expenses incident to such litigation and for such other reasons as the parties individually deem material.

4. This agreement constitutes the entire understanding and agreement amongst the parties.

5. The parties authorize their attorneys to seek an order of this Court effectuating the terms of this agreement.

6. This Stipulation of Settlement and Order entered into herein shall not affect the assessments levied against any other properties in the Town of Cheektowaga in any other years.

DEVORSETZ STINZIANO GILBERTI & SMITH, P.C.

By: 

Lawrence A. Zimmerman, Esq.

Attorney for Petitioner

500 Plum Street

Syracuse, New York 13204-1428

Telephone: (315) 442-0100

DAVID L. JONES, ESQ.


Attorney for Respondent

22 Victoria Boulevard

Kenmore, New York 14217

Telephone: (716) 875-5750

SO ORDERED,


HON. JOSEPH D. MINTZ, J.S.C.

Dated:

BJQ/LAZ-31:/PLEADING/ORD/11647.001

MEMORANDUM OF UNDERSTANDING

WHEREAS, Pyramid Company of Buffalo instituted proceedings pursuant to Article 7 of the Real Property Tax Law regarding certain tax parcels owned by Pyramid Company of Buffalo in the Town of Cheektowaga, and

WHEREAS, the Town of Cheektowaga and the Pyramid Company of Buffalo have entered into wide-ranging discussions regarding all tax parcels owned by the Pyramid Company of Buffalo in the Town of Cheektowaga, and

WHEREAS, the parties have entered into a Stipulation of Settlement and Order dated May 26, 1993 resolving the Article 7 Petitions filed by the Pyramid Company of Buffalo with respect to some of its tax parcels, and

WHEREAS, the parties hereto have reached a wider understanding of their respective positions and in consideration for the above-referenced Stipulation of Settlement and Order the parties agree to the following:

1. The parties agree that the following tax parcels have been the subject of numerous discussions:

	<u>Parcel</u>	<u>Tax I.D. No.</u>	<u>Current Assessment</u>
(a)	Ernst	102.02-1-1.11	\$350,000
(b)	Mobil	102.02-1-9.142	364,000
(c)	Railroad	102.03-2-1.212	15,000
(d)	Railroad	102.08-2-41.2	35,800
(e)	Railroad	102.02-1-6.2	36,000

2. (a) The parties agree that the assessment for parcel number 102.02-1-1.11 is based upon the current use of the parcel as a retention basin. The parties further agree that the assessment may be adjusted by the Assessor in the event that the use of the parcel is converted to private use by the Petitioner.

(b) The parties agree that the appropriate assessments for the above-referenced tax parcels for purposes of the 1993/94 tax roll will be as follows:

<u>Parcel</u>	<u>Tax I.D. No.</u>	<u>Current Assessment</u>
(a) Ernst	102.02-1-1.11	\$ 1,000
(b) Mobil	102.02-1-9.142	91,000
(c) Railroad	102.03-2-1.212	100
(d) Railroad	102.08-2-41.2	100
(e) Railroad	102.02-1-6.2	100

3. The parties agree that upon the establishment of the tentative roll for the Town of Cheektowaga for tax years 1993/94 and 1994/95 at the assessments set forth in Paragraph 2 above, the Pyramid Company of Buffalo agrees not to file or commence Article 7 proceedings if the above-referenced reduced assessments are entered on the tentative 1993/94 and 1994/95 assessment rolls and are contained upon the final 1993/94 and 1994/95 assessment rolls for the Town of Cheektowaga.

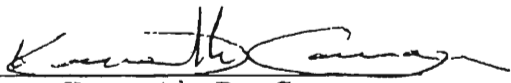
4. The parties understand that the Pyramid Company of Buffalo has protested payment of its garbage district charges in that it receives no garbage services for said charges and that this agreement is without prejudice to the Pyramid Company of Buffalo's right to continue to challenge said charges as it deems to be in its best interests.

5. The above represents the complete understandings of the parties with respect to the specific assessments agreed to in the above-referenced Stipulation of Settlement and Order as well as the above-referenced assessments to be entered on the 1993/94 and 1994/95 tax rolls of the Town of Cheektowaga.

PYRAMID COMPANY OF BUFFALO

TOWN OF CHEEKTOWAGA

By:


Kenneth D. Cannon,
General Partner

By:

_____, Assessor

TOWN OF CHEEKTOWAGA

By:

_____, Supervisor

Item No. 12b Motion by Councilman Solecki, Seconded by Supervisor Gabryszak

WHEREAS, Berg Investors, has commenced proceedings against the Assessor, the Board of Assessment Review and the Town of Cheektowaga, pursuant to Article 7 of the Real Property Tax Law of the State of New York, for the tax year 1992, for the property commonly known as 6450 Transit Road and identified as SBL #93.01-1-15.2, and

WHEREAS, Berg Investors and the Town of Cheektowaga have had extensive settlement negotiations and after due consideration of all material facts, Berg Investors and the Town have agreed to resolve their differences without further litigation and to settle and terminate the proceedings, and

WHEREAS, the attorneys for Berg Investors and the Town have prepared the attached Stipulations of Settlement and Order, and

WHEREAS, the Town Assessor has recommended the attached Stipulation and Order be approved by this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby approve the attached Stipulation of Settlement and Order between Berg Investors and the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that special counsel to the Town be and hereby is authorized to sign any and all legal documents necessary to effectuate such Stipulation of Settlement and Order and BE IT FURTHER

RESOLVED, that this Town Board does direct that the Stipulation of Settlement and Order be submitted to the Supreme Court of the State of New York for an Order approving said Stipulation of Settlement between Berg Investors and the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that any refunds payable, by the Town, shall be part of County of Erie Charge Backs to the Town in the budget year 1994 and payback to the County of Erie in the budget year 1995.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Application of
BERG INVESTORS,

Petitioner,

vs.

ASSESSOR OF THE TOWN OF CHEEKTOWAGA
AND THE TOWN OF CHEEKTOWAGA,
COUNTY OF ERIE, NEW YORK,

Respondents.

STIPULATION OF SETTLEMENT
AND ORDER

Index No. 9267/92

WHEREAS, tax certiorari proceedings were commenced by Petitioner against the Town of Cheektowaga for tax year 1992/93; and

WHEREAS, negotiations for settlement were entered into regarding said proceedings,

NOW, THEREFORE, it is hereby stipulated, consented to and agreed by and between the attorneys for the respective parties, that the above-captioned property tax assessment review proceeding covering premises located in the Town of Cheektowaga and identified as Tax I.D. No. 93.01-1-15.2 be settled and that an order and judgment to that effect may be entered without further notice to either party upon the following terms:

1. The above proceeding is hereby settled as follows:

a. Tax Year 1992/93

Current Assessment:	\$1,800,000
Reduced Assessment:	\$1,300,000

2. Refunds shall be paid by the Town of Cheektowaga, Lancaster Central Schools and Erie County for the overpayment of taxes based upon the previous unreduced assessment together with interest thereon at 9% per

annum. Said refunds shall be made payable to DEVORSETZ STINZIANO GILBERTI & SMITH, P.C., as attorneys for Petitioner.

3. In consideration of this agreement the Town also agrees to set the assessment of Petitioner's property for tax year 1993/94 at \$1,200,000.00 and the Assessor of the Town of Cheektowaga shall forthwith adjust the tax rolls of the Town of Cheektowaga in accordance with this agreement.

4. This Stipulation of Settlement and Order and judgment entered herein do not affect the assessments levied against any other properties in the Town of Cheektowaga in any other years.

5. This Stipulation of Settlement and Order hereby constitutes and represents full settlement of the tax review proceeding herein, and there are no costs or allowances awarded to, by or against any other parties, and that upon compliance with the terms of this Stipulation of Settlement and Order the above-entitled proceeding shall be and the same are settled and discontinued.

6. It is hereby stipulated and agreed that the Assessor of the Town of Cheektowaga be directed to correct and reduce the assessment in accordance with the terms of this Stipulation.

DEVORSETZ STINZIANO GILBERTI
& SMITH, P.C.

DAVID L. JONES

By: _____
Lawrence A. Zimmerman, Esq.
Attorneys for Petitioner
Office & P.O. Address
500 Plum Street
Syracuse, New York 13204-1428
Telephone: (315) 442-0100

Attorney for Respondents
Office & P.O. Address
22 Victoria Boulevard
Kenmore, New York 14217
Telephone: (716) 875-5750

SO ORDERED,

HON. JOSEPH D. MINTZ, J.S.C.

BJQ/LAZ-31:/PLEADING/STP/12669.001

MEETING NO. 12
June 21, 1993

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

WHEREAS, the Town Board of the Town of Cheektowaga recognizes the potential of public rapid transit service to stimulate economic development, and to alleviate some of the traffic congestion occurring now and likely to worsen in the foreseeable future; and

WHEREAS, the Niagara Frontier Transportation Authority (NFTA) has identified an "Airport Corridor" for future light rail rapid transit service from downtown Buffalo through the Town of Cheektowaga; and

WHEREAS, the Niagara Frontier Transportation Committee is the established local Metropolitan Planning Organization responsible for coordinating regional transportation planning efforts, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga requests that the County of Erie, as a member of the Niagara Frontier Transportation Committee, sponsor an effort by the Committee to evaluate the feasibility of providing light rail rapid transit service to the Town of Cheektowaga in the "Airport Corridor" as identified by the NFTA.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

BE IT RESOLVED, that the salaries for the following part-time clerical personnel in the Police Department be and hereby are established as follows, effective June 22, 1993:

Traci Howlett	\$6.00/hr.
Deborah Cyrankowski	6.00/hr.
Cheryl Twardowski	6.00/hr.
Kristen Kolbert	6.00/hr.
Marcia Morath	5.50/hr.
Kimberly Poitras	5.50/hr.
Audrey Owens	5.25/hr.
Michelle Nowicki	5.25/hr.
Michelle Brezowski	5.25/hr.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

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

EFFECTIVE

FACILITIES DEPARTMENT

Felix Lampke
Gordon Hagmier

6/19/93
6/19/93

SANITATION DEPARTMENT

Bryan Latkanich

Immediately

Item No. 15 continued

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 16a Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the Town previously appointed Dorothy Schenkel, Lois Friedrich and Gabrielle Coyne as Program Coordinator (Grant) for the Cheektowaga Action Partnership on a provisional basis, pending the establishment of a valid competitive Civil Service list for said position, AND

WHEREAS, such competitive list has now been established by the Erie County Department of Personnel and Dorothy Schenkel, Lois Friedrich and Gabrielle Coyne are all listed as eligible candidates, NOW, THEREFORE, BE IT

RESOLVED, that Dorothy Schenkel, Lois Friedrich and Gabrielle Coyne be and hereby are permanently appointed to the position of Program Coordinator (Grant) with the Cheektowaga Action Partnership, in accordance with the Public Health Service Grant #1H86SP04160-01A1 and the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective immediately.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 16b Motion by Councilman Blachowski, Seconded by Councilman Wielinski

WHEREAS, a permanent vacancy exists in the position of Senior Clerk in the Assessor's Office, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Lorraine Ackerman, currently employed as a Clerk-Stenographer in the Town Clerk's Office, bid on said vacancy and appears on the Erie County Civil Service promotional list #71766 for the position of Senior Clerk, NOW, THEREFORE, BE IT

RESOLVED, that Lorraine Ackerman be and hereby is promoted to the position of Senior Clerk in the Assessor's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 22, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 16c Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

WHEREAS, a permanent vacancy exists in the position of Sewer Maintenance Worker in the Sewer Maintenance Department, AND

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the and the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

Item No. 16c continued

WHEREAS, John Harrison, currently employed as an Auto Mechanic in the Central Garage bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that John Harrison be and hereby is appointed to the position of Sewer Maintenance Worker in the Sewer Maintenance Department in accordance with the terms and conditions as setforth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 22, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

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

WHEREAS, said vacancy was posted as per the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Ronald Golas, currently employed as a Motor Equipment Operator in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Ronald Golas be and hereby is appointed to the temporary position of Laborer in the Sanitation Department in accordance with the terms and conditions as setforth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 22, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: Councilman Solecki
ABSENT: 0

Item No. 16e Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

WHEREAS, a temporary vacancy exists in the position of Laborer in the Sewer Maintenance Department, AND

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association does not require that a temporary position of 30 days or less be posted, AND

WHEREAS, Dean Sarago, a seasonal employee in the Sewer Maintenance Department, has expressed an interest in filling said temporary vacancy, NOW, THEREFORE, BE IT

RESOLVED, that Dean Sarago of Cheektowaga, New York 14225 be and hereby is appointed to the position of temporary Laborer in the Sewer Maintenance Department in accordance with the terms and conditions as setforth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 22, 1993; said term to expire on July 21, 1993.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

* * * * *

MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMAN ROGOWSKI
TO DISPENSE WITH READING THE NAMES IN ITEMS 17A and 17B
AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

* * * * *

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

BE IT RESOLVED, that the following individuals be hired as indicated
(seasonal):

Administrative Intern

Clerk I - (Administrative Intern) - (7310.1804) - \$4.25 per hour

Kimberly Ann Horzynski 14212
Melissa M. Kreavy 14225

Head Lifeguard - (7180.1903 - \$6.50 per hour - (Dingens Pool)

Denise Tasca 14206

Lifeguard V - (7180.1903) - \$6.00 per hour

Michael Callahan 14227

Lifeguard I (Alternate) - (7180.1903) - \$4.50 per hour

Renee Kazukiewicz 14043

Recreation Attendant - (Bathhouse) - \$4.25 per hour - 7190.1901

Melissa Newhouse 14227

TGIF

Recreation Leader IV - \$5.00 per hour (7140.1613)

Dawn Zilbauer 14225

Recreation Leader I - \$5.25 per hour (7140.1613)

Maria Jo DiGiacomo 14225

Recreation Attendant I - \$4.25 per hour (7140.1614)

Kyle Graham 14043

Tiny Tots

Recreation Attendant IV - (7140.1615) \$5.00 per hour

Constance Stewart 14215

Cheektowaga Conservation Corps

Program Coordinator (7310.1811 - \$9.25 per hour

Jack Hornung (Administrative Coordinator)

Roger Newhouse (Education Coordinator)

Item No. 17a continued

Alexander Summer Day Camp (7310.1810)

Recreation Attendant IV (Counselor IV) - \$5.00 per hour

Kimberly Rafanowicz	14227
Jason Unteg	14227

Recreation Attendant II (Counselor II) - \$4.50 per hour

Samatha Schanne	14225
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Sports Rotation

Recreation Supervisor III - 7140.1645 - \$6.00 per hour

Chris Payne	14227
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Recreation Supervisor I - 7140.1645 - \$5.50 per hour

Brian Getz	14225
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Recreation Attendant IV - 7140.1645 - \$5.00 per hour

Tammy Ozolins	14043
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Recreation Attendant II - 7140.1645 - \$4.50 per hour

Peter Odrobina, Jr.	14043
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Recreation Attendant I - 7140.1645 - \$4.25 per hour

John Walkowiak, III	14225
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Basketball

Recreation Specialist V - 7140.1615 - \$5.75 per hour

Ronald A. Cyrankowski	14206
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I.D. Card Attendant

Recreation Attendant I - \$4.25 per hour (7140.1615)

Andrew Rokitka	14227
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BE IT RESOLVED, that the following individuals be transferred as indicated (seasonal):

From 7140.1614 to Sports Rotation - 7140.1645

Recreation Supervisor III - \$6.00 per hour

Amy Sierczkarek

From 7140.1612 to Sports Rotation - 7140.1645

Recreation Leader I - \$5.25 per hour

Grèg Wazny

Recreation Supervisor - (7310.1811) - 7.95 per hour

Fawn Bova	14043
Kirk Wilde	14227

Item No. 17a continued

CHEEKTOWAGA CONSERVATION CORPS.

Youth Leaders - (7310.1811) - \$5.25 per hour

Matthew Starr	14225
Kendra Baumgartner	14211

Summer Trainees - (7310.1812)

Level II - \$4.75 per hour

Kevin Corcoran	14043
Scott Corcoran	14043

Level I - \$4.25 per hour

Megan Hauser	14225
Jason T. Bolis	14225
Anthony Bucilli	14227
Kristen Crzonkowski	14043
Christopher E. Cummmings	14225
Sean Michael Fiegel	14227
Kevin Patrick Gangloff	14043
Paul J. Ivanowski	14043
Jeff Kramer	14227
Ryan Maj	14212
Jason D. Malcolm	14225
John Marchitte	14227
David Michalski	14227
Daniel E. Miller	14206
David A. Sobolewski	14225
Matthew Szymanski	14227
Jeritt Wilson	14227

New York State Conservation Corps

Supervisor - (7310.1815) - \$7.95 per hour

James J. DeLair	14215
-----------------	-------

Youth Leader - (7310.1815) - \$5.25 per hour

Jennifer Garcea	14043
-----------------	-------

Summer Trainees - (7310.1816)

Level I - \$4.25 per hour

Michael D. Boczar	14225
Kevin Bogdan	14227
David Croom, Jr.	14212
Melissa Grabowski	14043
Brian P. Kurzel	14043
Todd Miller	14206
Emilio Zeolla	14227

Day Camps

Camp JI-IK-DO-WAH-GAH - (7310.1801)

Recreation Attendant IV (Counselor IV) - \$5.00 per hour

Magdalena Wnuk	14212
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Recreation Attendant II (Counselor II) - \$4.50 per hour

Eric Montroy	14225
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Item No. 17a continued

Recreation Attendant III - \$4.75 per hour

Jason Cwiklinski

From 7140.1614 to Sports Rotation - 7140.1645

Recreation Leader I - \$5.25 per hour

Wendy Sala

From 7140.1613 to Basketball - 7140.1654

Recreation Specialist V - 7140.1615 - \$5.75 per hour

Patrick Cartenuto

From Recreation Attendant (Counselor III) to Recreation Attendant IV (Counselor IV)
- \$5.00 per hour

Lynette Geiger

From Recreation Attendant (Bathhouse) 7180.1901 - \$4.25 per hour to Recreation
Attendant II - \$4.50 per hour - 7140.1645

Lori Lacey

BE IT RESOLVED, that the following individuals be elevated as indicated (seasonal):

From Head Lifeguard to Head Lifeguard (Town Park Pool) - 7180.1902 - \$6.75 per hour
(retroactive to June 7th)

Keith Stachura

From Recreation Leader III (Lacrosse) - 7140.1625 - to Recreation Instructor VII -
\$6.00 per hour

Charles Kucinski, Jr.

BE IT RESOLVED, that a title change be made for the following individuals, retroactive to June 7th:

From Lifeguard I to Recreation Attendant I - \$4.25 - 7180.1901

Beth Krajewski 14227

From Lifeguard II to Lifeguard I - \$4.50 per hour - 7190.1903

Kimberly Kubiak 14206

From Lifeguard II to Lifeguard V - \$6.00 per hour - 7190.1903

Edward J. Pawlowski 14043

WHEREAS, the salary and title was not stated for the following individual, hired at the June 7, 1993 Town Board meeting,

BE IT RESOLVED, that the rate and title for Sarah Kankiewicz be Recreation Attendant I - \$4.25 per hour (7140.1651)

BE IT RESOLVED, that the following individuals be hired as indicated (seasonal):

Item No. 17a continued

Recreation Rotation

Arts and Crafts - (7140.1648)

Recreation Attendant I (7140.1648) - \$4.25 per hour

Gayle C. Todd 14225

Sports Rotation

Recreation Attendant (Alternate) - 7140.1645 - \$4.25 per hour

Scott R. Baginski 14227

Administration

Recreation Supervisor (7140.1613) - \$6.00 per hour

Gerald A. Sobolewski 14225

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 17b Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

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

WHEREAS, the Summer Youth Program starts on June 28, 1993, participants work a maximum 40 hours per week at \$4.25 per hour, and a termination date not to exceed September 3, 1993, NOW, THEREFORE, BE IT

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

Barone, Raven	14225
Bisantz, Eric	14225
Borcynski, Steven	14225
Champi, Amanda	14211
Morgan, Patricia	14043
Page, Michael	14206
Pittort, Shawn	14215
Pyrkos, Stephen	14206
Rogers, Michael	14225
Thompson, Edward	14206

PRINCIPAL COUNSELOR AT \$12.78 PER HOUR

Peter Tonsoline 14043

SENIOR COUNSELOR AT \$11.47 PER HOUR

Vincent Frisicaro Elma 14059

MONITOR AT \$7.46 PER HOUR

Kelly Jeffords 14043

SENIOR ADVISOR AT \$6.27 PER HOUR

William Clerici 14227

Item No. 17b continued

COUNSELOR AT \$5.79 PER HOUR

Jennifer DiNunzio

14043

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 17c Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES 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 for a period not to exceed 24 weeks in a calendar year:

EFFECTIVE

SEWER MAINTENANCE DEPARTMENT - \$4.65 per hour

John Bobeck

Immediately

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

WHEREAS, the New York State Police Academy will be conducting an Instructor Development program for Emergency Vehicle Operations from June 21st - July 2nd, 1993. This program will be held at the State Police Academy in Albany, New York.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Officer Daniel Whitehead to this training program. Officer Whitehead will then utilize this training by implementing a Driver Training Program for our officers, part of our 1993 Goals and Objectives. The Police Department will be responsible for lodging, meals, tolls and gasoline amounting to approximately \$300.00. A Town vehicle will be used for transportation to and from this training. NOW, THEREFORE, BE IT

RESOLVED, that Chief Bruce Chamberlin is authorized to send Officer Whitehead to this training and that the time he spends at this training be authorized as normal duty time. This expense will be charged to line 0100-3120-4085.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

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

GENERAL FUND

From: 0100-1415-2000	Equipment	\$1,685.00
0100-1110-4001	Supplies	1,070.00
0100-7140-4601	Aid to Youth	2,800.00
0100-7140-1633	Softball Salaries	1,500.00

Item No. 19 continued

To:	0100-1415-4001	Contractual Serv - Microfilming	1,685.00
	0100-1110-2105	Equipment	1,070.00
	0100-7140-4527	Soccer	500.00
	0100-7140-4536	Basketball	500.00
	0100-7140-4539	Softball	500.00
	0100-7180-4191	Beach & Pool - Miscellaneous	500.00
	0100-7310-2501	Equipment - Other	400.00
	0100-7310-4001	Office Supplies	400.00
	0100-7140-1636	Soccer Salaries	1,500.00

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to June 18, 1993 are hereby approved and made a part of:

GENERAL FUND	\$136,185.26
HIGHWAY FUND	29,506.26
TRUST & AGENCY FUND	11,320.40
CDBG HUD FUND	27,359.33
PART TOWN FUND	391.00
RISK RETENTION FUND	62,661.41
SPECIAL DISTRICTS FUND	60,789.07
HUD REHABILITATION FUND	3,635.00
CAPITAL FUND	128,645.22

\$460,492.95

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Minutes of Cheektowaga Planning Board - May 13, 1993
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 22 Summons and Complaint: Giuseppe Petracca vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Facilities Dept.,
Department of Youth and Recreational Services and Allied Claims
Insurance Carrier.
Received and Filed.

Item No. 23a Notice of Claim: Mike Nokilio vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Police Department
and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23b Notice of Claim: Arthur A. Moore vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Sanitation Dept. and
Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23c Notice of Claim: Mary Jane Solomon vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Sewer Maintenance
Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23d Notice of Claim: Paraska Teluk vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Highway Department
and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23e Notice of Claim: Joseph F. Keller vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Office; Highway Department,
Sewer Maintenance Department and Allied Claims Insurance Carrier.
Received and Filed.

* * * * *

MOTION BY COUNCILMAN JAWOROWICZ, SECONDED BY COUNCILMAN BLACHOWSKI
TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND
THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

* * * * *

VI. SUSPENSION OF RULES

Item No. 24 Retain Firm to Perform Study Regarding "GIS"
This item was withdrawn.

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

WHEREAS, the Town of Cheektowaga has budgeted Community Development
Block Grant funds for Neighborhood Improvements along Walden Avenue between Harlem
Road and the Town line, AND

WHEREAS, the Town desires to proceed with streetscape improvements
along that section of Walden Avenue, AND

WHEREAS, plans and specifications for this project have been prepared
by the Town's planning consultant, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is directed to publish a Notice to
Bidders in connection with said project in the BUFFALO NEWS, the CHEEKTOWAGA TIMES
and the BUFFALO CHALLENGER, and BE IT

FURTHER RESOLVED, that sealed proposals will be received by Town of
Cheektowaga on the 13th day of July, 1993 at 11:30 A.M., Local Time at Cheektowaga
Town Hall, Town Clerk's Office, corner of Broadway and Union Road, Cheektowaga, New
York 14227, at which time and place they will be publicly opened and read aloud.

Item No. 25 continued

* * * * *

NOTICE TO BIDDERS

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Contract specifications may be examined and secured at the Town Clerk's Office at Cheektowaga Town Hall as of 10:00 A.M. on June 29, 1993. Copies may be secured upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids will be refunded the full amount of the deposit. Non-bidders and those returning the Plans and Specifications before the bid opening will be refunded one-half the deposit. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

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The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

BIDDERS OF THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER WHICH CONCERNS NON-DISCRIMINATION IN EMPLOYED ARE EXPLAINED IN THE SPECIFICATIONS.

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

Richard M. Moleski
Town Clerk

Dated: June 21, 1993

* * * * *

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Dated: June 21, 1993

Richard M. Moleski,
Town Clerk

PUBLISH: June 24, 1993

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

ss.

Melissa Gugliuzza

....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... clerk..... of the Cheek-

towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for2..... weeks;
first publication.....June 24, 1993..... ;
last publication.....June 24, 1993..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this24th.....

day ofJune....., 19..93..

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 12/11/93

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Richard M. Moleski, Town Clerk
Dated: June 21, 1993

LISA STEPHAN

of the City of Buffalo, New York, being duly sworn, deposes and says that she/he is Principal Clerk of THE BUFFALO NEWS, DIV. OF BERKSHIRE HATHAWAY INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein 1 time, the insertion being on the 24th day of June 1993

Dates Ad Ran :

Sworn to before me this 25TH day

of JUNE 19 93

Notary Public, Erie County, New York

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 1993

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

Dated: June 21, 1993

Richard M. Moleski,
Town Clerk

PUBLISH: June 24, 1993

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

Melissa Gugliuzza
....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for2..... weeks;
first publication.....June..24,1993..... ;
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Melissa Gugliuzza
.....

Sworn to before me this24th.....

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Margaret J. Bourdette
.....

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

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LISA STEPHAN

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Paul E. Gelman
 Notary Public, Erie County, New York

PAUL E. GELMAN
 Notary Public, State of New York
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 My Commission Expires November 30, 1993 *93*

BUFFALO CHALLENGER NEWSWEEKLY

1303 FILLMORE AVENUE

BUFFALO, NEW YORK 14211

PROOF OF PUBLICATION AFFIDAVIT

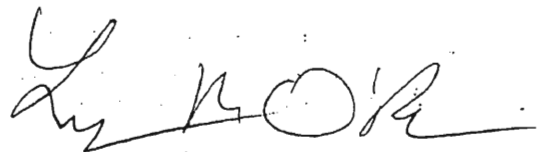
STATE OF NEW YORK)

JSS.

COUNTY OF ERIE)

Barbara Banks BEING DULY SWORN, DEPOSES AND SAYS THAT HE/SHE IS
~~Publisher~~ Editor OF THE CHALLENGER PUBLISHING COMPANY, INCORPORATED
 PUBLISHED WEEKLY IN THE CITY OF BUFFALO, ERIE COUNTY, NEW YORK AND
 THAT THE NOTICE, OF WHICH THE ANNEXED PRINTED SLIP, TAKEN FROM
 SAID NEWSPAPER, IS A COPY: WAS INSERTED AND PUBLISHED IN SAME ONCE A
 WEEK FOR 1 WEEK(S). BEGINNING ON THE 23rd DAY OF
June AND ENDING ON THE 23rd DAY OF
June 1993.

SWORN BEFORE ME THIS 9th DAY OF August 1993



LYNN M. O'RILEY
 NOTARY PUBLIC, STATE OF NEW YORK
 QUALIFIED IN ERIE COUNTY
 MY COMMISSION EXPIRES 2-6, 1995

Check.

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Richard M. Moleski, Town Clerk

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Erie County, New York.

Richard M. Moleski, Town Clerk

(716) 897 0442

BUFFALO CHALLENGER NEWSWEEKLY

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WEEK FOR 1 WEEK(S), BEGINNING ON THE 23rd DAY OF
June AND ENDING ON THE 23rd DAY OF
June, 1993.

SWORN BEFORE ME THIS 9th DAY OF August 1993

Lynn M. O'Riley

LYNN M. O'RILEY
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 2-6, 1995

Cheek

Item No. 26 Call for Public Hearing: "A Local Law to Amend Zoning Law"
This item was withdrawn.

Item No. 27 Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Department of Youth and Recreational Services has received a \$15,000 grant from the New York State Office of Parks, Recreation and Historic Preservation to conduct an American Conservation and Youth Services Corp Project during the summer of 1993, and

WHEREAS, a budget line must be established and monies spent before reimbursement is made by the New York State Office of Parks, Recreation and Historic Preservation, NOW, THEREFORE, BE IT

RESOLVED, that the following account line items be and hereby are amended:

NYSCC (Expense) - Account 0001-7310-1815 - \$ 1,640

NYSCC (Expense) - Account 0001-7310-1816 - 11,060

NYSCC (Expense) - Account 0001-7310.4085 - 2,300

NYSCC (Revenue) - Account 0001-7310.3091 - 15,000

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 28 Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Department of Youth and Recreational Services has received a grant in the amount of \$15,000 from the New York State Office of Parks, Recreation and Historic Preservation to conduct an American Conservation and Youth Services Corp Project during the summer of 1993, BE IT

RESOLVED, that the Supervisor be hereby authorized to sign said contract on behalf of the Town of Cheektowaga.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 29 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson
to adjourn this meeting in memory of Carmen Mogaveno.

Richard M. Moleski
Town Clerk