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MEETING NO. 1
January 4, 1994

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of January, 1994 at 7:30 o'clock P.M., Eastern Standard Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT: Councilman Richard B. Solecki

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Ronald Marten, Building & Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; John Schaller Assistant Chief of Police; Salvatore LaGreca, Chairman of Planning Board, Greg Joos, Coordinator of Employee Relations, Thomas Kolbert, Town Justice; Ronald Kmiotek, Town Justice and Patricia Wojcik, Director of Senior Services.

I. FROM THE TABLE

Item No. 2 Motion by Councilman Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the term of four members of the Cheektowaga Traffic Safety Commission expire on December 31, 1993, AND

WHEREAS, this Board wishes to reappoint these members, AND

WHEREAS, there is an additional vacancy on such Commission created by the resignation of Ronald Kmiotek, AND

WHEREAS, the Traffic Safety Commission has recommended that Daniel M. Sealander be appointed to the vacancy created by the resignation of Ronald Kmiotek, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are reappointed as members of the Cheektowaga Traffic Safety Commission for a term expiring on December 31, 1996:

Robert Buczynski
Anthony Osswald
Dominck Selvaggio
Patrick Costrine (ex-officio)

AND, BE IT FURTHER

RESOLVED, that Daniel M. Sealander, Cheektowaga, New York 14227, be and hereby is appointed to fill the vacancy on the Cheektowaga Traffic Safety Commission created by the resignation of Ronald Kmiotek, effective immediately and expiring on December 31, 1996.

Upon Roll Call....

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

II. RESOLUTIONS

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

BE IT RESOLVED, that the regular Town Board meetings of the Town of Cheektowaga for the calendar year 1994 shall be held at 7:00 P.M. in the Council Chambers of the Town Hall, at Broadway and Union Road, Cheektowaga, New York on the following referenced dates:

First and Third Mondays of March, April, May, June, August,
October, November and December

January 18th
February 7th and 28th
July 5th and 18th
September 6th and 19th

and, BE IT FURTHER

RESOLVED, that such meetings shall begin with the public comment period at 6:45 P.M. and the meetings proper will begin immediately thereafter.

Upon Roll Call....

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

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

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga shall hold work sessions for the calendar year 1994 at 6:30 P.M. on the fourth Monday of each month, except for the month of December, and BE IT FURTHER

RESOLVED, that the work session for December shall be held at 6:30 P.M. on December 27, 1994, and BE IT FURTHER

RESOLVED, that said work sessions shall be held in the Council Office Conference Room, Town Hall, Cheektowaga, New York.

Upon Roll Call....

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

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

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

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

Item No. 4 continued

Upon Roll Call....

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

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

BE IT RESOLVED, that the following banking institutions be named official Town Depositories for the year 1994:

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

Upon Roll Call....

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

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

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 1994:

Day After New Year's	January 3, 1994	(Monday)
Presidents' Day	February 21, 1994	(Monday)
Good Friday	April 1, 1994	(Friday)
Memorial Day	May 30, 1994	(Monday)
Independence Day	July 4, 1994	(Monday)
Labor Day	September 5, 1994	(Monday)
Columbus Day	October 10, 1994	(Monday)
Election Day	November 8, 1994	(Tuesday)
Veterans Day	November 11, 1994	(Friday)
Thanksgiving Day	November 24, 1994	(Thursday)
Day After Thanksgiving	November 25, 1994	(Friday)
Christmas Eve	December 23, 1994	(Friday)
Christmas Day	December 26, 1994	(Monday)

Upon Roll Call....

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

Item No. 7a Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

BE IT RESOLVED, that the salaries of the following Town Officials be and hereby are established and setforth as follows, effective January 1, 1994:

Supervisor	\$56,683.79
Councilman (6)	17,682.49
Tax Receiver	41,301.17
Town Clerk	45,998.70
Highway Superintendent	52,906.91
Town Justice (2)	41,780.68
Budget Director	5,000.00
Registrar of Vital Statistics	4,000.00

Item No. 7a continued

Upon Roll Call....

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

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

BE IT RESOLVED, that the salaries of the following Town Officials and employees who are not covered by any bargaining unit be and hereby are established and setforth as follows, effective January 1, 1994:

Town Attorney	\$48,091.39
Deputy Town Attorney	32,050.10
Prosecuting Attorney	26,719.43
Town Engineer	64,371.85
Assistant Town Engineer	52,007.47
Supervising Accountant	46,481.48
Accountant	34,444.80
Supervising Building Inspector	51,436.43
Assessor	48,493.21
Executive Director Youth	51,173.06
Program Coordinator - I	31,151.69
Clerk to Justice Court	31,285.03
Director of Community Development	43,224.26
Legislative Assistant	31,208.89
Assistant to the Supervisor	31,208.89
Deputy Tax Receiver	29,835.85
1st Deputy Town Clerk	33,165.34
2nd Deputy Town Clerk	31,256.37
Working Crew Chief - Sanitation	45,716.39
Senior Citizens Director	43,051.05
Deputy Highway Superintendent	49,698.17
Employment & Training Director	51,912.42
Coordinator of Employee Relations	46,095.78
Secretary to Coord. of Employee Relations	28,562.24
Clerk to the Supervisor	8.00 per hour
Junior Accountant	26,108.09
Program Coordinator II	24,864.84
Recreation Specialist	27,000.00
Acting Project Director	38,212.24
Program Coordinator	24,863.90
Council Office Clerk Steno	26,164.21

* * * * *

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

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Rogowski, Blachowski
and Wielinski
NAYES: Councilman Johnson
ABSENT: Councilman Solecki

* * * * *

AMENDED

BE IT RESOLVED, that the salaries of the following Town Officials and employees who are not covered by any bargaining unit be and hereby are established and setforth as follows, effective January 1, 1994:

Item No. 7b continued

Town Engineer	\$64,371.85
Assistant Town Engineer	52,007.47
Supervising Accountant	46,481.48
Accountant	34,444.80
Supervising Building Inspector	51,436.48
Assessor	48,493.21
Executive Director Youth	51,173.06
Program Coordinator - I	31,151.69
Clerk to Justice Court	31,285.03
Director of Community Development	43,224.26
Legislative Assistant	31,208.89
Assistant to the Supervisor	31,208.89
Deputy Tax Receiver	29,835.85
1st Deputy Town Clerk	33,165.34
2nd Deputy Town Clerk	31,256.37
Working Crew Chief - Sanitation	45,716.39
Senior Citizens Director	43,051.05
Deputy Highway Superintendent	49,698.17
Employment & Training Director	51,912.42
Coordinator of Employee Relations	46,095.78
Secretary to Coord. of Employee Relations	28,562.24
Clerk to the Supervisor	8.00 per hour
Junior Accountant	26,108.09
Program Coordinator II	24,864.84
Recreation Specialist	27,000.00
Acting Project Director	38,212.24
Program Coordinator	24,863.90
Council Office Clerk Steno	26,164.21

Upon Roll Call....

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

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

BE IT RESOLVED, that the salaries of the following Town employees not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1994:

Disaster Coordinator		\$ 10,152.60
Bingo Inspector	(5)	6,299.82
Bingo Chairman	(1)	6,595.94
Planning Board Members	(5)	3,033.17
Planning Board Secretary	(1)	3,839.64
Planning Board Chairman	(1)	4,481.26
Zoning Board Member	(4)	3,575.72
Zoning Board Chairman	(1)	4,843.68
Assessment Review Board Member	(4)	1,259.84
Assessment Review Board Chairman	(1)	1,566.17
Police Matron	(3)	10,068.00
School Crossing Guards	(30)	6.25/hr.
Recreation Attendant	(1)	10,059.72

Upon Roll Call....

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

Item No. 8a Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that James J. Kirisits, 2 Manlon Terrace, Cheektowaga, New York be and hereby is reappointed Town Attorney, effective January 1, 1994 to December 31, 1995.

Item No. 8a continued

Upon Roll Call....

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

Item No. 8b Motion by Councilman Johnson, Seconded by Councilman Blachowski

BE IT RESOLVED, that Chester L. Bryan, Cheektowaga,
New York be and hereby is reappointed Town Engineer, effective January 1, 1994 to
December 31, 1995.

Upon Roll Call....

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

Item No. 9 Motion by Councilman Jaworowicz, Seconded by Councilman Wielinski

BE IT RESOLVED, that the following individuals be and hereby are
appointed as Bingo Inspectors, effective January 1, 1994 for a term of one year:

Katherine Zydel,	Cheektowaga, NY 14227
Ruth A. Cassacci,	Cheektowaga, NY 14225
Longin M. Olech,	Cheektowaga, NY 14227
Stanley Sliwinski,	Cheektowaga, NY 14227
John Abraham,	Depew, NY 14043

and, BE IT FURTHER

RESOLVED, that the following individual be and hereby is appointed
Bingo Inspector Chairman, effective January 1, 1994 for a term of one year:

Kenneth J. Jeffords,	Depew, NY 14043
----------------------	-----------------

Upon Roll Call....

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

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

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

- A. Annual Audit - A complete certified audit of the Town's records
will be performed to include:
 1. Preparation of the Annual Financial Report to the New York
Department of Audit and Control.
 2. Preparation of financial audit of the Town's records for the
year ended December 31, 1993.
 3. Preparation of management letter relative to regular audit.
- B. Single Audit.
Conduct audit of Town's federal financial assistance for
compliance with applicable federal laws and regulations in accor-
dance with the Single Audit Act of 1984.

Item No. 10 continued

- C. Consultative Services - Periodic consultation will be provided to the Supervisor, and the Town's Chief Accountant on areas such as: State Revenue Sharing, Borrowings, federal and state legislative developments, and other areas as requested.
- D. Benefit Basis Budget Preparation - Assistance will be provided to the Supervisor, Town Board and the Town's Chief Accountant in various phases of the preparation of the 1995 benefit basis budget. Will compute special district rates for submission to Erie County to assist in the preparation of individual property tax bills.
- E. Mid-Year Review and Forecast - The firm will review the Town's financial statements as of July 31, 1994 and provide a compilation forecast for those funds through December 31, 1994.
- F. Ad Valorem Budget Consultation - Will review the tentative 1995 Ad Valorem Budget and report as to their observations and recommendations on that document.
- G. Audit of Town Clerk, Tax Receiver and Town Justice Budgets. Will prepare financial statements for these departments on the cash basis of accounting.
- H. Will aid the Town in the preparation of the Comprehensive Annual Financial Report to be Submitted to the Government Finance Officer's Association - for review in the Certificate of Excellence in Financial Reporting Program.
- I. Preparation of Budget Presentation Document.,

and

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

RESOLVED, that Deloitte & Touche be retained to perform the services listed above for the year 1994 according to the following fee schedule:

\$31,000.00	General Fund	Acct. #01-1320-0004-4506
\$20,000.00	Sanitary Sewer Dist. #3	Acct. #23-8123-0004-4506
\$32,000.00	Sanitary Sewer Dist. #5	Acct. #25-8125-0004-4506
\$ 8,350.00	Capital Projects Fund	Acct. # Various

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Rogowski, Blachowski
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Solecki

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

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 January 19, 1994 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.

* * * * *

Item No. 11 continued

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 19, 1994 at 11:00 A.M., Eastern Standard Time at Town Hall, corner of Broadway and Union Road for various recreational clothing and uniforms.

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 OF LESS from the date of order and to notify the Town of Cheektowaga Department of Youth & Recreational Services at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for 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 informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the 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.

Please keep in mind that other departments within the Town of Cheektowaga may wish to order from this clothing list.

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 Gabryszak, Councilmen Jaworowicz, Rogowski, Blachowski
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Solecki

AFFIDAVIT - NEXT PAGE

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

7 LEGAL NOTICE
 NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 19, 1994 at 11:00 a.m. Eastern Standard Time at Town Hall, Corner of Broadway and Union Road for various recreational clothing and uniforms.

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The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAY'S OR LESS from the date of order and to notify the Town of Cheektowaga Department of Youth & Recreational Services at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for 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 informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the 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.

Please keep in mind that other departments within the Town of Cheektowaga may wish to order from this clothing list.

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

RICHARD MOLESKI
 Town Clerk

PUBLISH: January 6, 1994

.....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..... January 6, 1994.....; last publication..... January 6, 1994.....; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this6th.....

day ofJanuary....., 19..94...

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 5

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.....January 6, 1994.....;
 last publication.....January 6, 1994.....;
 and that no more than six days intervened be-
 tween publications.

Melissa Gugliuzza

Sworn to before me this6th.....

day ofJanuary....., 19..94...

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 5

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 19, 1994 at 11:00 a.m. Eastern Standard Time at Town Hall, Corner of Broadway and Union Road for various recreational clothing and uniforms.

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'S OR LESS from the date of order and to notify the Town of Cheektowaga Department of Youth & Recreational Services at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for 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 informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the 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.

Please keep in mind that other departments within the Town of Cheektowaga may wish to order from this clothing list.

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

RICHARD MOLESKI
 Town Clerk

PUBLISH: January 6, 1994

MEETING NO. 1
January 4, 1994

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

WHEREAS, Neth & Son Inc. has submitted a requisition for final payment for Roof Replacement and Masonry Repair at the South Branch Library, AND

WHEREAS, Scaffidi & Moore Architects and the Facilities Department Director have reviewed and approved the Contractor's Letter of Guarantee and Warranty for Metal Coating, Asbestos Statement, Celotex Roof Warranty, Contractor's Affidavit of Payment of Debts and Claims, Contractor's Affidavit of Release of Liens, Wage and Supplement Affidavit and Consent of Surety Company to Final Payment. Also, Certificate of Substantial Completion dated September 23, 1992.

RESOLVED, that the Cheektowaga Town Board hereby approves final payment in the amount of \$2,141.45 for Roof Replacement and Masonry Repair at the South Branch Library to Neth & Son, Inc., 146 Taylor Drive, Depew, New York 14086 and, BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5108-7110-9116.

Upon Roll Call....

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

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

WHEREAS, the Cheektowaga Senior Citizens conducted fund raising events in 1993 for the purpose of enhancing programming at the Cheektowaga Senior Citizen Center,

WE, the Cheektowaga Town Board, graciously acknowledge the receipt of \$9,493.67 as a donation from the Cheektowaga Senior Citizens to be deposited in the Trust & Agency Senior Citizen Fund.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga is operating a nutrition program for the elderly at the facilities of: St. John Gualbert Parish, located at 87 Gualbert Avenue, Cheektowaga; Maryvale Presbyterian Church, located at 425 Maryvale Drive, Cheektowaga; Infant of Prague Parish, located at 921 Cleveland Drive, Cheektowaga; Cayuga Village Community Center, located at 100 Hutchens Drive, Cheektowaga and Maryvale East Apartments, 100 Moorman Drive, Cheektowaga, and

WHEREAS, an agreement between the Town of Cheektowaga and the above facilities has been drafted relative to the operation of the said nutrition program for the year 1994, and

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for the year 1994, NOW THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all the said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1994.

Upon Roll Call....

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

MEETING NO. 1
January 4, 1994

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

WHEREAS, the Town of Cheektowaga is operating a transportation program for the elderly, and

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said transportation program for the year 1994, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all the said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1994.

Upon Roll Call....

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

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

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

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

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

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

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

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

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

Upon Roll Call....

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

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

BE IT RESOLVED, that the position of Senior Recreation Supervisor in the Youth and Recreational Services Department be and hereby is eliminated, effective December 31, 1993.

Upon Roll Call....

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

MEETING NO. 1
January 4, 1994

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

BE IT RESOLVED, that the following Seasonal Employees be and hereby are terminated in the various departments listed, effective December 31, 1993:

SEWER MAINTENANCE DEPARTMENT

John Bobeck
Jerel Bogdan
Mark Burkard
Steven Golovin
Shawn Loos
Joseph Malkiewicz
Louis Mueller
Alex Nesteruk
Scott Skibniewski
Scott Zaranek

RECYCLING DEPARTMENT

Joseph Burgio
Brian Gast
Stephen Glasser
Timothy Majerowski
Patrick McCloskey
Sean McGee
Duane Schreiner
John Strong
Kevin Wroblewski

FACILITIES DEPARTMENT

Gary Catlin
Daniel Stypa

TAX OFFICE

Arlene Jankowski
Patricia Jaroszewski
Patricia Miller
Emilie Ring
Deborah Nero
Waltraud Piffel
Sandra Rakowski
Rita Wick
Marcie Dudek
Patricia Cosimano
Geraldine Glascott
Eleanor Kantowski
Marie Kwiek
Evelyn Magavero
Carol Malkiewicz
Emily Miklas
Arlene Mueller
Denise Myers
Pamela Ruday
Joan Wojtkowski

Upon Roll Call....

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

Item No. 18 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga acquired title to the War of 1812 Cemetery, including an 1812 cannon situated thereon, from the Buffalo and Erie County Historical Society on May 8, 1985, and

MAIN PUMP STATION

Robert Cieslikowski
James Moulder

YOUTH & RECREATIONAL SERVICES

Richard Andrzejewski
Keriann Arendt
Aaron Beneduce
Dave Bova
Laura Carlson
Rachel Covington
Kristen Crzonkowski
Stacey Czubaj
Brian Getz
Jeanine Glijer
Kelly Ann Herman
Paul Kies
Jenny Mae Krier
Maria Magistrale
Mark Monaco
Jason Thomas Nagle
Cheryl Ostempowski
Tony Palowski
Richard Franz
Michelle Frazer
Christopher Goss
James Havernick
Peter Odrobina
Sharon Kensy
Sabrina Kotowski

POLICE DEPARTMENT

Remy Jakson
Michael Urbanski

Item No. 18 continued

WHEREAS, the War of 1812 Cemetery stands as a tribute to American and British soldiers who died during the War of 1812 and to all veterans in the Town, and

WHEREAS, the Town, as a condition of acceptance of the War of 1812 Cemetery, agreed to maintain such cemetery and to dedicate same as a resting place for the American and British soldiers who fought during the War of 1812, and

WHEREAS, by resolution dated March 3, 1986, a Board of Trustees for the War of 1812 Cemetery was appointed, and

WHEREAS, this Town Board now desires to appoint a new Board of Trustees to oversee the preservation of the War of 1812 Cemetery and for the purpose of carrying out rededication ceremonies at such cemetery, NOW, THEREFORE, BE IT

RESOLVED, that the following referenced individuals be and hereby are appointed to serve, without compensation, on the Board of Trustees for the War of 1812 Cemetery:

- Commanders of each Veterans of Foreign Wars, American Legion and Disabled American Veterans posts located within the Town
- President of the Cheektowaga Patriotic Commission
- President of the Cheektowaga Historical Society
- Donald LeBarron
- Town Historian
- Dorothy Hammer

and, BE IT FURTHER

RESOLVED, that Donald LeBarron shall serve as Chairman of the Board of Trustees for the War of 1812 Cemetery, and BE IT FURTHER

RESOLVED, that, in order to insure proper coordination between the Town government and the Board of Trustees, Councilman Thomas M. Johnson, Jr. and James J. Matecki, General Foreman of the Facilities Department, be and hereby are appointed ex-officio members of such Board of Trustees, and, BE IT FURTHER

RESOLVED, that said Board of Trustees is also empowered to establish a committee for the purpose of carrying out the annual rededication ceremonies and assisting in the maintenance and enhancement of the War of 1812 Cemetery as an historical landmark.

Upon Roll Call....

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

Item No. 19a Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

WHEREAS, a vacancy exists in the position of Clerk-Typist in the Sewer Maintenance Department, AND

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

WHEREAS, Joanne Imiola, currently employed as a Clerk-Typist with the Facilities Department, bid on said position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

Item No. 19a continued

RESOLVED, that Joanne Imiola be and hereby is appointed to the position of Clerk-Typist in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 10, 1994.

MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMAN ROGOWSKI TO TABLE ITEM 19a AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

Item No. 19b Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

WHEREAS, vacancy exists in the position of Clerk-Typist in the Justice Court, and

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

WHEREAS, no full-time employee bid on said vacancy, AND

WHEREAS, the Erie County Civil Service list for said position was canvassed, AND

WHEREAS, Rose Marie Paa, currently employed as a Part-Time Clerk for the Town, appears on said list and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Rose Marie Paa, Cheektowaga, New York 14225, be and hereby is appointed to the position of Clerk-Typist in the Justice Court in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 5, 1994.

MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMAN ROGOWSKI TO TABLE ITEM 19b AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

Item No. 19c Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

WHEREAS, a vacancy exists in the position of Light Motor Equipment Operator in the Recycling Department, AND

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

WHEREAS, Brian Wegner, 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

Item No. 19b continued

RESOLVED, that Brian Wegner of _____, Depew, New York 14043, be and hereby is appointed to the position of Light Motor Equipment Operator in the Recycling Department, in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 5, 1994.

Upon Roll Call....

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

Item No. 19c Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

WHEREAS, a vacancy exists in the position of Light Motor Equipment Operator in the Recycling Department, AND

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

WHEREAS, Brian Wegner, 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 Brian Wegner of _____ Depew, New York 14043, be and hereby is appointed to the position of Light Motor Equipment Operator in the Recycling Department, in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 5, 1994.

Upon Roll Call....

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

Item No. 19d Motion by Councilman Johnson, Seconded by Supervisor Gabryszak
Councilman Rogowski

WHEREAS, two (2) vacancies exist in the position of Laborer's Aide in the Recycling Department, AND

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

WHEREAS, no full-time employee bid on said vacancies, NOW, THEREFORE, BE IT

RESOLVED, that Dennis O'Brien of _____ Cheektowaga, New York 14206 and Shawn Surdej of 875 Borden Road, Cheektowaga, New York 14227 be and hereby are appointed to the position of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 5, 1994.

Upon Roll Call....

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

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

BE IT RESOLVED, that the following individuals be and hereby are hired as PART-TIME EMPLOYEES, in the various departments listed, not to exceed 19 hours on a weekly basis, 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 January 1, 1994:

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Mark Ostempowski
Richard Bosiacki
Jerome Brzozowski
Thomas Carney
Edward Pozdyn
Thomas Sarama
Mark Wodarczak
Brian Wisniewski
Larry Zielinski
Richard Ostrowski

SANITATION DEPARTMENT - \$5.50 per hour (Clerical)

Tracy Gielinski
Beverly Timmons

SEWER MAINTENANCE DEPARTMENT - \$4.65 per hour

Jeffrey Rogowski
Damian Klosko

YOUTH & RECREATIONAL SERVICES

THEATER (7140.1651)

RECREATION SPECIALIST II - \$5.00 per hour

Brenda Alder

RECREATION SPECIALIST II - \$5.25 per hour

David Isch

RECREATION SPECIALIST X - \$7.00

Bonnie Nowicki

RECREATION ATTENDANT II- \$4.50 per hour

Cindy Okun

RECREATION SPECIALIST II - \$5.50 per hour

Leanne Ventura

ADMINISTRATIVE INTERNS (7310.1804)

CLERK - \$5.00 per hour

Kimberly Harzynski

CLERK - \$6.00 per hour

Angela Krzemien

CLERK - \$6.50 per hour

Susan Switalski

FROM THE TABLE

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 1 January 4, 1994</u>	
2	Appointment & Reappointments to Cheektowaga Traffic Safety Comm.	1
	<u>Meeting No. 2 January 18, 1994</u>	
2	APPOINTMENTS:	
	a. Clerk-Typist in Justice Court	1
	b. Clerk-Typist in Sewer Maintenance	2

Item No. 20a continued

RECREATION SUPERVISOR III - \$6.00 per hour

Sandy Stevens

Upon Roll Call....

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

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

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES, not to exceed 24 weeks in a calendar year, 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 January 1, 1994:

FACILITIES - \$4.65 per hour (7710-1491/Parks)

Felix Kampke
Douglas Champagne
Daniel Stypa

TAX OFFICE - (Day Shift) - \$5.50 per hour

Arlen Jankowski
Patricia Jaroszewski
Patricia Miller
Deborah Nero
Waltraud Piffel
Sandra Rakowski
Rita Wick
Marcie Dudek

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

Patricia Cosimano
Geraldine Glascott
Eleanor Kantowski
Marie Kwiek
Evelyn Magavero
Carol Malkiewicz
Emily Miklas
Arlene Mueller
Denise Myers
Pamela Ruday
Joan Wojtkowski

MAIN PUMP STATION - \$5.50 per hour

Robert Cieslikowski
James Moulder

SEWER MAINTENANCE DEPARTMENT - 44.65 per hour

Jerel Bogdan
Timothy Danner
Joseph Malkiewicz
Louis Mueller
Alex Nesteruk
Scott Skibniewski

Item No. 20b continued

RECYCLING DEPARTMENT - \$5.00 per hour

Brian Gast
Patrick McCloskey
Kevin Wroblewski
Jeffrey Schueler
John Zyla
Jeffrey Pijacki
David Principato

YOUTH & RECREATIONAL SERVICES DEPARTMENT

THEATER (7140.1651) - Recreation Attendant III - \$4.75 per hour

Jeanne Gallivan

RECREATION SPECIALIST III - \$5.25 per hour

Joanne Haas

RECREATION LEADER IX - \$7.25 per hour

Thomas Kazmierczak

POOL (7180.1901)

POOL DIRECTOR - \$11.50 per hour

Brian Hansen

RECREATION SUPERVISOR - \$9.10 per hour

John Hartman

CHEEKTOWAGA CONSERVATION CORP (7310.1811)

ADMINISTRATIVE COORDINATOR - \$9.75 per hour

Jack Horung

EDUCATION COORDINATOR - \$9.75 per hour

Roger Newhouse

SOCCER

RECREATION SUPERVISOR IV - \$6.25 per hour

Anthony Pierino

Upon Roll Call....

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

Item No. 20c Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individual be hired as indicated
(Seasonal):

RECREATION SUPERVISOR IX (7140.1642) - \$7.50 per hour

Donald Nowak

14227

Item No. 20c continued

Upon Roll Call....

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

Item No. 21a Authorize Police Officers to Attend Conference
This item was withdrawn.

Item No. 21b Authorize Police Officers to Attend Training School
This item was withdrawn.

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

BE IT RESOLVED, that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to December 31, 1993 are hereby approved and made a part hereof:

GENERAL FUND	\$ 76,859.00
HIGHWAY FUND	19,837.21
TRUST & AGENCY FUND	802.24
CDBG HUD FUND	77,656.14
PART-TOWN FUND	185.40
RISK RETENTION FUND	10,031.76
SPECIAL DISTRICTS FUND	95,529.26
CAPITAL FUND	55,514.64
	<u>\$336,415.65</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Building Permits
Received and Filed.

Item No. 24 Supervisor's Statement of Funds - November 1993
Received and Filed.

Item No. 25a Minutes of Cheektowaga Public Library - October 27, 1993
Received and Filed.

Item No. 25b Minutes of Cheektowaga Public Library - November 17, 1993
Received and Filed.

Item No. 25c Minutes of Cheektowaga Public Library - December 20, 1993
Received and Filed.

Item No. 26 Annual Report From Receiver of Taxes and Assessments
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 27 Notice of Claim: Mark Fronckowiak vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Sewer Maintenance and Allied Claims Insurance Carrier.
Received and Filed

Item No. 28 Release of Lien - Maintenance Garage & Digesters Project
(Baker Development & Construction Co., Inc.
McGonigle & Hilger Roofing Co. Inc.

* * * * *

MOTION BY COUNCILMAN JOHNSON TO OBJECT TO SUSPENDING THE RULES
TO INCLUDE ADDITIONAL RESOLUTIONS. THEREFORE, THOSE ITEM(S)
THAT WERE SUBMITTED UNDER THE WAIVER WERE NOT ACTED UPON.

* * * * *

Item No. 29 Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski to
adjourn this meeting.

Richard M. Moleski
Town Clerk

MEETING NO. 2
January 18, 1994

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of January, 1994 at 7:00 o'clock P.M., Eastern Standard 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; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Ronald Marten, Building & Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; Salvatore LaGreca, Chairman of Planning Board, Greg Joos, Coordinator of Employee Relations; Andrew Kulyk, Chairman of Zoning Board of Appeals; Ken Kopacz, Executive Director of Youth & Recreational Services.

I. FROM THE TABLE

Item No. 2a Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

WHEREAS, a vacancy exists in the position of Clerk-Typist in the Justice Court, and

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

WHEREAS, no full-time employee bid on said vacancy, and

WHEREAS, the Erie County Civil Service list for said position was canvassed, and

WHEREAS, Rose Marie Paa, currently employed as a Part-Time Clerk for the Town, appears on said list and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Rose Marie Paa, Cheektowaga, New York 14225, be and hereby is appointed to the position of Clerk-Typist in the Justice Court in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 19, 1994.

Upon Roll Call....

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

Item No. 2b Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

WHEREAS, a vacancy exists in the position of Clerk-Typist in the Sewer Maintenance Department, and

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

WHEREAS, Joanne Imiola, currently employed as a Clerk-Typist with the Facilities Department, bid on said position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Joanne Imiola be and hereby is appointed to the position of Clerk-Typist in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 24, 1994.

Upon Roll Call....

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

II. RESOLUTIONS

Item No. 3 Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, 2001 Properties, Inc. (Robert N. Young, Vice-President), has made application and requested the rezoning of 50 Dewberry Lane from M-1, Light Manufacturing District to MS, Motor Service District, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 7, 1994 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

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

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 7th day of FEBRUARY 1994 at 6:30 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of 2001 PROPERTIES INC./R. YOUNG to Rezone from M1 - LIGHT MANUFACTURING District to MS - MOTOR SERVICE District on property located at 50 DEWBERRY LANE 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.

ALL THAT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 114, Township 10, Range 7, of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at the northwest corner of lands conveyed to S.M. Flickinger Co., Inc. by deed recorded in the Erie County Clerk's Office in Liber 7189 of Deeds at Page 644; running thence southerly along the west line of lands so conveyed to S.M. Flickinger Co., Inc. by deed aforesaid and on a bearing of S. 19° 40' 58" east a distance of 366.66 feet to a point in the north line of a proposed 60 foot right of way; thence southwesterly on a bearing of S. 57° 07' 43" west along the said 60 foot right of way, 231.66 feet to a point; thence westerly on a bearing of S. 89° 59' 54" west along the said 60 foot right of way, 89.21 feet to a point; thence northwesterly on a curve to the left having a radius of 50 feet, a distance of 68.54 feet (arc distance) to a point; thence westerly on a bearing of S. 89° 59' 54" west, 50 feet to a point; thence northerly on a bearing of N. 00° 00' 06" west, 127.36 feet to a point in a line distance 100 feet southerly measured at right angles from the monumented center line of the New York Central Railroad Track No. 250; thence northeasterly on a bearing of N. 40° 30' 16" east and parallel with and 100 feet southerly therefrom the monumented center line of the New York Central Railroad Track No. 250, a distance of 399.21 feet to the point of beginning.

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

BY ORDER OF THE TOWN BOARD

- Supervisor 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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 20, 1994

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..... January 20, 1994.....;
last publication..... January 20, 1994.....;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this20th.....
day ofJanuary....., 19.94...

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 12/11/95

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

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weekly in said town; that the notice, of which
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said paper once a week for1..... weeks:
first publication.....January 20, 1994..... ;
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MARGARET J. BOURDETTE
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/95

Item No. 4a Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of baseball equipment for use in the Cheektowaga Youth and Recreational Services Department, as a result of advertisement thereof, and such bids were referred to the Director of Youth and Recreational Services for analysis, tabulation and report, and

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

RESOLVED, that the bid be awarded to the following bidders, meeting specifications as follows (see attached):

Laux Sporting Goods
441 Broadway
Buffalo, NY 14212

Jim Ludtka Sporting Goods
3383 Harlem Road
Cheektowaga, NY 14225

and BE IT FURTHER

RESOLVED, that any purchases resulting from the award of this bid for the Youth and Recreational Services Department will be funded through line item 01-7140-04-4601, Aid to Youth Programs, or 01-7140-04-4025, Athletic Supplies

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Department of Youth & Recreational Services

Executive Director

Kenneth J. Kopacz

*Alexander Community Center
275 Alexander Avenue
Cheektowaga, New York 14211-2742*

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

The following is a list of the awarded bids for the Youth and Aid Program 1994. The bids were awarded to Jim Ludtka Sporting Goods and Laux Sporting Goods. The item numbers are listed with the receiver of the bid.

ITEM	PRICE	ITEM	PRICE
1A	LAUX 8.95	8C	LUDTKA 35.50
1B	LAUX 1.70	8D	LAUX 41.95
1C	LAUX 8.75	8E	LAUX 41.95
2A	LAUX 17.50	8F	LAUX 28.95
2B	LAUX 12.35	9A	LUDTKA 41.95
2C	LAUX 11.95	9B	LAUX 24.95
3A	LAUX SUB 8.55	9C	LUDTKA 49.95
3A1	LAUX SUB 4.95	9D	LAUX 52.50
3A2	LAUX 10.50	9E	LAUX 42.95
3B	LUDTKA 9.95	10A	LAUX 71.95 DZ
3C	LUDTKA 9.50	10A1	LAUX 144.00 DZ
3D	LUDTKA 13.95	10B	LAUX 34.95 EA
4A	LUDTKA 3.00	10C	LAUX 28.95 DZ
4B	LUDTKA 2.90	10D	LUDTKA 360.00 DZ
5A	LUDTKA 20.50	10E	LAUX 227.00 DZ
5B	LAUX 32.95	10F	LAUX 215.40 DZ
5C	LUDTKA 15.95	10G	LUDTKA 190.00 DZ
5D	LAUX 32.50	10H	LAUX 94.95 DZ/ 194.95 DZ
6A	LAUX 16.50	10I	LUDTKA 175.00 DZ
6B	LAUX 20.50	11A	LUDTKA 16.95
6C	LUDTKA 29.80	11B	LUDTKA 9.85
6D	LAUX 25.95	11C	LUDTKA 15.95
6E	LAUX 54.95	11D1	LAUX 37.95
6F	LUDTKA 13.75	11D2	LAUX 41.95
6G	LUDTKA 28.75	12A	LAUX SUB 1.15
6H	LUDTKA 37.75	13A	LAUX 1.95
6I	LAUX 32.95	14A	LUDTKA 20.50
6J	LUDTKA 23.95	15A	LAUX 47.20
7A	LUDTKA 57.75	15B	LUDTKA 37.75
7B	LUDTKA 40.95	15C	LAUX 13.39
7C	LAUX 41.95	15D	LAUX 9.12
7D	LUDTKA 62.95	15E	LAUX 5.95
7E	LAUX 49.95	15F	LUDTKA 137.95
8A	LUDTKA 32.50	16A	LAUX 1645.00
8B	LAUX 45.95	16B	LAUX 935.00
		16C1	LAUX 42.50 DZ
		16C2	LAUX 37.40 DZ
		17A	LUDTKA 2.80

BID FOR ATHLETIC EQUIPMENT AND SUPPLIES

PLEASE NOTE:

The Town of Cheektowaga Department of Youth and Recreation Services reserves the right to order additional quantities, **less quantities then quoted or none at all.**

BID ITEMS

ITEM 1 BATTERS HELMETS and ACCESSORIES

- A) Rawlings NOCSAL P1 95 and L.L. approved youth helmet equipped for chin straps High impact shell, single density foam padding.

Amt ordered S _____ M _____ L _____ XL _____
Color _____

Appx. Quantity 104
Bid Price Each _____
Total Price _____

- B) Chin straps for batters helmets and accessories - Rawlings PL95

Appx. Quantity 96

- C) Baseball Helmet Face Shields, (plastic) to fit Rawling PL-95 helmet

Amt ordered _____ - Plastic
Price installed _____

Appx. Quantity 50
Bid Price Each _____
Total Price _____

ITEM 2 CATCHERS HELMETS

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

Amt ordered S _____ M _____ L _____ XL _____
Color _____

Appx. Quantity 15
Bid Price Each _____
Total Price _____

- B) Rawlings LLCH Little League approved. Cyclac ABS shell, single foam padding. Adjustable, replaceable harness straps.

Amt ordered S _____ M _____ L _____ XL _____
Color _____

Appx. Quantity 57
Bid Price Each _____
Total Price _____

- C) Skull Caps
Rawlings CSC 1230 102

Amt ordered _____

Appx. Quantity 12
Bid Price Each _____

Total Price _____

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

ITEM 3

CATCHERS/UMPIRE MASKS and ACCESSORIES

- A) MAC.B26 softball mask with replaceable stretch straps.
S- MAXPRO BS 3365

Amt ordered _____

Appx. Quantity 5
Bid Price Each _____
Total Price _____

S- MAXPRO BS 3343
Replacement pad B26P

Amt ordered _____

Appx. Quantity 5
Bid Price Each _____
Total Price _____

Replacement pad, Rawlings PWMP-1

Amt ordered _____

Appx. Quantity 17
Bid Price Each _____
Total Price _____

- B) Champro CMO2 youth mask with ear extension

Amt ordered _____

Appx. Quantity 22
Bid Price Each _____
Total Price _____

- C) Champro CMO3 youth mask

Amt ordered _____

Appx. Quantity 9
Bid Price Each _____
Total Price _____

- D) Champro CMO1 Major League wire frame mask

Amt ordered _____

Appx. Quantity 9
Bid Price Each _____
Total Price _____

ITEM 4

THROAT PROTECTORS

- A) Champro 6 1/2" adult protector with snaps CMO6
Amt ordered _____

Appx. Quantity 21
Bid Price Each _____

Total Price _____

- B) Champro 4 1/2" youth protector with snaps CMO7
 Amt ordered _____

Appx. Quantity 15
 Bid Price Each _____
 Total Price _____

ITEM 5

BODY PROTECTORS

- A) Champro CP01 adjustable neck pad and body straps, cotton padding, water repellent

Amt ordered _____
 Color _____

Appx. Quantity 15
 Bid Price Each _____
 Total Price _____

- B) Rawlings - Pro-model, nylon twill, cotton back, ribbed padding, extended shoulder piece.
 S - RAGP

Amt ordered _____
 Color _____

Appx. Quantity 9
 Bid Price Each _____
 Total Price _____

- C) Champro CP031 Little League with half harness.

Amt ordered _____
 Color _____

Appx. Quantity 15
 Bid Price Each _____
 Total Price _____

- ****D) DONZISE 70 Rib Protector Jacket

Amt ordered _____
 Color _____

Appx. Quantity _____
 Bid Price Each _____
 Total Price _____

ITEM 6

SHIN GUARDS

- A) Rawlings 9C Little League approved, combination calf and ankle pad, armor lite plastic caps, shin and instep pieces, adjustable elastic straps.

Amt ordered _____

Appx. Quantity 3
 Bid Price Each _____
 Total Price _____

- B) Rawlings 76C-1 Youth Model approved, combination calf and ankle pad, armor lite plastic caps, shin and pieces, adjustable elastic straps.

Amt ordered _____

Appx. Quantity 11
 Bid Price Each _____

Total Price _____

- C) Wilson A3417 shin plate, calf and ankle pad, elastic caps, shin and instep pieces, adjustable elastic straps
S - CHAMPRO CG02
Amt ordered _____ Appx. Quantity 3
Bid Price Each _____
Total Price _____
- D) Rawlings 76DC, double hinged knee
Amt ordered _____ Appx. Quantity 12
Bid Price Each _____
Total Price _____
- E) Rawlings OMW Pro Shinguards
Amt ordered _____ Appx. Quantity 2
Bid Price Each _____
Total Price _____
- F) Champro CG12 youth shin guards
Amt ordered _____ Appx. Quantity 16
Bid Price Each _____
Total Price _____
- G) Champro CG04 Babe Ruth shin guards
Amt ordered _____ Appx. Quantity 10
Bid Price Each _____
Total Price _____
- H) Champro 32" CG01 pro triple leg guard
Amt ordered _____ Appx. Quantity 12
Bid Price Each _____
Total Price _____
- I) Tag 3 knee leg guard TLG 210
Amt ordered _____ Appx. Quantity _____
Bid Price Each _____
Total Price _____
- J) Champro CG06 LL double knee protector
Amt ordered _____ Appx. Quantity _____
Bid Price Each _____
Total Price _____

ITEM 7

CATCHERS GLOVES

- A) Champro Classic IV pro catchers glove
Amt ordered _____ Appx. Quantity 7
Left _____ Right _____ Bid Price Each _____
Total Price _____

- B) Champro CPX 555 full size catchers glove
 Amt ordered _____
 Left _____ Right _____
 Appx. Quantity 19
 Bid Price Each _____
 Total Price _____
- C) Cooper 862 Superline Catchers Mit
 Amt ordered _____
 Appx. Quantity 2
 Bid Price Each _____
 Total Price _____
- ****D) Champro Classic 10 full-sized catchers glove
 Amt ordered _____
 Appx. Quantity _____
 Bid Price Each _____
 Total Price _____
- ****E) Erwin C652 full-sized catchers glove
 Amt ordered _____
 Appx. Quantity _____
 Bid Price Each _____
 Total Price _____

ITEM 8

BASEBALLS

- A) Wilson A1074
 Amt ordered _____
 Appx. Quantity 32 dz.
 Bid Price Each _____
 Total Price _____
- B) Wilson A1010
 Amt ordered _____
 Appx. Quantity 18 dz.
 Bid Price Each _____
 Total Price _____
- C) Wilson - 1082
 Amt ordered _____
 Appx. Quantity 174 dz.
 Bid Price Per Doz _____
 Total Price _____
- D) R9LL- Rif Medium Firm Safety Level 5 - Worth
 Amt ordered _____
 Appx. Quantity 18 dz.
 Bid Price Per Doz _____
 Total Price _____
- ****E) SR9S - RIF Soft Baseball Level 1 - Tee Ball Ages 5-8
 Amt ordered _____
 Appx. Quantity 10 dz.
 Bid Price Per Doz _____
 Total Price _____
- ****F) Incrediball WSO9 9" Softouch Baseball
 Amt ordered _____
 Appx. Quantity 14 dz.
 Bid Price Per Doz _____

Total Price _____

ITEM 9 . SOFTBALLS

- A) Dudley P-12
 Amt ordered _____
 Appx. Quantity 66 dz
 Bid Price Per Doz _____
 Total Price _____
- B) Cooper 11" girls softballs S- PS11
 Amt ordered _____
 Appx. Quantity 4 dz
 Bid Price Per Doz _____
 Total Price _____
- C) Dudley SB12LND
 Amt ordered _____
 Appx. Quantity 24 dz
 Bid Price Per Doz _____
 Total Price _____
- D) DUDLEY SB12LRF
 Amt ordered _____
 Appx. Quantity 24 dz
 Bid Price Per Doz _____
 Total Price _____
- E) DFX-11L Flexiball by Diamond
 11" softball safe/soft
 Amt ordered _____
 Apprx. Quantity 2 dz
 Bid Price Per Doz _____
 Total Price _____

ITEM 10 BATS

NOTE: Order in dozen or half dozen UNITS only for each lettered item except aluminum bats.

- A) Rawlings 21BE softball wood bat
 Amt ordered 27" _____
 28" _____
 29" _____
 30" _____
 31" _____
 32" _____
 Appx. Quantity 2 dz
 Bid Price Per Doz _____
 Total Price _____
- T-Ball
 Amt ordered 26" _____
 27" _____
 Appx. Quantity 2 dz
 Bid Price Per Doz _____
 Total Price _____
- B) Girls Softball Bottle Bat
 Amt ordered 30" _____
 31" _____
 32" _____
 33" _____
 34" _____
 Appx. Quantity 1 dz
 Bid Price Each _____
 Total Price _____

34" _____

C) Easton Aluminum bat, Little League LK9 PRO

Amt ordered	28" <u>21 oz.</u>	Appx. Quantity <u>2½ dz</u>
	29" <u>22 oz.</u>	Bid Price Per Doz _____
	30" <u>23 oz.</u>	Total Price _____
	31" <u>24 oz.</u>	
	32" <u>25 oz.</u>	
	33" <u>26 oz.</u>	

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

Amt ordered	32" _____	Appx. Quantity _____
	33" _____	Bid Price Per Doz _____
	34" _____	Total Price _____

E) Easton Aluminum bat LK5 Magnum

Amt ordered	26" <u>19 oz.</u>	Appx. Quantity _____
	27" <u>20 oz.</u>	Bid Price Per Doz _____
	28" <u>21 oz.</u>	Total Price _____
	29" <u>22 oz.</u>	
	30" <u>23 oz.</u>	
	31" <u>24 oz.</u>	

F) Tagg MOL 26" softball bat

Amount ordered	_____	Appx. Quantity <u>½ dz</u>
		Bid Price Per Doz _____
		Total Price _____

G) Power Flite SBO softball aluminum bat

Amt ordered	29" _____	Appx. Quantity <u>1½ dz</u>
SBX40	30" _____ (29" - 31")	Bid Price Per Doz _____
	31" _____	Total Price _____

Power Flite SBL	32" _____
	33" _____
	34" _____

SB2 (32" - 34")

H) Adirondak models 302F & 302JF wood baseball bat

Amt ordered T-ball	26" _____	Appx. Quantity _____
Amt ordered (JF)	26" _____	Bid Price Per Doz _____
	27" _____	Total Price _____
	28" _____	
	29" _____	
	30" _____	

	32" _____	
Amt ordered (F)	32" _____	Appx. Quantity <u>3</u> dz
	33" _____	Bid Price Per Doz _____
	34" _____	Total Price _____
	35" _____	

I) Louisville Power Flite little league baseball bat

Amt ordered PFS _____		Appx. Quantity _____
		Bid Price Per Doz _____
		Total Price _____

Power Flite LL1	27" _____	Appx. Quantity <u>1</u> dz.
	28" _____	Bid Price Per Doz _____
	29" _____	Total Price _____
	30" _____	
	31" _____	

ITEM 11 EQUIPMENT BAGS

A) Champro heavy duty Army duffle utility bag		
Amt ordered _____		Appx. Quantity <u>2</u> dz.
		Bid Price Each _____
		Total Price _____

B) Champro E017 nylon bag 36" x 14"		
Amt ordered _____		Appx. Quantity <u>40</u>
		Bid Price Each _____
		Total Price _____

C) Champro E013 equipment bag		
Amt ordered _____		Appx. Quantity _____
		Bid Price Each _____
		Total Price _____

D) Heavy duty hockey equipment bags 36" corduroy or canvas duck material

Single Zipper L36JD1		
Amt ordered _____		Appx. Quantity <u>12</u>
		Bid Price Each _____
		Total Price _____

Double Zipper L36JD2		
Amt ordered _____		Appx. Quantity <u>6</u>
		Bid Price Each _____
		Total Price _____

ITEM 12 UMPIRE INDICATORS

A) Champion P1, palm size, plastic counter
keeps track of balls, strikes and
outs
Amt ordered _____

Appx. Quantity 165
Bid Price Each _____
Total Price _____

ITEM 13 SCOREBOOKS

A) Elan softball-baseball, slo-pitch 15
batters S1500 - 25 games S - B80
Amt ordered _____

Appx. Quantity 255
Bid Price Each _____
Total Price _____

ITEM 14 A) CHAMPRO B050 HEAVY DUTY BATTING
TEE
Amt ordered _____

Appx. Quantity 11
Bid Price Each _____
Total Price _____

ITEM 15 BASES

A) Everlast model #6810 nylon and canvas
Amt ordered _____

Appx. Quantity 1
Bid Price Each _____
Total Price _____

B) Everlast #6850 nylon softball base
Amt ordered _____

Appx. Quantity 10
Bid Price Each _____
Total Price _____

C) Everlast #6861 Home Plate
Amt ordered _____

Appx. Quantity 16
Bid Price Each _____
Total Price _____

D) Everlast #6867 Pitchers Plate
Amt ordered _____

Appx. Quantity 15
Bid Price Each _____
Total Price _____

E) Collegiate LP 40 (LL) Pitchers
Plate S-TAGTBB704
Amt ordered _____

Appx. Quantity 19
Bid Price Each _____
Total Price _____

F) Champro B001 Hollywood base set
complete

Amt ordered _____

Appx. Quantity 2
Bid Price Each _____
Total Price _____

ITEM 16 BASEBALL PITCHING MACHINE

A) Curve Ball Jugs Pro
List manufacturer _____

Appx. Quantity 1
Bid Price Each _____
Total Price _____

B) Jugs Juniors Pitching Machine

Appx. Quantity 1
Bid Price Each _____
Total Price _____

C) Practice balls for pitching machine
Softballs
Amt ordered _____

Appx. Quantity 2 dz
Bid Price Per Doz _____
Total Price _____

Baseballs
Amt ordered _____

Appx. Quantity 7 dz
Bid Price Per Doz _____
Total Price _____

ITEM 17 MISCELLANEOUS ACCESSORIES

A) Umpire Plate brush
List manufacturer _____

Appx. Quantity 127
Bid Price Each _____
Total Price _____

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies as to its own organization, under penalty or perjury, that to the best of knowledge and belief.

1) The price in this bid has been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.

2) Unless other required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly to any other bidder, competitor, and

3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

SPECIFICATIONS AND BID PROPOSALS

Pursuant to and in accordance with the advertisement for bids dated December 23, 1993 and the instruction go bidders relating thereto, the undersigned offers to furnish all equipment as described in the specifications and deliver to the Department of Youth and Recreational Services, 275 Alexander Avenue, Cheektowaga, New York 14211.

SIGNED _____

TITLE _____

COMPANY _____

ADDRESS _____

TELEPHONE NO.: () _____

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 10, 1994 at 11:00 a.m. Eastern Standard Time at Town Hall, corner of Broadway and Union Road for 1994 baseball equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga Department of Youth and Recreational Services at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for 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 informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the 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

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

WHEREAS, bids were duly received and opened at the December 30, 1993, public bid opening as the result of advertisement, therefore for the purchase and installation of Computer Equipment for the Code Enforcement, Town Clerk, Law, Personnel and Assessors Departments, said bids were referred to Blanton Systems Consultants for analysis, tabulation and report, which said analysis, tabulation and reports hereto attached and contained to the Town Board dated January 6, 1994, NOW, THEREFORE, BE IT

RESOLVED, that the contract for purchase and installation of computer equipment as recommended by Blanton Systems Consultants, be and the same is hereby awarded to Upstate Wholesale, Inc., 80 Rockwood Place, Rochester, New York 14610 in the amount of \$52,421.00, and BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement account #5311-1320-9381.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Town of Cheektowaga
Recommendation
for
The Selection of Winning Bidder
on
Various Computer Equipment
Opened on December 30, 1993

Prepared by
Larry Blanton
Blanton Systems Consulting

I. Introduction

Early in October 1993, the Town of Cheektowaga began preparing for the 'Various Equipment Bid' that was issued on December 6, 1993. Calls and visits were made to determine what similar municipalities had done for hardware for the same or like software. The prospective departments, Clerk and Code, were interviewed and involved in the process. The resulting 'Request for Bid' was issued with intense interest by many bidders.

This report will address the following:

- (1). The Bidders
- (2). Recommendation for Winning Bid
- (3). Selection of the Winning Bid
- (4). Implications to the Future

II. Who are the bidders?

1. Angiers Bus. Machines, Inc. Bid value: \$65,117.00
Airport City
172 Holtz Drive
Buffalo, NY 14225

Phone (716) 633-3331 Contact: David W. Brace
Fax (716) 633-3339
2. C.S. Business Systems, Inc. Bid value: \$56,304.00
1236 Main Street
Buffalo, NY 14209

Phone (716) 886-6521 Contact: Thomas Massimi
Fax (716) 886-7142
3. Dualex Office Products, Inc. Bid value: \$58,140.00
2531 Union Road
Cheektowaga, NY 14227

Phone (716) 668-5401 Contact: Scott Addeo
Fax (716) 668-1722
4. Micro Enterprises Bid value: \$52,642.00
60 Alcona Street
Amherst, NY 14226

Phone (716) 836-2964 Contact: Joseph Cravotta
Fax (716) 836-2964

- | | | |
|----|--|---|
| 5. | OA Systems, Inc.
40 Hazelwood Drive
Amherst, NY 14228

Phone (716) 691-0001
Fax (716) 691-1078 | Bid value: \$63,880.00

Contact: Michael O'Connor |
| 6. | RG Data, Inc.
975 Jefferson Road
Rochester, NY 14623

Phone (716) 424-7492
Fax (716) 424-7372 | Bid value: \$58,373.00

Contact: Kevin Blake |
| 7. | Technical Concepts Int'l.
601 Oakwood Avenue
East Aurora, NY 14052

Phone (716) 655-0055
Fax (716) 655-2373 | Bid value: \$54,303.50

Contact: Paul Ross |
| 8. | Upstate Wholesale, Inc.
80 Rockwood Place
Rochester, NY 14610

Phone (800) 333-0498
Fax (716) 461-9665 | Bid value: \$52,421.00

Contact: Matthew Hutton |

Bidders listed by bid value

- | | | |
|----|---------------------------------|-------------|
| 1. | Upstate Wholesale, Inc. | \$52,421.00 |
| 2. | Micro Enterprises | \$52,642.00 |
| 3. | Technical Concepts Int'l. | \$54,303.50 |
| 4. | C.S. Business Systems Inc. | \$56,304.00 |
| 5. | Dualex Office Products Inc. | \$58,140.00 |
| 6. | RG Data, Inc. | \$58,373.00 |
| 7. | OA Systems, Inc. | \$63,880.00 |
| 8. | Angiers Business Machines, Inc. | \$65,117.00 |

III. Recommendation for Winning Bid

Upstate Wholesale, Inc.
80 Rockwood Place
Rochester, NY 14610

IV. Selection of the Winning Bid

The specifications for this bid were very specific. They were written to allow almost any firm to bid their particular brands of equipment, have them meet specifications, and at the same time allow the Town of Cheektowaga to get exactly what it needs. The specifications included only specific workstations, file server, and required related equipment. The specifications included a reasonable measure of excess capacity so as to allow for growth and expansion. It does not include capacity for any imaging requirements because they were not available in time for the bid process.

Most bidders overspecified some aspect of their completed bids. This is to be expected somewhat. By selecting specifications that are the most you absolutely require, you are able to encourage them to give you at least what you need. In several cases, bidders overspecified items that may have cost them the bid! Please refer to the chart titled 'Various Equipment Bid Analysis'. You may see many occurrences of 'O' in a column labeled '*'. These represent each time a bidder overspecified some part of a major item. The most common specific overspecification was totally acceptable and expected (CPU caching, requested a minimum of 64kb and was bid an average of 128kb, but at a price better than if it was requested). This was expected. Other instances caused the overspecifier to give a bid total higher than necessary. Some effort was given to evaluating these and trying to take them into consideration, but no method of doing so resulted in any meaningful conclusion.

The recommended winning bidder is simply the lowest bidder. The recommended winning bidder also met all specifications. Again, the recommended winning bidder has a good reputation delivering systems. Upstate Wholesale, Inc., who was the low and recommended winning bidder, is aggressively marketing and bidding in the Buffalo area. Though totally unrelated, they have also just won a major bid from the City of Buffalo for similar equipment. It should also be noted that all the bid responses analyzed were submitted by companies having good reputations delivering systems. It was not possible to recommend this bid be awarded to any other firm, given the fact that there was no measurable difference in quality of product or delivery from any of the responders of this bid other than by total dollars (\$) bid.

V. Implications to the Future

The selection of this equipment makes Cheektowaga a user of primarily integrated computer hardware. This refers to the fact that a majority of the Town's computer equipment will consist of multi-vendor machines. Because of this, replacement costs will be based on, for most cases, a generic lower cost part. Given plans to hire an information systems person, future hardware and maintenance costs should be less.

Town of Cheektowaga

Various Equipment Bid Analysis

		Upstate Wholesale Matthew Hutton 80 Rockwood Place Rochester, NY 14610			Micro Enterprises Joseph Cravotta 60 Alcona Avenue Amherst, NY 14226			Technical Concepts Paul Ross 601 Oakwood Avenue East Aurora, NY 14226	
Item	Qty	Each	Total	*	Each	Total	*	Each	Tot
1.A Workstations	6	1,440.33	8,642.00	O	1,330.00	7,980.00	O	1,421.00	8,526.00
1.B Oki ML591 printer	2	620.00	1,240.00		575.00	1,150.00		569.50	1,139.00
Oki OL850 printer	1	1,369.00	1,369.00		1,275.00	1,275.00		1,269.00	1,269.00
1.C Workstations	10	1,350.80	13,508.00	O	1,330.00	13,300.00	O	1,421.00	14,210.00
1.D Oki ML591 printer	3	620.33	1,861.00		575.00	1,725.00		569.50	1,708.00
Oki OL810 printer	2	1,154.00	2,308.00		1,095.00	2,190.00	O	1,100.00	2,200.00
1.E Workstations	3	1,379.67	4,139.00	O	1,330.00	3,990.00	O	1,421.00	4,263.00
1.F Workstations	2	1,483.00	2,966.00	O	1,625.00	3,250.00	O	1,682.00	3,364.00
1.G Oki ML591 printer	2	██████	627.00	E	575.00	1,150.00		569.50	1,139.00
1.H Workstations	1	1,480.00	1,480.00	O	1,625.00	1,625.00	O	1,682.00	1,682.00
1.I Oki ML591 printer	1	230.00	230.00		222.00	222.00		216.50	216.00
1.J File server	1	7,210.00	7,210.00		7,115.00	7,115.00		7,474.00	7,474.00
2.A Network hubs		N/A	858.00		N/A	1,230.00	O	N/A	1,477.00
2.B Modems (14.4k F/M)	3	120.00	360.00		143.33	430.00		180.00	540.00
2.C Netware v3.12 50U	1	2,823.00	2,823.00		3,075.00	3,075.00		2,965.00	2,965.00
2.E Network cabling		N/A	1,200.00		N/A	2,285.00		N/A	300.00
2.F Installation		N/A	1,600.00		N/A	650.00		N/A	1,830.00
Total as presented			\$52,421.00			\$52,642.00			\$54,303.00

* C - Requires some clarifications in order to fully evaluate bid \$
 E - Extension error
 O - Over-spec'd

MEETING NO. 2
January 18, 1994

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

WHEREAS, bids were duly received and opened at the December 30, 1993, public bid opening as the result of advertisement, therefore for the maintenance of various computer equipment in Town Hall. Said bids were referred to Blanton Systems Consultants for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained to the Town Board dated January 10, 1994, NOW, THEREFORE, BE IT

RESOLVED, that the contract for maintenance of various computer equipment in Town Hall as recommended by Blanton Systems Consultants, be and the same is hereby awarded to OA Systems, 40 Hazelwood Drive, Amherst, NY 14228, in the amount of \$6,112.00, and BE IT FURTHER

RESOLVED, that funds for said action are available from General Fund Account #0100-1220-4431.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Town of Cheektowaga
Recommendation
for
The Selection of Winning Bidder
on
Maintenance
Various Computer Equipment
Opened on December 30, 1993

Prepared by
Larry Blanton
Blanton Systems Consulting

I. Introduction

Early in November 1993, the Town of Cheektowaga began preparing for the 'Maintenance of Various Equipment Bid' that was issued on December 6, 1993. A survey was made to determine what equipment in the Town Hall Building should be under maintenance. The chart, 'Maintenance Bid Analysis', gives a list of all equipment that such maintenance services are required. The resulting 'Request for Bid' was issued with intense interest by many bidders. This report will address the following:

- (1). The Bidders
- (2). Recommendation for Winning Bid
- (3). Selection of the Winning Bid
- (4). Implications to the Future

II. Who are the bidders?

1. Angiers Bus. Machines, Inc. Bid value: \$ 8,920.00
Airport City
172 Holtz Drive
Buffalo, NY 14225
Phone (716) 633-3331 Contact: David W. Brace
Fax (716) 633-3339
2. Barrister Information Sys. Bid value: \$ 8,848.00
465 Main Street
Buffalo, NY 14203
Phone (716) 845-5010 Contact: Paul M. Korn
Fax (716) 854-4288
3. C.S. Business Systems, Inc. Bid value: \$ 9,041.00
1236 Main Street
Buffalo, NY 14209
Phone (716) 886-6521 Contact: David Lynch
Fax (716) 886-7142
4. Digital Equipment Corp. Bid value: \$ 7,248.00
495 Commerce Drive
Amherst, NY 14228-2382
Phone (716) 691-2438 Contact: Charles Incorvia
Fax (716) 691-2457

- | | |
|---|--|
| <p>5. OA Systems, Inc.
40 Hazelwood Drive
Amherst, NY 14228</p> <p>Phone (716) 691-0001
Fax (716) 691-1078</p> | <p>Bid value: \$ 6,112.00</p> <p>Contact: Michael O'Connor</p> |
| <p>6. RG Data, Inc.
975 Jefferson Road
Rochester, NY 14623</p> <p>Phone (716) 424-7500
Fax (716) 424-7372</p> | <p>Bid value: \$12,985.72</p> <p>Contact: Cheryl Pagano</p> |
| <p>7. Technical Concepts Int'l.
601 Oakwood Avenue
East Aurora, NY 14052</p> <p>Phone (716) 655-0055
Fax (716) 655-2373</p> | <p>Bid value: \$ 7,928.00</p> <p>Contact: Paul Ross</p> |

Bidders listed by bid value

- | | |
|-----------------------------------|-------------|
| 1. OA Systems, Inc. | \$ 6,112.00 |
| 2. Digital Equipment Corporation | \$ 7,248.00 |
| 3. Technical Concepts Int'l. | \$ 7,928.00 |
| 4. Barrister Information Sys. | \$ 8,848.00 |
| 5. Angiers Business Machines Inc. | \$ 8,920.00 |
| 6. CS Business Systems Inc. | \$ 9,041.00 |
| 7. RG Data, Inc. | \$12,985.72 |

III. Recommendation for Winning Bid

OA Systems, Inc.
40 Hazelwood Drive
Amherst, NY 14228

IV. Selection of the Winning Bid

The specifications for this bid were very specific. They were written to allow almost any firm, with necessary personnel, parts, and expertise to consider bidding. The bid provisions of a minimum of \$250,000 in hardware sales, and on-staff Novell capability, cut

some from considering the bid. The philosophy here is that the winning bidder should have the means to provide the 4 hour response desired. All the bidders met these conditions. As you can see, some were not very competitive.

Again the recommended winning bidder is simply the lowest bidder. The recommended winning bidder has a good reputation servicing this kind of requirement. The recommended winning bidder, OA Systems, Inc., is currently the primary vendor for these kind of services at the Town of Cheektowaga. Again, it should also be noted that all the bid responses analyzed were submitted by companies having good reputations servicing systems. It was not possible to recommend this bid be awarded to any other firm, given the fact that there was no measurable difference in quality of product or delivery from any of the responders of this bid other than by total dollars (\$) bid.

V. Implications to the Future

The selection of this vendor makes no changes in the way this type service is being conducted at the present time. The new hardware vendor selected and the generic nature of much of the hardware to be maintained has strong implications to the future. Given plans to hire an information systems person, future hardware and maintenance costs should be less.

Town of Cheektowaga		Maintenance Bid Analysis						
		OA Systems Nancy J. Schultz 40 Hazelwood Drive Amherst, NY 14228			Technical Concepts Int. Paul Ross 601 Oakwood Avenue East Aurora, NY 14075		Digital Charles 495 Com Amherst	
Description	Qty	Each	Total	*	Each	Total	*	Each
NCR 8088,640kb,10mb,360,360,Mono,P	1	121.00	121.00		60.00	60.00		108.00
NCR 8088,640kb,10mb,360,Mono,P	1	121.00	121.00		60.00	60.00		108.00
286,640kb,45mb,360,Mono,PPS	1	121.00	121.00		132.00	132.00		108.00
386DX33,8mb,120mb,1.44,1.2,SVGA.28,PSSTNL	1	181.00	181.00		205.00	205.00		132.00
386DX33,4mb,120mb,1.44,1.2,SVGA.28,PSST	1	181.00	181.00		180.00	180.00		132.00
Oki-400,Laser/LED page printer,P	2	48.00	96.00		180.00	144.00		288.00
KXP-1595,Wide carriage, 300cps,P	1	24.00	24.00		70.00	70.00		96.00
486DX50,16mb,1.0gb,1.44,1.2,SVGA.28,PSSDUJV	2	433.00	866.00		445.00	890.00		480.00
386DX33,8mb,550mb,1.44,1.2,SVGA.28,PSSMUNL	3	253.00	759.00		241.00	723.00		204.00
386DX33,4mb,1.44,SVGA.28,PSSNL	14	169.00	2,366.00		145.00	2,030.00		144.00
Oki-321,Wide carriage, 300cps,PL	4	24.00	96.00		90.00	360.00		96.00
KXP-11801,Narrow carriage,200cps,PL	5	24.00	120.00		36.00	180.00		96.00
Synoptics,16port 10-Base-T hub,PL	1	85.00	85.00		50.00	144.00		144.00
NetWorth,9port 10-Base-T hub,L	2	73.00	146.00		30.00	60.00		120.00
486DX50,8mb,550mb,1.44,1.2,SVGA.28,PSSTUNW	1	25.00	25.00		130.00	130.00		.00
486DX50,8mb,550mb,1.44,1.2,SVGA.28,PSSTMUNW	1	25.00	25.00		130.00	130.00		.00
486DX33,4mb,120mb,1.44,SVGA,PSSB	1	25.00	25.00		130.00	130.00		.00
486DX2/66,32mb,2.00gb,1.44,1.2,SVGA,PSSDUNZ	1	204.00	204.00		100.00	100.00		1440.00
486SX25,8mb,1.44,1.2,SVGA.28,PSSNW	19	25.00	475.00		100.00	1,900.00		.00
Oki-850,Laser/LED page printer,2mb,PW	1	.00	.00		.00	.00		.00
Oki-810,Laser/LED page printer,2mb,PW	2	.00	.00		.00	.00		.00
Oki-591,Wide carriage printer,500cps,PQ	7	.00	.00		.00	.00		.00
Oki-380,Narrow carriage printer,250cps,PQ	1	.00	.00		.00	.00		.00
486SX25,8mb,200mb,1.44,1.2,SVGA.28,PSSQ	3	.00	.00		100.00	300.00		.00
Hub,8port,10-Base-T,PW	1	25.00	25.00		.00	.00		.00
Hub,12port,10-Base-T,PW	2	25.00	50.00		.00	.00		.00
Modem,14.4kb Fax/Modem,SW	3	.00	.00		.00	.00		.00
Total as presented			6,112.00			7,928.00		

MEETING NO. 2
January 18, 1994

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

WHEREAS, the Town is desirous of developing a Strategic Information Systems' Plan for the Town consisting of analysis, design, documentation, and implementation, and

WHEREAS, the Town has secured bond financing to underwrite the project, and

WHEREAS, the Town's Accounting Department has prepared a Request for Proposal covering consulting services required, NOW, THEREFORE, BE IT

RESOLVED, that the Town's Supervising Accountant be and is hereby directed to forward the Request for Proposal to the organizations listed on the attached sheet, and BE IT FURTHER

RESOLVED, that the Town Clerk is hereby designated as the Officer to open Proposals on the aforementioned item at 11:00 A.M. on February 17, 1994 in the Council Chambers of the Cheektowaga Town Hall.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

REQUEST FOR PROPOSAL
FOR THE
ANALYSIS, DESIGN AND IMPLEMENTATION OF A TOWNWIDE
INFORMATION SYSTEM
PROSPECTIVE PROPOSERS

OA Sysytems
40 Hazelwood Dr.
Amhest, N. Y.

Intelligis Corportion
1868 Niagara Falls Blvd.
Tonawanda, N. Y.

Barrister Info Systems
465 Main St.
Buffalo, N. Y.

KMPMG Peat Marwick
700 Empire Twr
Buffalo, N. Y.

Lumsden & McCormick
403 Main St.
Buffalo, N. Y.

Comptek Research
110 Broadway
Buffalo, N. Y.

P.C.I.
703 Washighton St.
Buffalo, N. Y.

Computer Task Group, Inc.
700 Delaware Ave.
Buffalo, N. Y.

Deloitte & Touche
50 Fountain Pl.
Buffalo, N. Y.

Ernst & Young
1400 Key Towers
Buffalo, N. Y.

Arthur Anderson & Co.
1500 Marine Midland Pl.
Rochester, N. Y.

Technical Concepts Int'l
601 Oakwood Avenue
East Aurora, N. Y.

Item No. 6a Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, it is in order that bids be advertised to cover the purchase of Police Vehicles 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 Police Vehicles, said notice to be published in the Cheektowaga Times, and BE IT FURTHER

RESOLVED, sealed bids will be received on the 1st day of February, 1994 at 10:00 A.M., Eastern Standard 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 February 1, 1994 at 10:00 A.M. Eastern Standard Time at Town Hall, corner of Broadway and Union Roads, for the purchase of minimum: Ten (10) as specified.

Information for bidders and specifications may be obtained from the Town Clerk at this office in said Town. One bid is to be submitted for all Ten (10) vehicles listed in the bid specifications. The bid is to include trade-in allowances for the 8 vehicles listed in the bid package, date and location for inspection of trade-ins listed in Bid Conditions.

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 18, 1994

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.

.....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.....January 20, 1994..... ;
 last publication.....January 20, 1994..... ;
 and that no more than six days intervened be-
 tween publications.

Melissa Gugliuzza

Sworn to before me this20th.....

day ofJanuary....., 19..94...

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 12/11/95

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Board of the Town of Cheektowaga, February 1, 1994 at 10:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of minimum: ten (10) vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall. One bid is to be submitted for all ten (10) vehicles listed in the bid specifications. The bid is to include trade-in allowances for the 8 vehicles listed in the bid package, date and location for inspection of trade-ins listed in Bid Conditions.

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 bidders, should it be in the best interest of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI
 Town Clerk

Dated: January 18, 1994

PUBLISH: January 20, 1994

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.....January 20, 1994..... ;
last publication.....January 20, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza.....

Sworn to before me this20th.....

day ofJanuary....., 19.94...

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 12/11/95

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Board of the Town of Cheektowaga, February 1, 1994 at 10:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of minimum: ten (10) vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall. One bid is to be submitted for all ten (10) vehicles listed in the bid specifications. The bid is to include trade-in allowances for the 8 vehicles listed in the bid package, date and location for inspection of trade-ins listed in Bid Conditions.

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 bidders, should it be in the best interest of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI
Town Clerk

Dated: January 18, 1994

PUBLISH: January 20, 1994

Item No. 6b Motion by Councilman Solecki, Seconded by Councilman Wielinski

WHEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 1994 for the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of work uniforms for the Town of Cheektowaga for the year of 1994, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on the 31st day of January, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Work Uniforms for the 1994 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 17, 1994

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.

.....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..... January 20, 1994..... ;
last publication..... January 20, 1994..... ;
and that no more than six days intervened be-
tween publications.

NOTICE TO BIDDERS
Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Work Uniforms for the 1994 calendar year.
Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.
The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidders, should it be in the best interest of the Town, or reject any and all bids.
By order of the Town Board of the Town of Cheektowaga, Erie County, New York.
RICHARD M. MOLESKI
Town Clerk
Dated: January 17, 1994
PUBLISH: January 20, 1994

Melissa Gugliuzza
.....

Sworn to before me this20th.....
day ofJanuary....., 19.94...
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 12/11/95

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..... January 20, 1994..... ;
last publication..... January 20, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza
.....

Sworn to before me this20th.....

day ofJanuary....., 19.94...

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 12/11/95

TOWN OF
COUNTY OF
STATE OF

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Work Uniforms for the 1994 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: January 17, 1994

PUBLISH: January 20, 1994

MY COMPANY
ON
HOTEL BUILDING
STATE OF

Item No. 6c Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe and reinforced concrete pipe requirements for the year of 1994 for the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of corrugated metal pipe and reinforced concrete pipe, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on the 31st day of January, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the 1994 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 17, 1994

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.

.....Melissa Gugliuzza....., of the town
 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 this20th.....

day ofJanuary....., 19.94...

Margaret J. Bourdette

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

NOTICE TO BIDDERS
 Sealed proposals will be received by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the year 1994 calendar year.
 Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.
 The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidders, should it be in the best interest of the Town, or reject any and all bids.
 By order of the Town Board of the Town of Cheektowaga, Erie County, New York.
 RICHARD M. MOLESKI
 Town Clerk
 Dated: January 17, 1994
 PUBLISH: January 20, 1994

MARGARET J. BOURDETTE
 NOTARY PUBLIC STATE OF NEW YORK
 QUALIFIED IN ERIE COUNTY
 MY COMMISSION EXPIRES 12/11/95

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

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MARGARET J. BOURDETTE
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/95

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the year 1994 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: January 17, 1994

PUBLISH: January 20, 1994

Item No. 6d Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, it is in order that bids be advertised to cover the purchase of traffic control signs, street name signs and brackets for the 1994 calendar year, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of traffic control signs, street name signs and brackets, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on the 31st day of January, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Board of the Town of Cheektowaga on January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, street name signs and brackets for the 1994 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 17, 1994

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.

.....Melissa Gugliuzza....., of the town
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NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, street name signs and brackets for the 1994 calendar year.

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

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

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

RICHARD M. MOLESKI
 Town Clerk

Dated: January 17, 1994

PUBLISH: January 20, 1994

Melissa Gugliuzza

Sworn to before me this20th.....

day ofJanuary....., 1994...

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 12/11/95

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

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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 12/11/95

STATE
COUNTY
TOWN

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, street name signs and brackets for the 1994 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: January 17, 1994

PUBLISH: January 20, 1994

MAHON
CLERK
TOWN

Item No. 6e Motion by Councilman Johnson, Seconded by Councilman Solecki

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

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

RESOLVED, that sealed bids will be received on the 31st day of January, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of manhole castings and 24" diameter covers for the Sewer Maintenance Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 17, 1994

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.

.....Melissa Gugliuzza....., of the town
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NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of manhole castings and 24" diameter covers for the Sewer Maintenance Department.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town 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 bidders, should it be in the best interest of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI
 Town Clerk

Dated: January 17, 1994

PUBLISH: January 20, 1994

Melissa Gugliuzza

Sworn to before me this20th.....

day ofJanuary....., 19.94...

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 12/11/95

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

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MARGARET J. BOURDETTE
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/95

TOWN
CLERK
OFFICE

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of manhole castings and 24" diameter covers for the Sewer Maintenance Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: January 17, 1994

PUBLISH: January 20, 1994

33
13.04

MARGARET
TOWN CLERK

Item No. 6f Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for mowing detention basins in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of equipment & operators for mowing detention basins, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on the 31st day of January, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Equipment and Operators for Mowing Detention Basis in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing of Equipment and Operators for Mowing Detention Basins" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond 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: January 17, 1994

* * * * *

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.

.....Melissa Gugliuzza....., of the town
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Margaret J. Bourdette

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

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Furnishing of Equipment and Operators for Mowing Detention Basins in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing of Equipment and Operators for Mowing Detention Basins" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond 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: January 17, 1994

PUBLISH: January 20, 1994

MARGARET J. BOURDETTE
 NOTARY PUBLIC STATE OF NEW YORK
 QUALIFIED IN ERIE COUNTY
 MY COMMISSION EXPIRES 12/11/95

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, January 31, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Furnishing of Equipment and Operators for Mowing Detention Basins in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing of Equipment and Operators for Mowing Detention Basins" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond 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: January 17, 1994

PUBLISH: January 20, 1994

Item No. 7a Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, Bella Vista Group, Incorporated (the "Applicant") had 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) had been solicited by the Town for Lead Agency status and their comments, and

WHEREAS, there had 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 submitted documentation to the Town regarding various aspects of this Project, and

WHEREAS, the Applicant had made commitments with respect to the Project, and

WHEREAS, by resolution dated June 7, 1993, this Town Board approved the site plan and issued a Negative Declaration for the Project, and

WHEREAS, the Applicant has submitted a revised site plan (1/94 revision date) to the Town with minor changes, and

WHEREAS, these changes include additional screening, landscaped areas, and reduced square footage of building construction, and

WHEREAS, both the Cheektowaga Conservation Advisory Council ("CCAC") and the Environmental Advisory Committee ("EAC") have reviewed this plan and found the changes to be insignificant and within the parameters set by the Town Board resolution June 7, 1993, and

WHEREAS, all previous environmental commitments and mitigation measures remain, including the commitment to leave the northwest corner of the site undeveloped, and

WHEREAS, the Town Environmental Advisory Committee has recommended that this Town Board reaffirm the Negative Declaration for the Project and accept the revised site plan (1/94 revision date) as the official site plan for the Project, NOW, THEREFORE, BE IT

RESOLVED, that, based on the June 7, 1993 Town Board resolution, developer commitments, and other parameters within the Negative Declaration, this Town Board, hereby, reaffirms the Negative Declaration for the Project and accepts the revised site plan (1/94 revision date) as the official site plan for the project.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 7b Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee ("EAC") reviews various applications for building permits, rezonings, special permits, etc. and renders its determinations on environmental significance of such applications, and

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

Item No. 7b cont'd

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

WHEREAS, the Advisory Committee, at its meeting held on January 12, rendered the determinations shown on the attached memo dated January 13, 1994, and

WHEREAS, prior to said meeting, the Advisory Committee solicited input from various sources including the Cheektowaga Conservation Advisory Council, 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 renders a determination of Non-Significance for Item I (4878 Transit Road) on the attached January 13, 1994 memo subject to the following conditions:

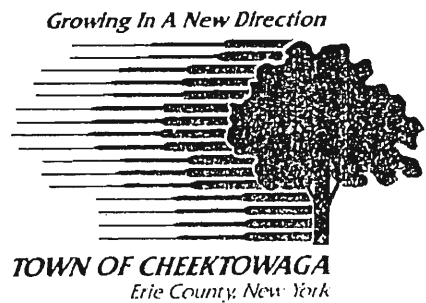
1. Additional screening in the form of adequate vegetation be placed along the West and Northwest sides of the site as required by the Conservation Advisory Committee.
2. The applicant deed to the Town or place a deed restriction on the rear portion (westerly 600 feet) of the property for the purpose of flood management prior to issuance of a Certificate of Occupancy.
3. Sidewalks are to be installed by the applicant if the New York State Department of Transportation ("NYSDOT") does not proceed to install said sidewalks with their Transit Road project number 511162 in the projected time frame from 1997 to 1998.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Office of Building & Plumbing Inspections
Cheektowaga Town Hall
3301 Broadway Street
Cheektowaga, New York 14227-1088
716 / 686-3470



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: January 13, 1994

RECEIVED
JAN 17 1994

The following is a summary of the proposals which have been reviewed by the Town Environmental Advisory Committee at a meeting held on January 12, 1994 in the Town Hall Council Chambers.

ITEM I 4878 Transit Road - Proposed Ted's Jumbo Red Hots

Applicant: Ted Liaros
This item had been referred to the various committees and groups within the Town as well as the New York State DEC and DOT for review. The DEC has indicated no concerns and the DOT has indicated that the project will not impact their highway system.

The site is located on Transit Road south of Madeira Drive. Between the homes on Madeira and the site is located a Town drainage system and detention area. As part of the project the applicant would be reworking the drainage channel that runs from Transit Road in Lancaster to the detention area south of Madeira. Also, the westerly end of the property would be reworked to provide additional detention area.

The site is a split zoning, the first 300 feet is zoned C-Retail Business, which allows the restaurant use, with the balance being zoned RS-Residential, single family only. The Conservation Council has recommended, among other things, the balance of the site at the rear be deeded to the Town or a deed restriction placed on it that would guarantee the property would remain forever undeveloped.

RE: EAC - January 12, 1994
January 13, 1994
Page: 2

The Town Engineer has indicated that the drainage plan is acceptable and final details were submitted at this meeting for this drainage system.

The New York State DOT is recommending that the applicant does not install sidewalks at this time since this stretch of Transit Road is scheduled for a 5-lane rebuilding project and any installations at this time would be ripped out for the project. The committee also had indicated, at their last meeting, that if sidewalks were installed on this site the Town would be under pressure to install sidewalks on their parcel leading to Madeira.

Additional screening was suggested for the west end and northwest sides of the parcel to further screen or hide the facility from the residential areas located across the detention area. The screening would be in the form of additional trees, evergreens or shrubbery or a combination.

The EAC recommends to the Town Board that a conditional Negative Declaration be issued. The conditions would be:

- Additional vegetative screening be installed along the west and northwest sides of the site.
- The rear portion of the property, westerly 600 feet, be deeded to the Town or deed restricted prohibiting any further development and this deed or deed restriction is to be in place prior to issuance of a Certificate of Occupancy.
- Sidewalks are to be installed by the applicant if the New York State Department of Transportation does not proceed with their Transit Road project number 511162 in the projected time frame of 1997 to 1998.

Item No. 8a Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, the Town has established Housing Rehabilitation Loan Programs utilizing Community Development Block Grant and HOME Program funds, and

WHEREAS, efficient administration of said programs requires the execution of several standard forms, including loan agreements, loan amendments and discharge of mortgages, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to sign, on behalf of the Town of Cheektowaga, any agreements, amendments, discharges, and other documents necessary to accomplish the purposes, goals and objectives of the Town's Housing Rehabilitation Loan Programs.

Upon Roll Call....

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

Item No. 8b Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, funding is periodically available from miscellaneous public and private grant sources to assist the Town with various projects, and

WHEREAS, Robert J. Miller & Associates, a grants development firm, has been utilized by the Town for the past few years to assist the Town with obtaining grants, and

WHEREAS, moneys obtained from grants procured through the efforts of Robert J. Miller & Associates far outweigh the cost to the Town for such firm's services, and

WHEREAS, this Town Board wishes to continue to retain the services of Robert J. Miller & Associates for the 1994 calendar year, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Letter of Agreement with Robert J. Miller & Associates, and BE IT FURTHER

RESOLVED, that the fee stipulated in such Letter of Agreement, \$32,000.00, shall be appropriated from budget line item #0100-1220-4957.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

LETTER OF AGREEMENT BETWEEN

**TOWN OF CHEEKTOWAGA
Broadway and Union Roads
Cheektowaga, New York 14227**

AND

**ROBERT J. MILLER & ASSOCIATES, INC.
Grants Development and Fund Raising Counsel
124 Delaware Avenue
Tonawanda, New York 14150
(716) 694-8181**

It is hereby agreed that Robert J. Miller & Associates, Inc. will render direct grants consultation services as described below to the Town of Cheektowaga, New York for a one year period commencing January 1, 1994 and ending December 31, 1994.

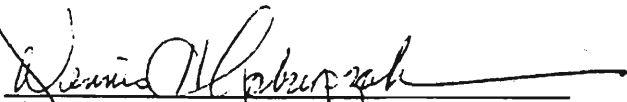
Robert J. Miller & Associates, Inc. will perform the following tasks:

- * Conduct comprehensive reviews of on-going and planned activities to identify potentially fundable programs.
- * Prepare narrative summaries of fundable programs to include statement of need, proposed methodology, anticipated benefits and budgets.
- * Conduct on-going search and survey of potential funding sources, both private and public, at the federal, state, and local levels.
- * Identify and establish direct contact with funding sources.
- * Prepare and submit formal letters of intent and full proposals in appropriate and final format to potential granting organizations.
- * Maintain liaison and follow-up with all granting organizations where formal application has been made.
- * Conduct briefings with designated members of client staff and board to report on progress achieved and to develop additional fundable programs and proposals.

Fees for the continuation of services shall be \$8,000.00 for each subsequent and consecutive quarter payable in advance of each quarter.

This agreement may be terminated by the Town of Cheektowaga provided that written notice is given to Robert J. Miller & Associates, Inc. by the Town of Cheektowaga 30 days prior to the end of any three month quarter in progress. In the event of early termination, Robert J. Miller & Associates, Inc. shall be paid for the quarter then in process.

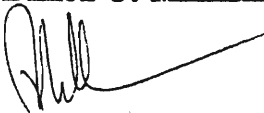
TOWN OF CHEEKTOWAGA



Dennis H. Gabryszak, Town Supervisor

Date: 2-24-94

ROBERT J. MILLER & ASSOCIATES, INC.



ROBERT J. MILLER, President

Date: 12-21-93

Item No. 8c Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-0 empowers municipal corporations and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, the Town of Cheektowaga wishes to invest certain of its available investment funds in cooperation with other municipal corporations and/or districts pursuant to a municipal corporation agreement; and

WHEREAS, the Town of Cheektowaga wishes to assure the safety and liquidity of its funds; NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute and deliver the Cooperative Investment Agreement in the name of and 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. 8d Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, Section 39 of the General Municipal Law of the State of New York requires local governments to adopt comprehensive investment policies to minimize risk, ensure that investments mature when cash is required to finance operations; ensure a competitive rate of return from investments, and

WHEREAS, by resolution dated May 3, 1993, this Town Board amended its previous investment guidelines to comply with Section 39 of the General Municipal Law, and

WHEREAS, the Town deposits and invests some of its money with the Chase Manhattan Bank ("Chase"), and

WHEREAS, Chase has drafted the attached Municipal Investacash Agreement, which complies with the Town's newly-adopted Investment Guidelines, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Municipal Investacash Agreement with Chase on behalf of the Town.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

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Amended and Restated

MUNICIPAL INVESTACASH AGREEMENT

This Agreement amends and restates a Municipal InvestaCash Agreement between The Chase Manhattan Bank, (National Association), One Lincoln First Square, Rochester, New York 14643 ("Chase") and TOWN OF CHEEKTOWAGA with a principal address at Broadway & Union Rd., Cheektowaga, NY 14227 ("Customer").

Chase agrees to open one or more InvestaCash Accounts (the "Account") for Customer and to manage the Account subject to the terms and conditions of this Agreement.

I. INVESTMENT OF FUNDS.

1.1 **Deposit of Funds Pending Investment.** All funds assigned by Customer to the Account shall be transferred by wire transfer or transferred from an existing Chase deposit account. Funds not invested on the date of receipt shall be transferred pending investment as follows: up to \$100,000 into an Institutional Money Market Account at Chase and the balance into the Customer's deposit account at Chase.

1.2 **Selection of Investments.**

- (a) The Customer shall provide Chase with a written statement of the Customer's investment objectives for the funds deposited (the "Investment Objectives"). Investment Objectives shall be as specific as practical and shall include the identification of categories of investments which the Customer wishes to include in the Account (the "Investments"), the desired maturity dates for each

Investment, the principal amount of funds to be available as of each maturity, the grade of Investments to be purchased, and other matters which the Customer wishes to include. Instead of or in addition to the Investment Objectives, the Customer may select particular Investments for the portfolio. Chase may reject categories of Investments and specific Investments not readily available through brokers or dealers with which Chase routinely deals. Investment Objectives in effect at the time of execution of this Amended and Restated Municipal InvestaCash Agreement shall remain in effect until changed by Customer. Upon request, Chase will advise the Customer in developing the Investment Objectives and selecting Investments. Notwithstanding any advice provided, the Customer bears full responsibility for the Investment Objectives and for any specific Investments.

- (b) After receipt of the Investment Objectives, Chase will recommend specific Investments to the Customer, indicating for each the type, principal amount, and interest rate. The Customer will then accept or reject Chase's recommendation with respect to each Investment. Chase shall then purchase to the extent feasible, as agent for the Customer, Investments which the Customer has decided to purchase. Any remaining cash balances shall be deposited into a money market or deposit account as described in Section 1.1.
- (c) No Investment is either an obligation of Chase or, unless it consists of a deposit at bank or a thrift, insured by the Federal Deposit Insurance Corporation. Chase does not guaranty either that any Investment carries the highest rates of return available or that the Account will not suffer a loss of principal or income.
- (d) Upon Chase's request, the Customer will promptly confirm in writing each investment decision made.

1.3 **Monitoring of Investment Portfolio.** Unless otherwise provided in this Agreement, Chase will not sell or redeem Investments in the Account or purchase additional Investments except upon the Customer's direction. Chase will notify the Customer

promptly of (a) its discovery of any adverse change in the financial condition of the issuer of any Investment, or the trading partner for any REPO, held in the Account which Chase believes materially increases the risk of that Investment; and (b) the failure of the trading partner for any REPO to transfer additional securities to the Customer, as required under the applicable master repurchase agreement upon Chase's request in the event of a decrease of the fair-market value of the securities underlying the REPO below the level specified in the REPO. Upon the Customer's specific request Chase will also advise concerning the appropriateness of the Customer's Investment Objectives under economic and market conditions current at the time of the request. Chase shall have no obligation to provide ongoing advice concerning Investments held in the Account except as provided in this paragraph. Chase shall not be deemed to have incurred any obligation to provide ongoing advice because of any advice it may provide at any time.

1.4 Investigations, Analyses, Studies, and Forecasts. None of Chase's duties under this Agreement shall be construed to require Chase to undertake or perform any investigation, analysis, study, forecast or other exercise not otherwise undertaken or performed by its Trust Investment Department in the ordinary course of its business for other customers or to disclose any information which it receives in confidence. Chase may rely in good faith upon studies, forecasts, analyses, financial information, and similar data prepared by third parties, including, without limitation, affiliates, REPO trading partners, and the issuers of Investments.

1.5 Execution of Purchases and Sales.

- (a) Chase will endeavor to recommend Investments within a reasonable time upon receipt of funds in the Account and the Investment Objectives and will endeavor to purchase or take other action with respect to Investments within a reasonable time of receipt of instructions from the Customer. Chase does not guaranty that any or all recommendations, purchases, or sales will be made within any specified period of time.

- (b) Chase may use any brokerage or dealer service, so long as the service is selected with reasonable care. Chase does not guaranty that the price at which any Investment is purchased or sold or any brokerage commission will be the best available. Chase does not guaranty the performance of any broker or dealer it selects.
- (c) Chase shall not knowingly purchase any Investment subject to a lien in favor of any person. If any repurchase agreement ("REPO") is purchased, it shall be subject to a master repurchase agreement entered into with one of Chase's approved trading partners.

1.6 **Reinvestment of Funds.** Earnings on and the proceeds of Investments shall be reinvested when available in accordance with any instructions provided by the Customer for reinvestment of funds. Pending such instructions, these funds will be transferred into an Institutional Money Market or deposit account as provided in Section 1.1.

II. CUSTODY OF SECURITIES.

2.1 **Custodial Relationship.**

- (a) Chase shall hold each Investment as the Customer's agent and custodian. Investments (other than deposits with Chase or any of its affiliates) shall be segregated from Chase's general assets and will not be pledged (or commingled with other securities which are pledged) against any liability of Chase's. Investments shall be valued at least monthly, in accordance with Chase's practices and procedures at the time for valuing similar investments for its trust and custody customers.
- (b) Chase may register each Investment in its own name as custodian or in its nominee name. To the extent permissible under applicable law, Chase may retain the services of one or more third-party safekeeping agents, such as, the

Federal Reserve Bank of New York (the "New York Fed"), the Depository Trust Company ("DTC"), and the Participant's Trust Company ("PTC"). Chase shall maintain records showing at all times the Customer's interest in any Investment held at such a safekeeping agent.

- (c) Chase shall have custody of each security purchased by the Customer under a REPO, unless the Customer agrees to the use of a third-party custodian which is not affiliated with the counterparty for the REPO. No REPO entered into on behalf of the Customer shall permit the counterparty to substitute securities for those purchased under the REPO unless (i) the substitute securities are delivered to Chase or the Customer and conform to the requirements of the Investment Objectives and (ii) the counterparty remains in compliance with all the REPO's margin requirements immediately following the substitution. If the Investment Objectives indicate that a security is an eligible investment for the Customer only if it satisfies specified credit rating criteria, Chase shall not enter into any REPO with respect to that security unless Chase or the Customer may compel the counterparty to substitute other eligible securities if the securities subject to the REPO cease to be eligible investments due to a change in their credit rating. Any interest which Chase may have in any security subject to a REPO by virtue of a claim against the counterparty to the REPO shall be subordinate to Customer's interest in that security.

- (d) Chase will accept any dividend or interest payments made with respect to any Investment. All proceeds and other earnings, when available, will be credited to the Account and reinvested as provided in Section 1.6 or distributed in accordance with the Customer's instructions. Chase shall not be responsible for the collection of any debt or the enforcement of any of the Customer's rights in the event of any default with respect to any Investment. Chase shall not be responsible for any loss suffered by reason of any delay in its actual receipt of any notice relating to any Investment.

(e) Chase shall not be required to acquire or maintain any insurance against loss of or to any Investment. Chase is authorized to perform whatever acts may be reasonably necessary in connection with its duties as a custodian.

2.2 **Redemption of Investments.** Unless the customer indicates otherwise at the time it directs Chase to purchase an Investment, the direction to purchase also shall be deemed to direct Chase to present for payment any Investment which has matured or is being redeemed at the option of the issuer and to transfer the security underlying any REPO back to the trading partner as provided in the REPO agreement. If any class of securities held for the Customer and other Chase customers is called for partial redemption, Chase may allot the called position among the beneficial holders in any manner Chase deems to be fair and equitable.

2.3 **Confirmations and Statements.** Chase will send the Customer a confirmation of each purchase, sale, or redemption of any Investment held in the Account in accordance with its customary procedures for sending confirmations to its custody customers. Chase also will send the Customer monthly statements of all principal and income transactions and of the Investments held in the Account.

III. **REPRESENTATIONS AND WARRANTIES.**

3.1 **Enforceability of Agreement.** The Customer represents and warrants that it is a municipal corporation duly organized, validly existing, and in good standing under the laws of the State of New York; that it has corporate power to enter into this Agreement and has duly authorized the execution of this Agreement; that this Agreement has been duly and validly executed by the Customer; and that this Agreement is binding and enforceable against the Customer in accordance with its terms.

3.2 **Compliance With Investment Policy.** The Customer further represents and warrants that the Investment Objectives, the terms, conditions, and procedures set forth in this Agreement, and the operation of the Account as contemplated by this Agreement, each conform in all material respects with (a) any investment policies which the Customer maintains or is required to maintain under applicable law and (b) the terms and conditions of any indenture or other instrument relating to funds held in the Account. The Customer renews this representation and warranty upon its submission of the Investment Objectives and upon any modification to the Investment Objectives or its investment policies.

IV. MISCELLANEOUS.

4.1 **Chase's Fees.** The Customer will pay Chase compensation from time to time as agreed upon by the Customer and Chase. Chase also may charge funds transfer fees in accordance with its fee schedule as in effect at the time of the transfer. Chase will apply fees to the Account unless the Customer requests a direct billing.

4.2 **Instructions.** Chase is authorized to rely upon oral or written instructions (or confirmations of instructions) given by any person who Chase's personnel responsible for acting on instructions of that type believe to be an authorized officer or employee of the Customer and shall be indemnified and held harmless from any loss incurred because of its reliance on those instructions. The Customer shall promptly notify Chase of any changes to the list of its officers and employees authorized to give instructions under this Agreement or to any restrictions on their respective authority. If there are discrepancies between any oral instructions and any subsequent written or oral confirmation of those instructions, Chase may act in accordance with the original instructions and shall not be required to notify the Customer of any discrepancies noted.

- 4.3 **Wire and Other Money Transfers.** Any transfers of funds to or from the Account shall be subject to the terms and conditions of the Money Transfer Addendum to this Agreement (the "Addendum"). Once initialed by the parties, the Addendum (including any amendments to the Addendum) shall be incorporated into and be considered part of this Agreement.
- 4.4 **Chase's Liability.** Chase will perform its duties under this Agreement using its reasonable judgment and effort, but Chase shall not be liable for any loss sustained by reason of the adoption of any investment policy or the purchase, sale, or retention of any Investments, whether or not such purchase, sale, or retention shall have been based upon its own investigation and research or upon investigation and research made by any other individual, firm, or corporation, if such purchase, sale, or retention shall have been made and such other individual, firm, or corporation shall have been selected in good faith. Nothing herein contained shall, however, be construed to protect Chase against any liability to the Customer by reason of willful misfeasance, bad faith, or gross negligence in the performance of its duties, or by reason of its reckless disregard of its obligations and duties under this Agreement. Chase will have no liability for acquiring or disposing of Investments at the Customer's direction. In no event shall Chase's liability exceed the principal amount of any funds lost. Under no circumstances shall Chase be liable for any lost earnings or profits or for consequential, incidental, or punitive damages.
- 4.5 **Completeness of Contract and Modifications; Merger; Assignment.** This document (together with the Addendum, if applicable) is the complete statement of the rights and responsibilities of the parties with respect to the Account. These rights and responsibilities may only be amended by a written agreement executed by Chase and the Customer. This Agreement shall not be affected by any merger or reorganization of Chase. Chase may assign all or any portion of its responsibilities under this Agreement to one or more of its affiliates, provided that Chase may not assign the custody or safekeeping of any Investment to an entity which is not authorized by law to have custody or safekeeping of such an Investment on behalf of the Customer.

- 4.6 Power of Attorney. The Customer appoints Chase as its attorney-in-fact and agent, empowered to take all actions reasonably necessary with respect to the Account, including, without limitation, the opening of brokerage, dealer, and custody accounts; the purchase, sale, and redemption of Investments; the endorsement (including the guaranty of customers' signatures) of certificates, checks, and other instruments; and the disbursement of funds.
- 4.7 Indemnification. The Customer agrees to hold Chase harmless from and indemnify it against all liability, cost, and expense (including legal fees) arising at any time in connection with this Agreement.
- 4.8 Severance. The invalidity or unenforceability of any provision of this Agreement shall not affect any other provision.
- 4.9 Notices. Any notices with respect to this Agreement shall be effective when sent by facsimile transmission or other electronic transmission, or when mailed postage prepaid, to the addresses stated on the first page or to any other address of which one party may give the other notice.
- 4.10 New York Law. This Agreement shall be governed by and construed under the law of the State of New York.
- 4.11 Termination.
- (a) This Agreement may be terminated by either Chase or the Customer upon thirty days written notice. Termination shall become effective on the date specified in the notice or upon expiration of the notice period, whichever is later. In the event of a termination by either party, Chase's fees will be prorated as of the date the termination becomes effective. The indemnities under Section 4.7 of this Agreement shall survive any termination by either party.

- (b) On the date termination becomes effective, Chase will dispose of all assets remaining in the Account, except securities which are the subject of REPOs which have not matured, as directed by the Customer. Each and every REPO remaining in the Account after termination of the Agreement becomes effective shall be closed out at its next maturity date and the proceeds disbursed as directed by the Customer.
- (c) Customer shall pay Chase a fee, payable monthly, for its custodial services respecting any Investment remaining in the Account after termination of this Agreement becomes effective at Chase's then-effective rate for custodial accounts.

4.12 Headings. All headings in this Agreement are for illustration purposes only and neither define, limit, expand, or alter any term or provision of this Agreement.

4.13 Opinion of Counsel. If Chase so requests, the Customer shall provide Chase, at the Customer's expense, with an opinion in form and substance satisfactory to Chase of counsel reasonably satisfactory to Chase, as to the validity and enforceability of this Agreement.

Dated: January 18, 1994

THE CHASE MANHATTAN BANK,
(NATIONAL ASSOCIATION)

By: John P. Reay
Its: Asst. Vice President

TOWN OF CHEEKTOWAGA

By: Dennis Gabryzak

Its: Supervisor

4448JRJ

MONEY TRANSFER ADDENDUM TO MUNICIPAL INVESTACASH AGREEMENT

Customer Name: TOWN OF CHEEKTOWAGA ("Customer")

Customer hereby directs and authorizes THE CHASE MANHATTAN BANK, N.A. ("Chase") to act on money transfer instructions (each a "Payment Order") from Customer and to implement such instructions under the following terms and conditions. This Addendum shall be subject to Customer's InvestaCash agreement with Chase (the "Agreement"), including, for example, the provisions of that agreement relating to instructions, notices, and indemnification.

- (1) Chase may, without inquiry as to the purpose of a transfer or the identity of the transferee, transfer funds in accordance with a Payment Order from Customer's InvestaCash Account with Chase ("the Account") to any other account of Customer (whether the account is with Chase or with another financial institution), to a financial institution, or to any account of a third party (whether the third party account is with Chase or with another financial institution).
- (2) If the terms of any Payment Order conflict as to a named beneficiary and the account number for the beneficiary or as to a named intermediary/beneficiary bank and the bank's identifying number, the account number or identifying number shall control even though that number identifies a bank or beneficiary different than the name indicated in the Payment Order.
- (3) Chase reserves the right to reject any Payment Order of Customer, in Chase's sole discretion. Chase may advise Customer of its rejection of any Payment Order by calling Customer at the telephone number last supplied to Chase by Customer or by written notice mailed to Customer by first class mail prior to the end of the business day next following the date of receipt of Customer's Payment Order.
- (4) (a) Chase is authorized but not required to electronically record telephone and other conversations between Chase and Customer.

(b) Chase will confirm Payment Orders (whether such orders are received in writing, by means of facsimile transmission, orally or by tape, computer, telecommunications or other method) by call back to Customer, unless Chase and Customer agree on a different security procedure or procedures. Customer agrees that Chase's call back procedure and, if applicable, any other security procedures agreed upon by Customer and Chase shall be deemed to be commercially reasonable methods of providing security against unauthorized transfers.

(c) Customer is responsible for maintaining the confidentiality of any security procedure agreed upon by Chase and Customer and will ensure that the dissemination of such information is limited only to designated authorized users. Chase's obligation in handling any form of Payment Order instructions or authorization anticipated hereunder is limited to the exercise of reasonable care in handling instructions in accordance with the Agreement and this Addendum.

(d) The decision whether to record a conversation, require a confirmation of a transfer order, to require security procedures and to change security procedures is wholly within the discretion of Chase.
- (5) Customer shall provide Chase with all Payment Orders, amendments thereto or cancellations thereof prior to the deadline established by Chase from time to time with respect to

such transfers. Payment Orders, cancellations thereof or amendments thereto which are received after the deadline shall be acted upon the next business day. Until further notice is given to the contrary, the deadline for any origination, cancellation or amendment of any Payment Order shall be 11:00 a.m. Eastern Standard Time.

(6) Any revocation, cancellation or amendment of or to a Payment Order shall be subject to Chase's acceptance, in its sole discretion, and, in any event, must be received by Chase in time for Chase to act on such instruction prior to transmission of the Payment Order. If Chase does consent to the revocation, cancellation or amendment of any Payment Order, Customer shall be liable to Chase for any loss and expenses, including reasonable attorney's fees, incurred by Chase as a result of the revocation, cancellation or amendment. Any revocation, cancellation or amendment will be subject to the same security procedures established for Customer relative to Payment Orders. Any revocation, cancellation or amendment, once accepted by Chase, may not be effective against the beneficiary bank or other receiving bank as to Payment Orders previously accepted by them, and Chase assumes no liability for the effectiveness of such revocation, cancellation, or amendment with respect to such other Banks.

(7) Customer agrees that this Addendum shall be subject to all rules, and regulations which Chase may from time to time establish for money transfer services. Customer further agrees that it will prevent the disclosure within and outside of its organization, except on a "need to know" basis, of all Chase procedures relating to transfer of funds. If the confidentiality of Chase's procedures is compromised, Customer will notify Chase immediately.

(8) Notwithstanding any language in the Payment Order to the contrary, Chase may in its discretion, use the Federal Reserve Transfer System (Fedwire) or may otherwise select the funds transfer system and any intermediary bank to be used in the execution of any Payment Order accepted by Chase and may otherwise use any means of executing the Payment Order which Chase deems reasonable under the circumstances. Should there be any conflict between the terms of this Addendum and the terms of any Payment Order, the terms of this Addendum shall govern.

(9) This Addendum shall in all respects be governed by and construed in accordance with the laws of the State of New York, 12 CFR Part 210, and any other applicable federal laws and regulations including all matters of construction, validity and performance. If any provision of this Addendum shall be prohibited by or be invalid under any law or regulation, that provision shall be ineffective to the extent of such prohibition or invalidity without invalidating the remaining provisions of this Addendum.

(10) Chase may from time to time notify Customer of proposed changes to this Addendum, and the change shall become effective on the noted effective date, if Customer delivers a Payment Order after that date.

(11) Chase shall not be obliged to notify Customer of any transfers of money to the Account other than to record that transfer in Customer's next regular statement relating to the Account.

Initials by Authorized Party

Customer:

Chase:

4383jrj

MEETING NO. 2
January 18, 1994

Item No. 8e Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, on December 20, 1993, the Town of Cheektowaga entered into an agreement with the Youth Department of the Diocese of Buffalo for continuation of the Cheektowaga Youth Engaged in Service (Y.E.S.) program, and

WHEREAS, Erie County, through a grant from the New York State Division for Youth, will provide the Town of Cheektowaga with \$7,333.33 to expand operation of the program and allow increased participation by developmentally and learning disabled individuals, low-income youth and community service restitution clients, through a new component called G.I.V.E. (Governor's Initiative for Voluntary Excellence, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached addendum to the existing agreement with the Youth Department of the Diocese of Buffalo to provide this additional service.

BUDGET LINE ITEM: 0001-7310-4695

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

**1994 G.I.V.E. GRANT
ADVANCE
AGREEMENT**

THIS AGREEMENT made on the 5th day of January, 1994, between the County of Erie, a municipal corporation of the State of New York, having its offices at 95 Franklin Street, in the City of Buffalo, New York, hereinafter called the County, and **the Town of Cheektowaga**, a municipal government maintaining offices at, **Broadway & Union Streets, Cheektowaga, New York 14227** hereinafter called the Municipality, for the term of (12) months, shall commence September 8, 1993 and end September 7, 1994.

WITNESSETH:

WHEREAS, the Municipality has submitted to the County an application for a youth project to advance the moral, physical, mental and social well-being of the youth of the County of Erie; and

WHEREAS, the County desires to assist the Municipality in its Youth Project, and to secure reimbursable funds therefor from the State of New York; and

WHEREAS, the Erie County Legislature has approved the County Youth Program and authorized the County Executive to execute all necessary documents and agreements to implement such program;

NOW THEREFORE, it is mutually agreed between the parties as follows:

- 1) The attached program description D.F.Y. Form 3105 and the attached budget form D.F.Y. 3107 are detailed and complete in describing the program service to be rendered by the Municipality or its subcontractors, and the costs to be incurred by the Municipality or its subcontractors in providing such service. The said attached program description, D.F.Y. 3105, and budget, D.F.Y. 3107 become a part of this Agreement.
- 2) The Municipality agrees that it will comply with all provisions of the Constitution and of all laws of the State of New York and the County of Erie, and particularly with Section 103a and 103b of the General Municipal Law, the laws against discrimination and the Division for Youth Law and will comply with all the rules and regulations of the New York State Division for Youth and of the Comptroller of the County of Erie.
- 3) The Municipality agrees that no funds received pursuant to this Agreement will be used for sectarian purposes or to further the advancement of any religion.

- 4) The Municipality agrees that if it is, or is deemed to be, a religious or denominational institution or organization, or an organization operated for religious purposes which is supervised or controlled by or in connection with a religious or denominational institution or organization, in providing services pursuant to this Agreement - It will:
 - (a.) not discriminate against any employee or applicant for employment on the basis of religion, and will not limit or give preference in employment to persons on the basis of religion;
 - (b.) not discriminate against any youth, seeking to participate or participating in any program or activity of this Agreement, and will not limit the programs and activities or give preference to persons, on the basis of religion;
 - (c.) provide no religious instruction or counselling, conduct no religious worship or services, engage in no religious proselytizing, and exert no other religious influence in the provision of services or the use of facilities or furnishings funded in whole or in part under this Agreement or any other Agreement with Division For Youth
- 5) The Municipality agrees to maintain separate and complete Fiscal accounts for this program and to make such financial records available for inspection and audit at any time by the Erie County Comptroller, Erie County Department of Youth Services, and the New York State Division for Youth.
- 6) The Municipality agrees to secure and maintain documentation, in accordance with generally accepted accounting principles, of all Municipal expenditures relating to this program and to turn over all such documentation and records during or at the conclusion of the program as may be requested by the County.
- 7) The Municipality agrees that the County, or its duly designated representative, shall monitor and evaluate said program for compliance with the accepted program description and budget and for achievement of goals as set out in the program description.
- 8) The Municipality agrees to comply with the programmatic requirements of the Erie County Department of Youth Services in the submission of program reports, statistical data, demographic data and a final program summary report.
- 9) The Municipality agrees to record the specific client information requested by the County.

- 10) The Municipality at its own expense and charge, for the consideration herein provided, agrees to furnish adequately qualified and trained personnel together with the required office space, equipment and facilities as may be necessary to carry out the program described in the program description attached.
- 11) The Municipality agrees to hire as its own employees, and not as employees of the County, any personnel required in the operation of the said program, and further agrees in its hiring practices to fully comply with all provisions of the Human Rights Law and the Labor Law.
- 12) The Municipality agrees that no current officers, directors, or incorporators of the Municipality shall be hired or retained by the Municipality to fill any staff position or perform any service required under the Agreement, and that parents, spouses, siblings, and children of current officers, directors, or incorporators will not be employees paid from these funds without prior written approval of the County.
- 13) This Agreement is subject to the following conditions:
 - (a.) That said program be approved by the New York State Division for Youth, and
 - (b.) That the state funds be committed thereto for the period described, and
 - (c.) That this Agreement shall be executory only to the extent of the monies available to the County of Erie and appropriated therefor and no liability on account thereof shall be incurred by the County beyond the monies available and appropriated thereof.
- 14) The Municipality agrees that Division For Youth, or its representatives when specifically directed by Division For Youth, to take possession of all books, records, and documents relating to this program.
- 15) The Municipality agrees that the County will not be liable for payment for any item not set forth in an Municipality line item budget or for monies expended by Municipality beyond the sum allowed for in a particular item by the program budget. Any changes or modifications in the line item budget must be approved in advance, in writing by the County and the New York State Division for Youth.

- 16) The County agrees to pay the Municipality for said services to be rendered for the period set forth a sum not to exceed **\$7,333.00 and no/100 dollars**; which sum shall be paid to the Municipality in one advance installment.
- 17) The Municipality agrees to submit to the County on or before the fifteenth day of each succeeding quarter a report of its expenditures during the preceding quarter with verified or certified vouchers or other supporting data attached, which quarterly report of expenditures must satisfy the Erie County Department of Youth Services that such quarterly expenditures made, were made in accordance with the Erie County Fiscal Rules and Regulations Manual, a copy of which is attached hereto.
- 18) The County reserves the right to hold or adjust the Municipality's current advance installment based on the receipt of the Municipality's quarterly report of expenditures. The County further reserves the right to hold or adjust the Municipality's current advance installment if the Municipality owes the County a refund for a previous year.
- 19) The Municipality agrees on demand to refund to the County any unused amounts of advances paid to it under this agreement or determined to be inadequately or improperly accounted for in accordance with the Erie County Department of Youth Services Audit, the Erie County Comptroller Audit or the New York State Division for Youth Audit.
- 21) The Municipality will ensure that the grounds, structure, building, and furnishings at the program site are maintained in good repair and free from any danger to health and safety.
- 22) The Municipality will ensure that any building or structure housing its program complies with all applicable laws regarding, but not limited to, zoning, building, health, sanitation, and fire safety.
- 23) The Municipality agrees to submit a final year end expenditure report to the County on or before 90 days after the end of the program year. Any exception to this requirement needs the written approval of the Erie County Department of Youth Services.
- 25) Services hereunder shall be performed in a manner satisfactory to the Erie County Department of Youth Services and as described in the program/budget description attached.

- 24) The Municipality agrees to indemnify, defend and hold harmless the County of Erie, its agents, employees and representatives, successors against any and all claims, losses, damages, injuries, including death, property damage, lawsuits or other disputes which result directly or indirectly from services provided by the Municipality and it being mutually agreed that there shall be no liability on the part of the County except to make the payments herein before set forth in accordance with this Agreement.
- 26) The Municipality agrees to provide the County with proof that the Municipality is self-insured, with the limits of such insurance to be acceptable to the County, to be set out in the appendix attached hereto. The County reserves the right to hold the Municipality's current advance payment until such time as the County receives an acceptable Certificate of Insurance Form from the Municipality.
- 27) Funding provided by the Erie County Department of Youth Services and the New York State Division for Youth shall be acknowledged by the Municipality in its public correspondence and public relations materials.
- 28) In the event that services hereunder are not satisfactory to the County or to the New York State Division for Youth the County may terminate this Agreement upon 10 (ten) days written notice given to the Municipality either by personal service or by certified or registered mail.
- 29) The Municipality agrees that in the event of termination of the agreement prior to the termination date set forth in the project description, the Municipality agrees to:
 - (a.) Account for and refund to the County, within 30 calendar days, any funds which have been paid to the Municipality pursuant to its agreement with the County which are in excess of unreimbursed expenses incurred prior to the notice of termination.
 - (b.) Not incur any further obligations pursuant to this Agreement beyond the termination date.
 - (c.) Submit, within 30 calendar days of termination, a full report of receipts, expenditures of funds, program activities and accomplishments, and obstacles encountered relating to this AGREEMENT.
- 30) This Agreement is made and executed pursuant to the resolution at the Twenty-Sixth Session of the Erie County Legislature, adopted on the 7th day of December. A.D. 1993, Item Reference: Comm. 22E-4 of the Legislative Proceedings.

REVISED 12/23/93

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized representatives on the date first above written.

MUNICIPALITY:

COUNTY OF ERIE:

By [Signature]
Title: Supervisor

By [Signature]
Dennis T. Gorski,
Erie County Executive

APPROVED AS TO CONTENT
ERIE COUNTY DEPARTMENT OF
YOUTH SERVICES

By [Signature]
Commissioner

APPROVED AS TO FORM

By [Signature]
Asst. County Attorney
Document No.: 94-293-4B
Date: 3/1/94

STATE OF NEW YORK)
COUNTY OF ERIE)

On this 27th day of January, 1994, before me personally came Diane George to me personally known, who being by me duly sworn, did depose and say that he/she is the Supervisor of Union Cheektowaga the corporation described in and which executed the within instrument; that he/she know the seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

DIANE GEORGE
COMMISSIONER OF DEEDS
In and for the City of Buffalo, N.Y. [Signature] Notary Public/Commissioner of Deeds
My Commission Expires Dec. 31, 1994

STATE OF NEW YORK)
COUNTY OF ERIE)

On this 10th day of March, 1994, before me personally came Dennis T. Gorski to me personally known, who being by me duly sworn, did depose and say that he resides in Cheektowaga, New York, that he is the County Executive of the County of Erie and that he executed the foregoing instrument for and on behalf of the County of Erie by virtue of the authority in him vested as County Executive.

[Signature] Notary Public/Commissioner of Deeds
VALERIE L. PORTER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Jan. 31, 1995

Item No. 8f Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga through the Department of Youth and Recreational Services, has submitted to the County of Erie, a renewal application for a youth project to advance the moral, physical, mental and social well-being of its youth; and

WHEREAS, the Town's application would maintain the expansion of its very successful Cheektowaga Youth Engaged in Service (Y.E.S.) program which is provided under contract by the Youth Department of the Diocese of Buffalo; and

WHEREAS, the Erie County Legislature has approved the County Youth Program, which allocates \$7,333.33 for the Cheektowaga youth project, and has authorized the County Executive to execute all necessary documents and agreements to implement such program; NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and hereby is directed to execute said documents and agreements between the Town of Cheektowaga and the County of Erie for said youth project.

Upon Roll Call....

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

Item No. 8g Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, the New York State Department of Transportation has prepared and submitted an Agreement in Connection with the Cost of Relocating Municipally Owned Facilities Maintained for Public Use, A224, which provides for reimbursement for modifications to be performed at the Sanitary Sewer District No. 8 Rein Road Pump Station, at which site significant grade changes have resulted from the N.Y.S.D.O.T. Project for the reconstruction of Genesee Street, D254088, PIN 5209.25.321,.322,.303, and

WHEREAS, the Town Engineer and Nussbaumer & Clarke, Inc., the Town's engineering consultant, have recommended that said modifications be made at the estimated cost of \$23,800.00, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is directed, on behalf of this Town Board, to execute the aforesated Municipal Agreement (A224) as submitted by the New York State Department of Transportation which provides for reimbursement of costs associated with the proposed modifications to the Rein Road Pump Station.

Upon Roll Call....

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

Item No. 8h Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the Town Board has engaged the services of the architectural firm of Foit-Albert Associates for the preparation of plans and specifications for the construction of the Julia Reinstein Library, and

WHEREAS, there is need for additional professional services which are not included in the contract with the architect but which are required in order for the preparation of the library foundation and site development work, NOW, THEREFORE, BE IT

RESOLVED, that the proposal, as submitted by Earth Dimensions, Inc. to the Town Engineer and dated December 30, 1993, for the preparation of a topographic grid survey map in the amount of \$3,000.00, a boundary survey at a cost of \$450.00, and soil borings to rock at a cost of \$4,200.00 be and hereby are approved, and BE IT FURTHER

Item No. 8h cont'd

RESOLVED, that the Supervisor, on behalf of this Town Board, is directed and authorized to sign the Authorization to Proceed, and BE IT FURTHER

RESOLVED, that the total cost of \$7,650.00 is to be charged to the Library Capital Account #5112-7410-9119.

Upon Roll Call....

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

Item No. 8i Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the NYS Department of Environmental Conservation, in conjunction with the U.S. Small Business Administration offers a grant program to provide local governments with monies to purchase trees to be planted on municipally owned property, and

WHEREAS, the Town wishes to plant additional trees to enhance the environmental and aesthetic quality of municipally owned property, and

WHEREAS, based on population, the Town is eligible for a maximum award of \$15,000 which must be matched with in-kind services and cash totaling at least \$15,000, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Environmental Conservation for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Town's share of required matching funds, in an amount not to exceed \$8,000, is available from Capital Improvements, budget line #5005-8560-0700; the remaining matching funds to be contributed will be in the form of in-kind services, 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, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 8j Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the New York State Archives and Records Administration offers a grant program to assist local governments with administration of municipal records, and

WHEREAS, the Town wishes to continue efforts to microfilm Town records, thereby reducing retrieval time, required storage space, and usage of fragile paper records, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Archives and Records Administration for the purpose of securing a grant in an amount not to exceed \$50,000, and BE IT FURTHER

RESOLVED, that all matching requirements will be met utilizing in-kind services, and BE IT FURTHER

Item No. 8j cont'd

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, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has supported the Meals on Wheels Program for over twelve years, and

WHEREAS, we are presently serving 228 elderly residents daily with two home-delivered meals, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga will present a grant of \$20,000 to the Meals on Wheels Program for the year 1994 to insure the continuity of this program in our Town.

FUNDING ACCOUNT: 01-7620-4000-4629

Upon Roll Call....

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

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

WHEREAS, the Department of Youth and Recreational Services will receive an advance payment of \$7,333.33 from Erie County as the administrator of a renewal grant from the New York State Division for Youth which allows for the expansion of the Youth Engaged in Service (Y.E.S.) program through the GIVE (Governor's Initiative for Voluntary Excellence) program, and

WHEREAS, a budget line item must be established to meet the requirement for separate financial reporting procedures for the GIVE component, NOW, THEREFORE, BE IT

RESOLVED, that the following account lines be and hereby are established:

YES/GIVE/Erie County (Expense) - Account 0001-7310-4695 - \$7,333.33

YES/GIVE/Erie County (Revenue) - Account 0001-7310-3975 - \$7,333.33

Upon Roll Call....

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

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

WHEREAS, the Youth and Recreational Services Department's Youth Engaged in Service (Y.E.S.) program has requested permission to conduct an overnight campout on January 21st and 22nd, 1994 at the Alexander Community Center, and

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the

Item No. 11 cont'd

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 the Cheektowaga Youth Engaged in Service program for the use of the Alexander Community Center on January 21st and 22nd, 1994, 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, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, through previous Town Board resolution dated September 7, 1993, Babinsky.Klein Engineering, P.C. was retained to perform professional engineering services related to expansion of the Town Energy Monitoring System and Fan Coil Unit Installations, and

WHEREAS, additional mechanical and engineering improvements to the fin radiation at the Alexander Community Center are required to improve the efficiency of the heating systems, and

WHEREAS, Babinsky.Klein Engineering, P.C. has submitted a proposal to provide the additional engineering service related to the Alexander Community Center at a cost of \$2,300.00, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves the submittal by Babinsky.Klein Engineering, P.C., 150 Creekside Drive, Amherst, New York 14228-2087, increasing the fees for professional engineering services for expansion of the Energy Monitoring System and Fan Coil Unit Installations from \$14,900.00 to \$17,200.00, and BE IT FURTHER

RESOLVED, that funds for said professional services are available from Capital Improvement Account #5301-1625-9309.

Upon Roll Call....

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

Item No. 13 Motion by Councilman Solecki, Seconded by Councilman Wielinski

BE IT RESOLVED that the following seasonal and/or part-time employees be and hereby are terminated as listed:

RECYCLING DEPARTMENT

EFFECTIVE

Brian Wisniewski	01/01/94
Jeffrey Pijacki	01/01/94

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be and hereby are reappointed to serve on the Veterans Affairs Committee for a one year term, January 1 - December 31, 1994:

Kenneth Blum	Joseph Lipowski
Cheektowaga, NY 14215	Depew, NY 14043
Alexander Burke	Sylvia Lipowski
Cheektowaga, NY 14206	Depew, NY 14043
Victor Carlucci	Joseph Porempski
Depew, NY 14043	Cheektowaga, NY 14227
Wesley Fuqua	Earle Rosenthal
Cheektowaga, NY 14225	Cheektowaga, NY 14225
Dorothy Kubik	Elaine Rosenthal
Cheektowaga, NY 14227	Cheektowaga, NY 14225
Donald LeBarron	
Cheektowaga, NY 14225	

and BE IT FURTHER

RESOLVED, that Edward Schultz of Sloan, New York, 14212, be and hereby is appointed to fill the vacancy created by the resignation of Eugene Kelly, said term to expire on December 31, 1994.

Upon Roll Call....

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

Item No. 15 Motion by Councilman Jaworowicz, Seconded by Councilman Wielinski

WHEREAS, the term of Joan Meyers as member of the Cheektowaga Planning Board expires on December 31, 1993, and

WHEREAS, Joan Meyers has served on the Planning Board since 1986 and has experience in Planning Board matters, and

WHEREAS, the Cheektowaga Planning Board has recommended that Joan Meyers be appointed to another term on the Planning Board, NOW, THEREFORE, BE IT

RESOLVED, that Joan Meyers be and hereby is reappointed as a member of the Cheektowaga Planning Board for a term expiring on December 31, 2000.

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 Jaworowicz

BE IT RESOLVED that Joanne Burst, residing at Depew, New York 14043, be and she hereby is appointed to the position of clerk to the Supervisor, part-time, at a wage of \$8.00 per hour, as same has been established by resolution dated January 4, 1994.

Item No. 16a cont'd

Upon Roll Call....

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

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

WHEREAS, the Town's cable television franchise agreement with Adelphia Cable Communications ("Adelphia") will expire on May 3, 1994, and

WHEREAS, the Federal Communications Policy Act of 1984 and regulations adopted by the New York State Commission on Cable Television establish guidelines and procedures for franchise renewals, and

WHEREAS, such guidelines suggest that the Town of Cheektowaga should form a Cable Television Committee to evaluate the services provided and perform a "due diligence" review, and make recommendations to the Town Board concerning a franchise renewal with Adelphia, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby creates a Cable Television Committee to begin the process of evaluating the performance of Adelphia and for making recommendations to this Town Board in relation to the pending renewal of Adelphia's franchise agreement with the Town, and BE IT FURTHER

RESOLVED, that the following persons be and hereby are appointed to serve on the Cable Television Committee:

Thomas M. Johnson, Jr., Councilman
William P. Rogowski, Councilman
Kevin G. Schenk
Michael J. Stachowski
Ronald Marten
Stephen Jasinski
Andrew A. Kulyk
Floyd Baker
Joe DiDomenico

and BE IT FURTHER

RESOLVED, that further appointments to this Cable Television Committee shall be made by this Town Board at a later date.

Upon Roll Call....

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

Item No. 16c Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

WHEREAS, the Cheektowaga Zoning Board of appeals has had a term expire as of December 31, 1993, NOW, THEREFORE, BE IT

RESOLVED, that Robert Brandon, be and hereby is appointed to a five (5) year term on the Cheektowaga Zoning Board of Appeals, said term to expire December 31, 1998.

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be and hereby are hired as SEASONAL EMPLOYEES, not to exceed 24 weeks in a calendar year, 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:

<u>RECYCLING DEPARTMENT - \$5.00 per hour</u>	<u>EFFECTIVE</u>
David Longo	01/19/94
John A. Mazgaj	01/19/94

Upon Roll Call....

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

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

BE IT RESOLVED that the below listed individuals be hired as indicated: (part-time)

<u>Lifeguard II - 7180.1903 - \$5.00 per hour</u>	
Jeffrey Coia	14227
<u>Recreation Attendant II - (7140-1612) - \$4.50 per hour</u>	
Lee Nowak	14225

and BE IT FURTHER

RESOLVED that the following individual be paid at the instructor rate of pay, as needed, (part-time) at \$8.35 per hour (7140.1615).

Michelle Kunkel	14225
-----------------	-------

Upon Roll Call....

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

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

WHEREAS, the 1994 Annual Meeting of the Association of Towns will be held at the New York Hilton in New York City from February 20-23, 1994, and

WHEREAS, during such meeting, sessions covering numerous municipal related topics of interest to Town officials are held, and

WHEREAS, it is advantageous to the Town to have certain Town officials attend this meeting, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are authorized to attend the 1994 Annual Meeting of the Association of Towns:

Town Board Members
Town Engineer
Town Clerk
Superintendent of Highways

and BE IT FURTHER

Item No. 19a cont'd

RESOLVED, that Supervisor Dennis H. Gabryszak be and hereby is designated as the official Voting Delegate to represent the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the Town shall reimburse the above named individuals for their reasonable and necessary expenses incurred in attending such meeting out of budget line item number 0100-1910-4082.

Upon Roll Call....

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

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

WHEREAS, a closing on the sale of \$2,130,000. Retirement System Serial bonds will take place at the offices of Hawkins, Delafield & Wood, 67 Wall Street, New York, New York on January 26, 1994, and

WHEREAS, it is necessary that the Supervisor and Town Clerk attend such bond closing to execute various documents, NOW, THEREFORE, BE IT

RESOLVED, that Dennis H. Gabryszak, Supervisor, and Richard M. Moleski, Town Clerk, be and hereby are authorized to attend the aforementioned bond closing in New York City, and BE IT FURTHER

RESOLVED, that the Town shall pay the reasonable expenses of such Town Officials associated with attending such bond closing in an amount not to exceed \$850.00 per person out of budget line item number 0100-1910-4082. =

Upon Roll Call....

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

Item No. 19c Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the New York State Government Finance Officers' Association (GFOA) will be holding its Annual Conference in Albany, New York on March 22-25, 1994, and

WHEREAS, the Supervising Accountant of the Town is a Director of the Western Council of GFOA, and has requested permission to attend this meeting, and

WHEREAS, information important to the Town will be discussed at this meeting, NOW, THEREFORE, BE IT

RESOLVED, that Robert E. Kaczmarek be and hereby is authorized to attend the aforementioned meeting, and BE IT FURTHER

RESOLVED, that the Town shall pay all reasonable costs associated with Mr. Kaczmarek's attendance at this meeting not to exceed \$1,000 out of budget line number 0100-1910-4082.

Upon Roll Call....

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

Item No. 19d Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and inspections from February 6 - 9, 1994 at the Buffalo Hilton Hotel, Buffalo, New York, and

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

WHEREAS, it is required that certain Building and Housing Inspectors be authorized to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED, that Ronald Marten, Lawrence Kensy, Gary Parks and Richard Willis are authorized to attend said educational seminar on February 6, 7, 8, and 9, 1994 at the Buffalo Hilton Hotel, at a cost of \$160.00 per person, said costs to be paid from the Community Development and the Building Inspection Department budgets.

Upon Roll Call....

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

Item No. 19e Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the North Carolina State University in affiliation with the National Recreation & Parks Association, is conducting a graduate seminar on entrepreneurial management as part of the Revenue Sources Management School at Oglebay Park, West Virginia from Sunday March 13th thru Thursday March 17th, and

WHEREAS, this educational program for park recreation administrators, managers, and supervisors is to teach new concepts and technologies which enhance revenue generation, fiscal administration and the operation of revenue producing programs and facilities, and

WHEREAS, the Town of Cheektowaga is desirous of continuing to explore alternative sources of revenue to support youth, and recreational activities within the community, NOW, THEREFORE, BE IT

RESOLVED, that Kenneth J. Kopacz, Executive Director of the Department of Youth & Recreational Services, be reimbursed the necessary transportation, meals and lodging expenses to attend said meeting at a cost not to exceed \$350.00 (estimate) (Line Item No. 01-7140-0004-4191); travel \$162.00 (estimate) (01-1910-0004-4083) and training fees not to exceed \$325.00 (Line Item No. 01-7310-0004-4681)

Upon Roll Call....

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

Item No. 19f Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, the Remington Arms Company is holding an Armorers School from March 22-25, 1994 in Illion, New York, and

WHEREAS, Chief Chamberlin is requesting authorization to send Officer Edward Brotz and Det. Thomas Wentland to this training school. Officers will be trained to maintain and repair Remington weapons. The Police Department will be responsible for registration, lodging, travel and meals amounting to approximately \$900.00. A Town vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

Item No. 19f cont'd

RESOLVED, that Chief Chamberlin is authorized to send the above officer to this training. The time spent at this training will be authorized as normal duty time. The registration expense will be charged to 0100-3120-4093, lodging travel and meals will be charged to 0100-3120-4085.

Upon Roll Call....

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

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

WHEREAS, subsequent to the completion and filing of the assessment roll for the current year, a number of special proceedings for the review of the assessment of certain real properties were commenced against the Town, and

WHEREAS, assessments and assessment review proceedings involve a specialized area of law, accounting and economics, and

WHEREAS, David L. Jones, attorney at law is an experienced practitioner in the aforementioned specialized field; and, in fact, has represented the Town on such proceedings for the past several years, and

WHEREAS, in addition the Town Assessor has recommended the retention of Mr. Jones for advice and representation on pending assessment proceedings, NOW, THEREFORE, BE IT

RESOLVED, that David L. Jones, Esq. be and hereby is retained to represent the Assessor, the Board of Assessment Review and the Town of Cheektowaga in all assessment review proceedings based on the current assessment roll, and BE IT FURTHER

RESOLVED, that his reasonable fees and expenses be paid from budget line item number 01-1355-0004-4561

Upon Roll Call....

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

Item No. 20b Motion by Councilman Rogowski, Seconded by Councilman Wielinski

WHEREAS, Scaffidi & Moore Architects has submitted a proposal to review the Election Center/Facilities Department building located at the Town Hall Complex, and

WHEREAS, said study shall include a review of existing structural conditions and evaluate for program requirements, review for conformance with N.Y.S. "Uniform Fire Prevention Code", handicapped accessibility requirements, mechanical systems, plumbing, heating and ventilation and electrical systems, and

WHEREAS, Scaffidi & Moore Architects will furnish the Town schematic drawings of the structure with suggested modifications, additions to accommodate existing and future program requirements, structural modifications and repairs, recommendations for reconstruction to comply with code, energy and handicapped requirements; recommendations for reconstruction, replacement and upgrading of mechanical and electrical systems; assistance in establishing priorities and possible phased reconstruction programs and budget estimates, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby retains the firm of Scaffidi & Moore Architects, 4535 Bailey Avenue, Eggertsville, New York 14226 at a fee of \$5,000.00 to perform a Study & Report of the Election Center/Facilities Department building, and BE IT FURTHER

Item No. 20b cont'd

RESOLVED, that funds for said action are available from Capital Improvement Account #5301-1450-9312.

Upon Roll Call....

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

Item No. 20c Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, Darryl L. Jones, Registered Landscape Architect, has submitted a proposal to provide professional services associated with Parking Lot Expansion at the Anna M. Reinstein Cheektowaga Memorial Library, and

WHEREAS, said proposal shall include preliminary design, plans and specifications, construction observation, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby retains the firm of Darryl L. Jones, RLA, 55 Marsdale Road, Cheektowaga, New York 14215-2033, at a fee of \$3,845.00 plus Reimbursable Expenses not to exceed \$250.00 for professional services associated with Parking Lot Expansion at the Anna M. Reinstein Cheektowaga Memorial Library, and BE IT FURTHER

RESOLVED, that funds for said actions are available from Capital Improvement Account #5003-7410-1100.

Upon Roll Call....

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

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

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

PART TOWN FUND

FROM:	0800-3620-1500	Zoning Enforcement Official	\$10,000.00
TO:	0800-3620-1750	Assistant Housing Inspector	\$10,000.00

SPECIAL DISTRICTS FUND

FROM:	2500-8125-1424	Sewer Maintenance	\$34,195.00
	2500-8135-1492	Seasonal Laborers	7,000.00
	2500-8125-4543	Contracted Sewer Repairs	7,000.00
TO:	2500-8125-1412	Sewer laborers	\$34,195.00
	2500-8135-1391	Part-Time Clerical - Main Pump	7,000.00
	2500-8125-4581	Main Pump - Consulting Engineers	7,000.00

Upon Roll Call....

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

MEETING NO. 2
January 18, 1994

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to January 14, 1994 are hereby approved and made a part hereof:

GENERAL FUND	\$3,894,837.33
HIGHWAY FUND	1,286,733.17
TRUST & AGENCY FUND	70,746.26
CDBG HUD FUND	896.16
PART TOWN FUND	303,563.85
RISK RETENTION FUND	46,868.40
DEBT SERVICE FUND	30,249.00
SPECIAL DISTRICTS FUND	2,344,772.17
HUD HOUSING REHAB FUND	17,562.00
CAPITAL FUND	440,727.51
	<u>\$8,436,955.85</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Letter of resignation from Town Historian
Received and Filed.

Item No. 24 Office of Disaster Preparedness - Quarterly report from October to
December, 1993.
Received and Filed.

Item No. 25a Minutes of Meeting - Traffic Safety Commission - December 21, 1993
Received and Filed.

Item No. 25b Minutes of Meeting - Planning Board - December 9, 1993
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 26 Notice of Order - Fire pre-emption switch at Forks Fire Hall
Copies were sent to: Dennis H. Gabryszak, Supervisor; Council Office;
Highway Department; Traffic Safety Commission.
Received and Filed.

Item No. 27 Summons & Complaint - Donald Fleming/infant by Diane Fleming, his
mother vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Police Department; Joan Meyers, Supervisor's Office;
Allied Claims, Insurance Carrier.
Received and Filed.

Item No. 28a Notice of Claim - General Accident Ins. Co. as subrogee & Adams Como
Lounge, Inc. vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Building Department; Allied Claims, Insurance Carrier.
Received and Filed.

Item No. 28b Notice of Claim - Jude Sturman vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed.

Item No. 28c Notice of Claim - Mary Kolodziej vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed.

Item No. 28d Notice of Claim - Audrey Sicurella vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Sanitation Department; Allied Claims, Insurance
Carrier.
Received and Filed.

Item No. 28e Notice of Claim - Kim Harzynski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Facilities Department; Allied Claims, Insurance
Carrier.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Johnson, Seconded by Councilman Wielinski
to suspend the rules to include the following item 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. 29 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, this Town Board, acting as the Board of Managers of Sewer
District #7, desires to provide additional sanitary sewer relief, and

WHEREAS, the Town Engineer recommends the design of a relief sewer
along Homeworth Parkway with a connection to the Northeast Interceptor so as to
divert access flows from the abutting streets, NOW, THEREFORE, BE IT

RESOLVED, that the proposal, as submitted to the Town Engineer by
Nussbaumer & Clarke, Inc., dated January 10, 1994 for the preparation of plans for a
sanitary sewer from Lydia Lane north to the Northeast Interceptor is accepted and
approved, and BE IT FURTHER

RESOLVED, that the cost of the required survey, borings, plans and
construction stakeout, in the total amount of \$12,950.00 for Tasks No. 1 - 5 as
noted in said January 10, 1994 proposal, be charged to account #2500-8125-4581, and
BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of the Board of Directors of
Sewer District #7 is directed and authorized to sign said proposal with Nussbaumer &
Clarke, Inc. for the provision of professional services.

Upon Roll Call....

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

MEETING NO. 2
January 18, 1994

Item No. 30

Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski
to adjourn in memory of Ben Hoey.

RICHARD M. MOLESKI
Town Clerk

R E S O L U T I O N S

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S U S P E N S I O N O F R U L E S

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Meeting No. 3 February 7, 1994

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MEETING NO. 3
February 7, 1994

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 February, 1994 at 7:00 o'clock P.M., Eastern Standard 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; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Ronald Marten, Building & Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; Salvatore LaGreca, Chairman of Planning Board; Bruce Chamberlin, Chief of Police; John Howlett, Police Captain; John Schaller, Assistant Chief of Police; Congressman Jack Quinn and United States Attorney Patrick NeMoyer.

I. RESOLUTIONS

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

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on February 28, 1994 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 10th day of February, 1994, said amendments being set forth in the Notice of Hearing.

* * * * *

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on February 28, 1994 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 76.80. Stop intersections designated, shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Barbados	East west	Woodgate	Northbound	S.E. Corner
Barbados	East west	Woodgate	Southbound	N.W. Corner

Item No. 2 continued

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>
Woodgate Dr.	North south	LeHavre	Northbound	S.E. Corner
Woodgate Dr.	North south	LeHavre	Southbound	N.W. Corner

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

Richard M. Moleski
Town Clerk

Dated: February 7, 1994

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 OF
PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on February 28, 1994 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 76.80. Stop intersections designated, shall be amended by deleting therefrom the following:

Street: Barbados, Direction: East-west, Entrance Street: Woodgate, Traffic Stops: Northbound, Sign Location: S.E. Corner

Street: Barbados, Direction: East-west, Entrance Street: Woodgate, Traffic Stops: Southbound, Sign Location: N.W. Corner

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: Woodgate Dr., Direction: North south, Entrance Street: LeHavre Traffic Stops: Northbound, Sign Location: S.E. Corner

Street: Woodgate Dr., Direction: North south, Entrance Street: LeHavre Traffic Stops: Southbound, Sign Location: N.W. Corner

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

Dated: February 7, 1994

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 10, 1994

.....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..... February 10, 1994; last publication..... February 10, 1994; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this 10th

day of February , 19⁹⁴.....

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 S

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

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 February 28, 1994 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 76.80. Stop intersections designated, shall be amended by deleting therefrom the following:

Street: Barbados, Direction: East-west, Entrance Street: Woodgate, Traffic Stops: Northbound, Sign Location: S.E. Corner

Street: Barbados, Direction: East-west, Entrance Street: Woodgate, Traffic Stops: Southbound, Sign Location: N.W. Corner

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: Woodgate Dr., Direction: North south, Entrance Street: LeHavre Traffic Stops: Northbound, Sign Location: S.E. Corner

Street: Woodgate Dr., Direction: North south, Entrance Street: LeHavre Traffic Stops: Southbound, Sign Location: N.W. Corner.

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

Dated: February 7, 1994

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: February 10, 1994

.....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 February 10, 1994..... ;
 last publication February 10, 1994..... ;
 and that no more than six days intervened be-
 tween publications.**

.....*Melissa Gugliuzza*.....

Sworn to before me this 10th

day of February....., 19⁹⁴.....

.....*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 S

Item No. 3a Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, bids were received by the Town Board at a bid opening on February 1, 1994 for ten (10) Police Vehicles, and such bids were referred to the Chief of Police for analysis, tabulation and report, and

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

RESOLVED, that the bid be awarded to Emerling Chevrolet, 9000 Boston State Road, Boston, New York 14025, being the lowest responsible bidder meeting specifications, and be it further

RESOLVED, that the purchase orders be drawn on line 0100-3120-2303 and 0100-3120-2304.

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

Upon Roll Call....

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

AMENDED

WHEREAS, bids were received by the Town Board at a bid opening on February 1, 1994 for ten (10) Police Vehicles, and such bids were referred to the Chief of Police for analysis, tabulation and report, and

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

RESOLVED, that the bid be awarded to Emerling Chevrolet, 9000 Boston State Road, Boston, New York 14025, being the lowest responsible bidder meeting specifications at a cost of \$134,498.00, and be it further

RESOLVED, that the purchase orders be drawn on line 0100-3120-2303 and 0100-3120-2304.

Upon Roll Call....

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of manhole frames with self-sealing covers and manhole frames with vented covers, which bids were duly received and opened at the January 31, 1994 public bid opening, AND

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

WHEREAS, bids were reviewed and it is recommended that the award be made to the lowest responsible bidder meeting the requirements of the specifications, NOW, THEREFORE, BE IT

Item No. 3b continued

RESOLVED, that the contract for the furnishing of manhole frames and covers be and hereby is awarded to:

K & S Supply Corporation
1971 Gunville Road
Lancaster, New York 14086
759-6911

<u>ITEM</u>	<u>QUANTITY</u>	<u>DELIVERED UNIT BID PRICE</u>
Frame with 24" diameter self-sealing cover (set)	25 50	\$117.00 113.00
Frame with 24" diameter vented cover (set)	25 50	108.00 103.00

Upon Roll Call....

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

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

WHEREAS, bids were duly received on January 31, 1994 as the result of advertisement, therefore, for the furnishing of traffic control signs, street name signs and brackets for the 1994 calendar year. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said report is hereto attached and contained in a letter to the Town Board dated February 2, 1994, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of traffic control signs, street name signs and brackets for the 1994 calendar year, per said unit prices, be awarded to the following:

Chemung Supply Corporation
P.O. Box 527
Elmira, New York 14902
(607) 733-5506

<u>ITEM 1 - Square and Diamond Signs - Finished</u>	<u>CLASS A</u>
18" x 18"	\$ 6.07
24" x 24"	10.98
30" x 30"	17.19
36" x 36"	24.07
48" x 48"	42.82
<u>ITEM 2 - Octagon Signs - Finished</u>	<u>CLASS A</u>
30" x 30"	17.19
36" x 36"	24.07
<u>ITEM 3 - Rectangle Signs - Finished</u>	<u>CLASS A</u>
12" x 18"	4.13
18" x 24"	8.24
18" x 30"	10.17
24" x 30"	13.74
24" x 36"	16.19
24" x 48"	21.59
30" x 36"	20.07
36" x 12"	8.14
36" x 48"	32.09

Item No. 3c continued

ITEM 4 - Traffic Signs - Finished CLASS A

36"	\$10.98
48"	21.41

ITEM 5 - Street Name Signs - Finished CLASS A

12" x 6"	2.03
18" x 6"	3.03
24" x 8"	5.39
30" x 8"	6.74
36" x 8"	8.08
42" x 8"	9.43
48" x 8"	10.77

ITEM 6 - Street Sign Brackets CLASS A

2" Round Post - Ext/Flat	6.59
2" Square Post - Ext/Flat	7.92

Upon Roll Call....

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

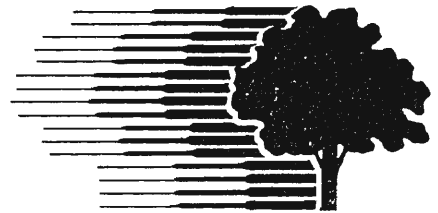
NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

February 2, 1994

TO SUPERVISOR SWIATEK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Traffic Control
Signs, Street Name Signs
and Brackets

Gentlemen:

On January 31, 1994 bids were received and publicly opened for the purchase of traffic control signs, street name signs and brackets for the Town of Cheektowaga for the 1994 calendar year. Five (5) bidders submitted bids which are as follows:

<u>BIDDER</u>	<u>CLASS A</u>	<u>CLASS B</u>
Chemung Supply Corporation	\$ 9,228.00	\$20,185.50
AM Sign Corporation	\$10,241.75	\$23,147.50
Flasher Handling	\$16,173.00	\$27,057.00
A & H Equipment Company*	\$10,568.25	\$24,863.75
Eastern Metal*	\$17,830.00	\$21,842.50

It is, therefore, recommended that the bid be awarded to Chemung Supply Corporation for Class A only, said bid being the lowest bid meeting the requirements of our specifications.

*Did not bid on all items

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

CC: Gary Schmidt

Item No. 3d Motion by Councilman Roqowski, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received on January 31, 1994 as a result of advertisement for the furnishing of all corrugated metal, aluminized metal, slotted, polyethylene and reinforced concrete pipe requirements of the Town of Cheektowaga for the year 1994. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 2, 1994, NOW, THEREFORE, BE IT

RESOLVED, that the contract for furnishing pipe to the Town for the year of 1994, as per said unit prices and as recommended by the Town Engineer, is hereby awarded to the following:

Chemung Supply Corporation
P.O. Box 527
Elmira, New York 14902
(607) 733-5506

ITEM A:

6" dia CMP	\$ 2.23 L.F.
8" dia CMP	3.33 L.F.
10" dia CMP	4.11 L.F.
12" dia CMP	5.43 L.F.
15" dia CMP	6.77 L.F.
18" dia CMP	8.08 L.F.
21" dia CMP	10.43 L.F.
24" dia CMP	14.36 L.F.
30" dia CMP	17.96 L.F.
36" dia CMP	21.91 L.F.
42" dia CMP	25.04 L.F.
48" dia CMP	28.64 L.F.
54" dia CMP	32.34 L.F.
60" dia CMP	49.58 L.F.
72" dia CMP	59.49 L.F.
84" dia CMP	69.41 L.F.
43" x 27" CMP	22.43 L.F.
43" x 27" Paved Invert	27.64 L.F.
50" x 31" CMP	26.87 L.F.
50" x 31" Paved Invert	32.61 L.F.
58" x 36" CMP	29.74 L.F.
58" x 36" Paved Invert	33.81 L.F.
65" x 36" CMP	33.39 L.F.
65" x 36" Paved Invert	38.61 L.F.
72" x 44" CMP	50.36 L.F.
72" x 44" Paved Invert	56.36 L.F.

ITEM B:

12" End Section	30.44 L.F.
15" End Section	45.67 L.F.
18" End Section	54.38 L.F.
21" End Section	70.69 L.F.
24" End Section	86.99 L.F.
30" End Section	152.29 L.F.
36" End Section	244.76 L.F.

ITEM C:

12" Slotted drain - 2-1/2"	25.29 L.F.
12" Slotted drain - 6"	31.28 L.F.
12" Slotted drain - band	16.32 L.F.
15" Slotted drain - 2-1/2"	27.74 L.F.
15" Slotted drain - 6"	32.84 L.F.
15" Slotted drain - band	17.39 L.F.
18" Slotted drain - 2-1/2"	29.97 L.F.
18" Slotted drain - 6"	35.08 L.F.
18" Slotted drain - band	18.49 L.F.

ITEM D:

6" dia CMP, perf U.D.	\$ 2.29 L.F.
8" dia CMP, perf U.D.	3.44 L.F.
10" dia CMP, perf U.D.	4.22 L.F.
12" dia CMP, perf U.D.	4.43 L.F.
15" dia CMP, perf U.D.	5.68 L.F.

ITEM F:

18" Spiral rib CMP	9.42 L.F.
21" Spiral rib CMP	15.92 L.F.
24" Spiral rib CMP	20.96 L.F.
30" Spiral rib CMP	25.14 L.F.
36" Spiral rib CMP	30.38 L.F.
42" Spiral rib CMP	35.62 L.F.
48" Spiral rib CMP	40.87 L.F.

ITEM G:

18" Polyethylene Pipe	5.36 L.F.
24" Polyethylene Pipe	7.73 L.F.
30" Polyethylene Pipe	13.19 L.F.

K & S Contractors Supply
1971 Gunville Road
Lancaster, New York 14086
(716) 759-6911

ITEM E:

12" RCP Class III	7.59 L.F.
12" RCP Class IV	7.59 L.F.
15" RCP Class III	9.97 L.F.
15" RCP Class IV	9.97 L.F.
18" RCP Class III	11.59 L.F.
18" RCP Class IV	11.59 L.F.
21" RCP Class III	14.85 L.F.
21" RCP Class IV	16.86 L.F.
24" RCP Class III	17.85 L.F.
24" RCP Class IV	20.57 L.F.
30" RCP Class III	26.41 L.F.
30" RCP Class IV	28.76 L.F.
36" RCP Class III	35.38 L.F.
36" RCP Class IV	39.05 L.F.
42" RCP Class III	47.43 L.F.
42" RCP Class IV	52.19 L.F.
48" RCP Class III	61.01 L.F.
48" RCP Class IV	67.72 L.F.
54" RCP Class III	75.72 L.F.
54" RCP Class IV	87.35 L.F.
60" RCP Class III	92.91 L.F.
60" RCP Class IV	106.60 L.F.

ITEM G:

12" Polyethylene	2.53 L.F.
15" Polyethylene	3.45 L.F.
36" Polyethylene	18.04 L.F.

Item No. 3d continued

Vellano Brothers, Inc.
4401 Walden Avenue
Lancaster, New York 14086
684-7222

ITEM E:

33" RCP Class III	33.25 L.F.
33" RCP Class IV	38.04 L.F.
66" RCP Class III	112.34 L.F.
66" RCP Class IV	128.38 L.F.
72" RCP Class III	132.03 L.F.
72" RCP Class IV	150.83 L.F.
84" RCP Class III	175.50 L.F.
84" RCP Class IV	200.66 L.F.

Upon Roll Call....

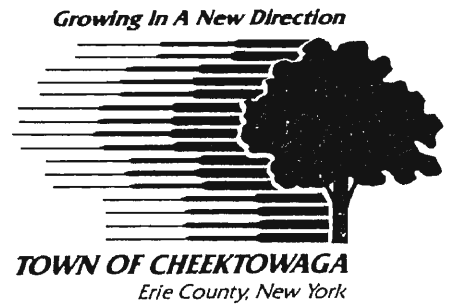
AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



February 2, 1994

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid, Corrugated
Metal, Polyethylene and
Reinforced Concrete Pipe

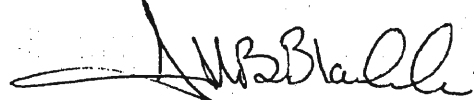
Gentlemen:

At a public bid opening on January 31, 1994 bids were received and publicly opened for the purchase of corrugated metal, polyethylene and reinforced concrete pipe in various sizes for the 1994 calendar year. Three (3) bidders submitted bids for the ninety (90) pipe and related items as outlined in the specifications.

It is, therefore, recommended that the bid for the various pipes and related items be awarded to the lowest responsible bidder meeting the requirements of the specifications as outlined on the attached resolution.

Very truly yours,

TOWN OF CHEEKTOWAGA



Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

Item No. 3e Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, as a result of advertisement, bids were received on January 31, 1994 for the furnishing of equipment and operators for mowing three (3) Galleria Detention Basins for 1994, 1995 and 1996 in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 2, 1994, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for mowing three (3) Galleria Detention Basins be awarded to Niagara Grass, 2601 Niagara Falls Boulevard, Niagara Falls, New York 14304 for submission of the lowest bid meeting the requirements of the specifications in the amount of \$5,800.00, AND, BE IT FURTHER

RESOLVED, that funds have been budgeted for maintenance in Account Nos. 06-0834-0000, 06-0831-0000 and 06-0833-0000.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



February 2, 1994

TO SUPERVISOR GABRYSZAK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing Equipment & Operators
for Mowing Three (3) Galleria
Detention Basins for 1994 - 1996

Gentlemen:

Bids were received and opened on January 31, 1994 for the furnishing of equipment and operators for mowing three (3) Galleria detention basins for 1994 through 1996. Three (3) bids were sent out but only one (1) bid was received and is as follows:

<u>BIDDER</u>	<u>TOTAL BID</u>
Niagara Grass	\$5,800.00

It is, therefore, recommended that the bid be awarded to Niagara Grass, 2601 Niagara Falls Boulevard, Niagara Falls, New York 14304 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan Blachowski, do

Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

Item No. 3f Motion by Councilman Roowski, Seconded by Supervisor Gabryszak

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 bid be awarded to the following bidders, meeting specifications as follows: (see attached)

Velva Sheen
37 Fruehauf Avenue
Snyder, New York 14226
ATTN. Sandy DeLeo

The Underground Screen Printing
3 Pequet Parkway
Tonawanda, New York 14150
ATTN. Thomas Murphy

Jim Ludkta Sporting Goods, Inc.
3383 Harlem Road
Cheektowaga, New York 14225

Buffalo Swim Wear
84 West Royal Parkway
Williamsville, New York 14221
ATTN. Agnes Banks

Pine Ridge Enterprises
8386 North Main Street
Eden, New York 14057
ATTN. Richard Castiglia

BE IT FURTHER RESOLVED, that any purchases resulting from the award of this bid for the Youth and Recreational Services Department be apportioned to various 7140. and 7310. accounts for cost centering purposes.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

BID ITEMS

ITEM 1

T-Shirts

PINE RIDGE ENTERPRISE

- A) 50/50 cotton/poly, solid color T-Shirt
-front and sleeve logo
-art provided

SCREEN STARS BEST
ONE COLOR PRINT (TWO PLACES)
TWO COLOR PRINT ADD \$1.00
XXL ADD \$1.00

		<u>WHITE</u>	<u>COLOR</u>
Adult:	1doz___ price	\$3.95	\$4.80
	2-4 doz___ price	3.95	4.80
	5-11 doz___ price	3.75	4.60
	12-47 doz___ price	3.75	4.60
Youth:	1 doz___ price	3.65	4.00
	2-4 doz___ price	3.65	4.00
	5-11doz___ price	3.50	3.90
	12-47doz___ price	3.50	3.90

- B) 50/50 poly/cotton solid color T-Shirt
-one color imprint on one side
-art provided

PINE RIDGE ENTERPRISE

NOTE: XXL ADD \$1.00

		<u>WHITE</u>	<u>COLOR</u>
Adult:	1doz___ price	\$3.40	\$4.25
	2-4 doz___ price	3.40	4.25
	5-11 doz___ price	3.25	3.95
	12-47 doz___ price	3.25	3.95
Youth:	1 doz___ price	3.00	3.35
	2-4 doz___ price	3.00	3.35
	5-11 doz___ price	2.95	3.25
	12-47 doz___ price	2.95	3.25

Item 1 (cont.)

-2-

- C) 100% cotton solid T-Shirt
-one color imprint on one side
-art provided

Adult: 1 doz _____ price
2-4 doz _____ price
5-11 doz _____ price
12-47 doz _____ price

Youth: 1 doz _____ price
2-4 doz _____ price
5-11 doz _____ price
12-47 doz _____ price

PINE RIDGE ENTERPRISE

ONEITA POWER TEE
XXL ADD \$1.00

WHITE	COLOR
\$3.95	\$4.75
3.95	4.75
3.85	4.50
3.75	4.50

ONEITA OR FRUIT OF THE LOOM

3.50	4.00
3.50	4.00
3.35	3.75
3.30	3.70

- D) Classic color trimmed T-Shirt
-white body accented with contrasting ribbed neckline and cuffs
50/50 poly/cotton
-one color imprinted on one side
-art provided

Adult: 1doz 3.85 price
2-4 doz 3.85 price
5-11doz 3.75 price
12-47doz 3.75 price

Youth: 1 doz 3.15 price
2-4 doz 3.15 price
5-11 doz 3.10 price

PINE RIDGE ENTERPRISE

AUGUSTA SPORTSWEAR
S-XL

AUGUSTA SPORTSWEAR
S-L

Item 2

Shorts

PINE RIDGE ENTERPRISE

A) 100% Antron nylon shorts with crinkled finish. Long, baggy cut, 6" inseam and two sided pockets. Covered elastic waist band and inside waist drawstring.

-one color imprint on left front
-art provided

Adult: 1 doz 8.00 price
2-4 doz 8.00 price
5-11 doz 7.75 price
12-47 doz 7.75 price

AUGUSTA SPORTSWEAR
STYLE 485
SIZES S-XL

PINE RIDGE ENTERPRISE

B) 50/50 heavy weight jersey knit shorts with 6" inseam and two side pockets. Covered elastic waistband and inside waist drawstring.

-one color imprint on left front
-art provided

Adult: 1 doz _____ price
2-4 doz _____ price
5-11 doz _____ price
12-47 doz _____ price

WHITE	COLOR
<u>\$7.40</u>	<u>\$7.95</u>
7.40	7.95
7.25	7.75
7.25	7.75

AUGUSTA SPORTSWEAR
STYLE 970
SIZES S-XL

Item 3

Tank Tops

PINE RIDGE ENTERPRISE

A) 100% cotton
-one color imprint on front and back
-art provided

Adult: Lg 12
XI 12

Bid price ea 4.95
Total price 118.80

ONEITA OR FRUIT OF THE
LOOM

NOTE: XXL ADD \$1.00

Item 4

Sweatshirts

PINE RIDGE ENTERPRISE

- A) 50/50 poly/cotton fleece fabric. Heavy weight crew. PREMIUM QUALITY
 -one color imprint HANES 9oz WITH SET IN SLEEVES
- | | | |
|--------------------------|--------|--------|
| Adult: 1 doz _____ price | WHITE | COLOR |
| 2-4 doz _____ price | \$8.95 | \$9.45 |
| 5-11 doz _____ price | 8.95 | 9.45 |
| 12-47 doz _____ price | 8.50 | 9.25 |
| | 8.50 | 9.25 |
- LEE 9oz - PREMIUM QUALITY
- Youth: 1 doz 8.00 price
 2-4 doz 8.00 price
 5-11 doz 7:75 price

- B) 50/50 poly cotton fleece fabric medium weight crew PINE RIDGE ENTERPRISE
 -one color imprint PREMIUM QUALITY -HANES 7.5oz WITH SET IN SLEEVE.
 NOTE: XXL ADD \$1.50
- | | | |
|--------------------------|--------|--------|
| Adult: 1 doz _____ price | WHITE | COLOR |
| 2-4 doz _____ price | \$7.25 | \$7.50 |
| 5-11 doz _____ price | 7.25 | 7.50 |
| 12-47 doz _____ price | 6.95 | 7.25 |
| | 6.95 | 7.25 |
- HANES 50/50 CREWNECK SIZES XS - L
- Youth: 1 doz _____ price
 2-4 doz _____ price
 5-11 doz _____ price

- C) 50/50 blend poly cotton fleece fabric. PINE RIDGE ENTERPRISE
 -kelly green with navy imprint on upper left chest

Adult: Lg <u>12</u>	Bid price ea <u>7.50</u>
Xl <u>12</u>	Total price <u>180.00</u>

LEE 50/50 7.5 oz RAGLAN SLEEVES

Item 5

Sweat Pants

PINE RIDGE ENTERPRISE
HANES 7.5oz 50/50

- A) 50/50 sweatpants, elastic waist with drawstring
- one color imprint down left leg
- art provided

	<u>WHITE</u>	<u>COLOR</u>
Adult: 1 doz _____ price	\$7.20	\$7.65
2-4 doz _____ price	7.20	7.65
5-11 doz _____ price	6.95	7.40
12-47 doz _____ price	6.95	7.40

LEE OR JERZEES 50/50

	<u>WHITE</u>	<u>COLOR</u>
Youth: 1 doz _____ price	\$5.85	\$6.25
2-4 doz _____ price	5.85	6.25
5-11 doz _____ price	5.65	5.95

- B) Sweatpants

PINE RIDGE ENTERPRISE

- 50/50, elastic waist
- red imprint down left leg
- gray pant

Adult: XI _____

Bid price ea 7.50
 Total price 90.00

Item 6

Soccer Shirts

PINE RIDGE ENTERPRISE

A) 50/50 screen stars best, different colored shirts with logo printed on front, numbers (1-99) on back

-art provided
-logo printed on one sleeve

Adult: Sm 100
Med 110
Lg 110
XI 80

Bid price ea 4.50
Total price 1,800.00

Youth: 6-8 70
10-12 150
14-16 150

Bid price ea 3.75
Total price 1,387.50

need two week delivery

Item 7

Swim Trunks

BUFFALO SWIM WEAR

A) Speedo, model 732487 avator 15, 60% cotton, 40 % nylon-red with guard patch sewn on each side

Adult: Med 12
Lg 12

Bid price ea 18.25
Total price 438.00

Item 8

Ladies Bathing Suits

BUFFALO SWIM WEAR

A) Speedo # 719072-008 - red, 100% nylon - fully lined (LONGS ONLY)

Adult: 28 2
30 1
32 9
34 1
36 3
38 2

Bid price ea 30.00
Total price 540.00

Item 9

Hockey Jerseys

JIM LUDTKA

- A) Athletic Sewing- polymesh, double yoke and elbows, knit v neck
 -2 color front logo
 -2 color 10" numbers

Adult: Sm 32
 Med 4

Bid price ea 38.95
 Total price 1,402.20

Youth: Lg 10
 XI 26

Bid price ea 37.95
 Total price 1,366.20

- B) Athletic sewing - polymesh, knit v neck
 -2 color front logo
 - 1 color 10" numbers

JIM LUDTKA

Adult: Sm 2
 Med 9
 Lg 5
 XI 2

Bid price ea 31.95
 Total price 575.10

Youth: Lg 6
 XI 12

Bid price ea 30.95
 Total price 557.10

- C) Athletic sewing - stock light weight polyester
 -1 color logo front
 -1 color 10" numbers

JIM LUDTKA

Adult: Sm 5

Bid price ea 26.95
 Total price 134.75

Youth: Med 15
 Lg 30
 XI 10

Bid price ea 25.95
 Total price 1,427.25

Item 10

Ice Rink Guard Jackets

NO BID

- A) Supersoft nylon jacket with thinsulate filling, matching v pattern at back and sleeves

-one color front logo
-4" letters on the back

Adult: 1 doz _____ price
2-4 doz _____ price

- B) Full cut flannel (tricot) lined nylon jacket which features: raglan sleeves, huge knit collar, knit cuffs and waistband, 200 denier water repellent oxford nylon, two large stash pockets, snap closure. NO BID

-one collar front logo
-4" letters on the back

Adult: 1 doz _____ price
2-4 doz _____ price

Item 11

Mesh Tank Top

NO BID

- A) Mesh tank top with numbers and logo.

Adult: 1 doz _____ price
2-4 doz _____ price
5-11 doz _____ price
12-47 doz _____ price

Youth: 1 doz _____ price
2-4 doz _____ price
5-11 doz _____ price
12-47 doz _____ price

Item 12

Polos

UNDERGROUND

- A) 100% cotton interlock with tail polo
-left embroidered chest logo
-art provided

Adult: 1 doz 22.86 price
2-4 doz 22.25 price
5-11 doz 20.11 price
12-47 doz 17.98 price

Youth: 1 doz NA price
2-4 doz NA price
5-11 doz NA price

Item 13

Warm up jacket & Warm up pant

BUFFALO SWIM WEAR

- A) Color block warm up jacket 100% antron nylon shell with crinkled finish jacket with front pockets

- one color logo left chest

Adult: 1 doz 21.00 price
2-4 doz 21.00 price
5-11 doz 20.50 price
12-47 doz 20.50 price

- B) 100% antron nylon warm up pant with crinkled finish, elastic waist, front side pockets with draw cord, elastic leg cuff and side leg zipper.

Adult: 1 doz 16.00 price
2-4 doz 16.00 price
5-11 doz 15.50 price
12-47 doz 15.00 price

Item 14

Long Sleeve T-Shirt

BUFFALO SWIM WEAR

A) Heavy weight 50/50 poly/cotton

-one color imprint on front side
-art provided

Adult: 1 doz 5.00 price
2-4 doz 4.90 price
5-11 doz 4.75 price
12-47 doz 4.50 price

Youth: 1 doz 5.00 price
2-4 doz 4.90 price
5-11 doz 4.75 price

Item 15

Baseball Shirt & Baseball Short

A) Velva Sheen style 5191 100% cotton
-jersey ~~short~~ SHIRT

Adult: 1 doz NA price
2-4 doz 15.15 price
5-11 doz 14.70 price
12-47 doz 14.40 price

B) Velva sheen style 5521 100% cotton
-jersey ~~shirt~~ front logo SHORT
-one color imprint

VELVA SHEEN

Adult: 1 doz NA price
2-4 doz 11.70 price
5-11 doz 11.25 price
12-47 doz 10.95 price

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The price in this bid has been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor; and
- 2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder prior to opening, directly or indirectly to any other bidder, competitor; and
- 3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit a bid for the purpose of restricting competition.

SPECIFICATIONS AND BID PROPOSALS

Pursuant to and in accordance with the advertisement for bids dated January 6, 1994 and the instruction to bidders relating thereto, the undersigned offers to furnish all equipment as described in the specifications and deliver to the Department of Youth and Recreational Services, 275 Alexander Avenue, Cheektowaga, New York 14211.

SIGNED _____

TITLE _____

COMPANY _____

ADDRESS _____

TELEPHONE NO. : _____

Item No. 4a Motion by Councilman Johnson, Seconded by Councilman Roowski

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said public works projects, notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 23rd day of February, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 23, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

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

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

Richard M. Moleski
Town Clerk

DATED: February 7, 1994

* * * * *

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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 23, 1994 at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

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

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

Richard M. Moleski
Town Clerk

Dated: February 7, 1994

PUBLISH: February 10, 1994

.....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..... February 10, 1994..... ;
last publication..... February 10, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza
.....

Sworn to before me this10th.....

day ofFebruary....., 19⁹⁴.....

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 12/11/95

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 February 23, 1994 at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

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

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

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

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 NOTARY PUBLIC STATE OF NEW YORK
 QUALIFIED IN ERIE COUNTY
 MY COMMISSION EXPIRES 12/11/9 S

Item No. 4b Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town Clerk's Office has received a Local Government Records Management Improvement Grant from New York State for the purpose of micro-filming Town records, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforesaid item at 11:00 A.M. on February 23, 1994 in the Council Chambers at the Cheektowaga Town Hall.

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Wednesday, February 23, 1994, at a public bid opening at 11:00 A.M. at the Town Hall located on Broadway and Union Roads, Town of Cheektowaga, New York, for the purpose of microfilming services for the Town of Cheektowaga Town Records.

Specifications for microfilm services may be picked up at the office of the Town Clerk located at 3301 Broadway, Town of Cheektowaga, New York, between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

Richard M. Moleski
Town Clerk
Town of Cheektowaga

DATED: February 7, 1994

PUBLISHED: February 10, 1994

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.

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LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA,
NEW YORK
SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Friday, February 23, 1994, at a public bid opening at 11:00 A.M. at the Town Hall located on Broadway and Union Roads, Town of Cheektowaga, New York, for the purpose of microfilming services for the Town of Cheektowaga Town Records.
Specifications for microfilm services may be picked up at the office of the Town Clerk located at 3301 Broadway, Town of Cheektowaga, New York, between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday.
NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.
Richard M. Moleski
Town Clerk
Town of Cheektowaga
Dated: February 7, 1994
PUBLISH: February 10, 1994

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

Sworn to before me this10th.....

day ofFebruary....., 19⁹⁴.....

.....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 12/11/95

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

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 MY COMMISSION EXPIRES 12/11/95

LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA,
NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Friday, February 23, 1994, at a public bid opening at 11:00 A.M. at the Town Hall located on Broadway and Union Roads, Town of Cheektowaga, New York, for the purpose of microfilming services for the Town of Cheektowaga Town Records.

Specifications for microfilm services may be picked up at the office of the Town Clerk located at 3301 Broadway, Town of Cheektowaga, New York, between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

Richard M. Moleski
 Town Clerk
 Town of Cheektowaga

Dated: February 7, 1994
 PUBLISH: February 10, 1994

Item No. 4c Motion by Councilman Roowski, Seconded by Supervisor Gabryszak

WHEREAS, various Town of Cheektowaga buildings require Heat, Ventilation, Air Conditioning Renovations and Expansion of Energy Management Control Systems, AND

WHEREAS, said buildings scheduled for HVAC Renovations and Energy Management Control System Expansion are the Senior Citizens Center, Alexander Community Center, Maryvale Community Center and Dartwood Community Center, AND

WHEREAS, Babinsky.Klein Engineering, P.C., 150 Creekside Drive, Amherst, New York 14228 has prepared plans and specifications for HVAC Renovations and Energy Management Control System Expansion, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Town Clerk to publish a Notice to Bidders for HVAC Renovations and Energy Management Control System Expansion at Various Town Buildings, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Accounts 5301-1625-9307 and 5301-1625-9309.

* * * * *

INVITATION TO BID
TOWN OF CHEEKTOWAGA
HVAC RENOVATIONS/ENERGY MANAGEMENT CONTROL SYSTEM EXPANSION

Sealed bids in duplicate for HVAC Renovations and Energy Management Control System Expansion at the Town of Cheektowaga, Cheektowaga, New York, will be received by the Town of Cheektowaga, Town Hall until 10:00 A.M. local time on February 18, 1994, and at the date and time publicly opened and read aloud in the Cheektowaga Town Hall, Council Chamber, Broadway and Union Road.

No bid will be accepted without a certified check or bid bond payable to the Town of Cheektowaga in the amount of 5% of his base bid, subject to conditions in the Instructions to Bidders.

The successful Bidder will be required to furnish a Performance Bond and Labor and Material Bond in form and substance and with sureties approved by the Owner in the amount of not less than 100% of the total amount of the accepted proposal.

The Town of Cheektowaga may consider informal any bid not prepared and submitted in accordance with the provisions of these Specifications, or may waive any informalities in or reject any or all bids. No bid shall be withdrawn subsequent to the opening of bids without the consent of the Town of Cheektowaga for a period of sixty (60) days after the scheduled time of opening bids.

Beginning February 7, 1994, up to two copies of the Contract Documents may be obtained by Contractors at the office of Babinsky.Klein Engineering, P.C., 150 Creekside Drive, Amherst, New York 14228, upon deposit of \$100.00 for each set of documents. Checks should be made payable to the Town of Cheektowaga. Such deposits will be refunded to each firm that returns the drawings, specifications, and other documents in good condition within thirty days after the bid opening. Contract Documents will be mailed only to Bidders who submit a written request.

A pre-bid meeting will be held on February 11, 1994, at 1:00 P.M. at the Senior Center, 3349 Broadway and at 2:00 P.M. at the Alexander Community Center, 275 Alexander Street, Cheektowaga, New York. Attendance of all prospective bidders or their authorized representatives at the applicable pre-bid conference/site is expected. A sign-in sheet and record of attendance shall be maintained.

TOWN OF CHEEKTOWAGA
RICHARD M. MOLESKI
TOWN CLERK'S OFFICE

* * * * *

Item No. 4c continued

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Roowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

INVITATION TO BID

TOWN OF CHEEKTOWAGA

HVAC RENOVATIONS/
ENERGY MANAGEMENT
CONTROL SYSTEM
EXPANSION

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The Town of Cheektowaga may consider informal any bid not prepared and submitted in accordance with the provisions of these Specifications, or may waive any informalities in or reject any or all bids. No bid shall be withdrawn subsequent to the opening of bids without the consent of the Town of Cheektowaga for a period of sixty (60) days after the scheduled time of opening bids.

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TOWN OF CHEEKTOWAGA
RICHARD MOLESKI
TOWN CLERK'S OFFICE

PUBLISH: February 10, 1994

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.....February 10, 1994.....; last publication.....February 10, 1994.....; and that no more than six days intervened between publications.

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Sworn to before me this10th.....

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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 12/11/95

LEGAL NOTICE

INVITATION TO BID

TOWN OF CHEEKTOWAGA

**HVAC RENOVATIONS/
ENERGY MANAGEMENT
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The Town of Cheektowaga may consider informal any bid not prepared and submitted in accordance with the provisions of these Specifications, or may waive any informalities in or reject any or all bids. No bid shall be withdrawn subsequent to the opening of bids without the consent of the Town of Cheektowaga for a period of sixty (60) days after the scheduled time of opening bids.

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**TOWN OF CHEEKTOWAGA
RICHARD MOLESKI
TOWN CLERK'S OFFICE**

PUBLISH: February 10, 1994

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

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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 12/11/95**

Item No. 4d Motion by Councilman Johnson, Seconded by Councilman Rogowski

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

WHEREAS, the Town has engaged in an annual Fertilization/Weed Control Program as part of its obligation with an agreement with the New York State Department of Environmental Conservation in the maintenance of all lands associated with the Scajaquada Creek Flood Control Project, NOW, THEREFORE, BE IT

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

RESOLVED, that sealed bids will be received on the 23rd day of February, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 23, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 7, 1994

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 } ss.
TOWN OF CHEEKTOWAGA }

LEGAL NOTICE

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 23, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

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

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

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

Richard M. Moleski
Town Clerk

Dated: February 7, 1994

PUBLISH: February 10, 1994

.....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..... February 10, 1994.....; last publication..... February 10, 1994.....; and that no more than six days intervened between publications.

Melissa Gugliuzza

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Margaret J. Bourdette

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

MARGARET J. BOURDETTE
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STATE OF NEW YORK
 COUNTY OF ERIE
 TOWN OF CHEEKTOWAGA } ss.

LEGAL NOTICE

NOTICE TO BIDDERS

Scaled proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 23, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

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

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

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

Richard M. Moleski
 Town Clerk

Dated: February 7, 1994

PUBLISH: February 10, 1994

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.....*Margaret J. Bourdette*.....

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

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 MY COMMISSION EXPIRES 12/11/95

Item No. 5 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, this Town Board approved the proposal of Nussbaumer & Clarke, Inc. for the preparation of plans for a Homeworth Parkway relief sewer by designated Tasks No. 1 thru 5 of their proposal of January 10, 1994, AND

WHEREAS, the Town Engineer recommends deletion of Tasks No. 3 and 5 and the correction of the total cost for Tasks 1, 2, and 4, NOW, THEREFORE, BE IT

RESOLVED, that the recommendation of the Town Engineer is accepted and approved and that the Town Board resolution dated January 18, 1994 be and hereby is rescinded, AND, BE IT FURTHER

RESOLVED, that Tasks No. 1, 2 and 4 of the Nussbaumer & Clarke, Inc. proposal of January 10, 1994 for investigative work, surveying and plan preparation are hereby accepted and approved at the total cost of professional services of \$16,540.00, said costs are chargeable to Account #2500-8125-4581.

Upon Roll Call.....

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

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

WHEREAS, by resolution dated November 4, 1991, this Town Board approved the rezoning from R-Residence District and RA-Apartment District to M1-Light Manufacturing District, property located at the terminus of Sonwil Drive in the Town, AND

WHEREAS, by resolution dated June 1, 1992, this Town Board approved modifications to the resolution of November 4, 1991, AND

WHEREAS, Sonwil Distribution Center Incorporated, the Developer, has submitted a site plan for the first building to be constructed within this property, AND

WHEREAS, the Developer has made commitments, in the form of an agreement with the Town of Cheektowaga dated February 7, 1994, with regard to landscaping, tree preservation, stormwater drainage, sanitary sewer and other utility extensions, Sonwil Drive reconstruction, and Phase I and future public improvements, including an Airport Drive emergency road connection for enhanced fire protection, AND

WHEREAS, the Developer must submit plans for review for each new building conforming to the commitments in the agreement, AND

WHEREAS, the Developer has also committed to meeting the requirements of the Cheektowaga Planning Board and Cheektowaga Conservation Advisory Council ("CCAC") with respect to the final landscape/tree preservation plans for Phase I and future development, AND

WHEREAS, the Environmental Advisory Committee ("EAC"), at its meeting held on January 12, 1994, rendered the determination shown as Item III (300 Sonwil Drive) on the attached memo dated January 13, 1994, AND

WHEREAS, this Town Board has reviewed the application and the recommendations made by the EAC for the Item NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, based on the above referenced commitments by the Developer and the attached memo, hereby determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for the purposes of SEQRA with respect to 300 Sonwil Drive/Phase I of the planned development.

Item No. 6 continued

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Feb. 7, 1994

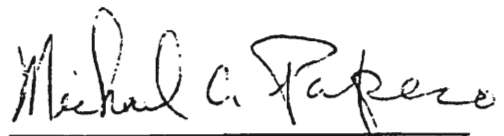
Cheektowaga Advisory Council
and to whom it may concern

Re: Sonwil Industrial Site

Upon my first observation of this location, I noticed a large stand of hard wood trees. My recommendation is to try and save as many trees as possible.

A new landscaping and tree preservation plan was given to me for study and I recommend that this plan be used.

As a member and advisor to the Cheektowaga Advisory Council, I approve of this plan to save many old trees and the planting of new trees.



Michael A. Papero
Michael A. Papero - CCAC

RE: EAC - January 12, 1994
January 13, 1994
Page: 3

The applicant's representatives were at the meeting and were informed that a new plan would be needed showing all parking and traffic flows. They were informed that parking would be required at the rate of 3 spaces per bay and 2 reservoir spaces for each pump. They were also told to better describe the type of work to be performed within the bays.

The Traffic Safety Commission has not yet commented on this application and the applicant's representative was requested to be at their next meeting. As part of the project the applicants indicated that a new waste oil tank would be installed.

This item will remain tabled until the new plan can be submitted and Traffic Safety can comment on the application.

ITEM III 300 Sonwil Drive

- Proposed Construction of
Warehouse/Office

Applicant: Sonwil Distribution Incorporated

The building is the first within the Sonwil Industrial Park extension and would be used for warehousing with small accessory offices. The architect and owner were present at the meeting and submitted a revised drainage plan and report to the Town Engineer for his review. The drainage design will be modular for each building site with each building having its own detention basin. These basins would have a controlled-rate drain into a ditch that runs north and south along the railroad right-of-way. This drainage ditch has been shown to meet the criteria of federal wetlands and therefore the drainage can not result in any increase in the runoff rate.

The Traffic Safety Commission reviewed the proposal and found no problem with it.

The project depends on the rehabilitation of the existing Sonwil Drive with dedication to the Town and construction of a Sonwil Drive extension to Town specifications with eventual dedication to the Town. This road work is required to allow for water line extensions for fire protection service and other uses. The public sewers can not be extended at this time nor have there been approvals by either Erie County or by the New York State Department of Environmental Conservation for such sewer extensions.

RE: EAC - January 12, 1994
January 13, 1994
Page: 4

The developer would seek to install a temporary sanitary sewer connection with lift station to tie into the existing sewer lines on the facility directly North of this site. The details for such a connection have not yet been reviewed by the Engineering Department.

The EAC recommends to the Town Board that the project receive a Negative Declaration based on the understandings that a commitment to the road work must be agreed upon by the developer and the Town Board, that the details for the sanitary sewer and pump connection tap to the northerly facility be submitted to the Town Engineer for approval and that the developer commit to pursuing the extension of the public sewer, that the final drainage plans as submitted at this meeting be approved by the Town Engineer, and that the water line be extended when once the road rehabilitation/construction is agreed upon with the Town Board.

The developer will be submitting a letter to the Town indicating PILOT's (Payments In Lieu Of Taxes) will be made to the appropriate agencies per ECIDA arrangements and conditions.

ITEM IV Losson Road and Transit Road - Revised Site Plan For The
Former Wal-Mart Site

Present at the meeting were representatives of Bella Vista, Sear-Brown Engineers and Wegman's Supermarkets. They presented a revised site plan which shows the development of a Wegman's Supermarket instead of a Wal-Mart Department store. The revision to the site plan were within the parameters set by the Negative Declaration issued by the Town Board June 7, 1993. The revisions show less building footprint on the site and the addition of more green area and a screening/landscaping berm along the west end of the building line. The additional berm would hide the rear of the Wegman's loading dock area and provide additional landscaping.

The representatives have talked to the NYSDOT and they have come to an agreement that the mitigation measures required for the Wal-Mart store are the same for a Wegman's Supermarket. They are presently working on obtaining DOT approvals for road work.

Item No. 7 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, with the Town's E-911 System, it is important, for purposes of public safety, to have properties with proper and identifiable street addresses, and

WHEREAS, the Cheektowaga Police Department has stated that the following addresses should be changed as follows in order to ensure a prompt response to emergency calls:

<u>Current Address</u>	<u>Proposed Address</u>
3333 Union Road	11 Schuster Avenue
3359 Union Road	6 Schuster Avenue

and

WHEREAS, pursuant to Section 64 (9) of the Town Law of the State of New York, this Town Board is authorized to change street names, house numbers, etc., NOW, THEREFORE, BE IT

RESOLVED, that the addresses for the following listed properties shall be changed as follows:

<u>Current Address</u>	<u>Proposed Address</u>
3333 Union Road	11 Schuster Avenue
3359 Union Road	6 Schuster Avenue

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to, within 10 days of the passage of this resolution, notify the owners of the above referenced properties, the Town Assessor, Town Planning Board, Erie County Clerk, Erie County Department of Public Works, Division of Highways, and the U.S. Postal Service of this address change.

Upon Roll Call....

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

Item No. 8 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, Rogowski,
Blachowski, Johnson and Wielinski
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>
* Jody Feidt	Alden, NY 14004	Town's	4/30/95
David Lichtenthal	Cheekotwaga, NY 14225	Town's	1/31/95

* Denotes Renewal

Item No. 9a Motion by Councilman Wielinski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, regarding overtime distribution.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION, INC.

Section 16.07 shall be modified to read as follows:

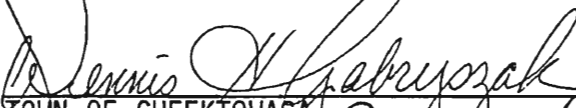
"...overtime hours involved, except as setforth below...a grievance is filed pursuant to §16.05...an arbitrator shall have available the following remedies:

- (a) First occurrence in department - 20% of compensation for overtime hours involved;
- (b) Second occurrence in same department - 40% of compensation for overtime hours involved;
- (c) Third occurrence in same department - 60% of compensation for overtime hours involved;
- (d) After the fifth occurrence on a town-wide basis and at least the second occurrence in the same department - 60% of compensation for overtime hours involved. If subsection (d) is applicable, that subsection shall apply.

These calculations shall apply on an annual basis commencing on January 1st of each year.

This Agreement does not apply to any pending grievances nor to any alleged violations that are claimed to occur prior to the date this Agreement is mutually ratified.

The parties agree to hold another Labor/Management meeting regarding the above grievances on or before the 28th day of January, 1994. The parties agree that the language in the 89-91 collective bargaining agreement §16.07 shall apply to these grievances and alleged violations.



TOWN OF CHEEKTOWAGA



TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION, INC.

Dated: 2.7.94

Item No. 9b Authorize Supervisor to Sign Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club
This item was withdrawn.

Item No. 9c Motion by Councilman Rogowski, Seconded by Councilman Wielinski

WHEREAS, the Town, in its 1994 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 1993 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 Organization</u>	<u>Funding Approved</u>
Friends of the Woods, Ltd.	\$ 625.00
Cheektowaga Patriotic Commission	10,000.00
Debonairres Drum & Baton Corps	625.00
Cheektowaga Community Symphony Orchestra	6,135.00
New Art Society of Cheektowaga	625.00
Cheektowaga Cultural Society	2,080.00

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 1994 Town budget.

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, dated 1/13/94, 1994, is made by and between the FRIENDS OF THE WOCDS, LTD., being a not-for-profit organization formed under the laws of the State of New York (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 is involved with promoting conservation and educating the public (including youths) with respect to the preservation of wildlife and nature for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such promotion and education activities for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of Six Hundred Twenty-Five Dollars (\$625.00) for the promotion of the activities of the Party of the First Part pursuant to authority granted to said Town Board.

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 conduct various activities and expend moneys for purposes, as listed on the attached Schedule

A, 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 Six Hundred Twenty-Five Dollars (\$625.00) on or before June 1, 1994.

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 1994.

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.

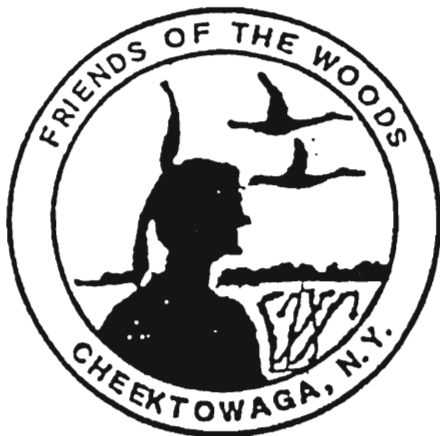
IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

FRIENDS OF THE WOODS, LTD.

By Michael Peters President

TOWN OF CHEEKTOWAGA

By Dennis Albrecht
Supervisor



FRIENDS OF THE WOODS, LTD.
P.O. Box 146
Cheektowaga, NY 14225

Funding request for the year of 1994

1. Planting of trees by young people.
2. Clean up of road sides along Stiglmeir Park.
3. Clean up trails in park by our group.
4. Slide show to teach young people about nature.
5. Maintain tree farm in the park.
6. Coloring prints of nature to teach young people about our environment.

Money that is allotted will be used for the following.

Insurance for our organization.

Postage.

Telephone.

Printing Material

Tree purchase to be used in Cheektowaga.

Mic.

Board of Directors

6 Members live in Cheektowaga, N.Y.

Michael Papero Pres.

N.Y. 14227

Larry Watson Vic.Pres.

Depew Post office

Bob Becker

Depew Post office.

Virginia Pawlik

Depew Post office,

Gorden Galloway

Cheektowaga, N.Y 14227

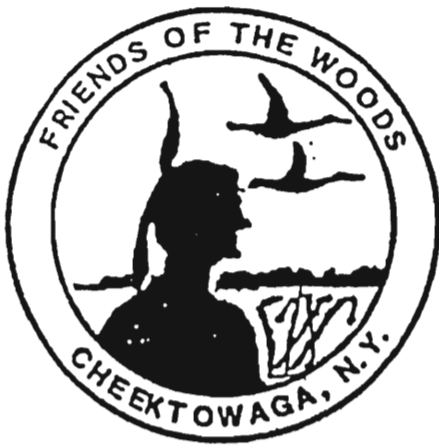
Jane Wercioch

Depew Post office.

Judy Catlino

Williamsville, N.Y. 14221

Michael Papero President



FRIENDS OF THE WOODS, LTD.
P.O. Box 146
Cheektowaga, NY 14225

Treasurer's Report for 1993

DEPOSITS

EXPENSES

<u>Date</u>	<u>Source</u>	<u>Amount</u>	<u>Date</u>	<u>Ck. No.</u>	<u>Expense</u>	<u>Amount</u>
1/1/93	Starting Bal.	\$468.27	1/31/93	127	Office Supplies	\$11.51
1/20	Dues	45.00	3/16	128	Papero Reimburse	48.42
1/29	Dues	25.00	3/29	129	Postoffice Box	49.00
3/29	Dues	90.00	3/31	130	Typewriter Sup.	13.08
4/15	Grant-Cheektowaga	600.00	4/16	131	Purchase trees	47.21
5/24	Plant sale	436.00	4/22	132	Copies	8.10
5/24	" Reimburse	519.75	5/4	133	Purchase trees	17.26
6/1	Donation	11.00	5/21	134	Purchase plants	519.75
7/22	Donation	25.00	5/24	135	Papero Reimburse	35.61
7/26	Dues	10.00	5/24	136	Printing	4.43
8/4	Dues	5.00	5/26	137	Spray for trees	22.04
9/27	Dues	15.00	6/1	138	Plants-planter	19.70
12/1	Donation	25.00	6/5	139	Purchase plants	29.00
			6/8	140	Flowerboxes Mat.	31.24
			6/15	141	Purchase trees	140.00
			6/16	142	Salestax trees	11.20
			7/10	143	Papero Reimburse	35.01
			7/10	144	Purchase tree	21.60
				145	VOID	
			7/10	146	Purchase trees	64.76
			7/19	147	Edging Nat.Pre.	20.39
			7/26	148	Insurance	173.00
			7/30	149	Float sign Mat.	13.14
			8/4	150	Papero Reimburse	29.97
			8/9	151	Papero Reimburse	34.67
			9/6	152	Picnic	56.00
			8/14	153	Peat Moss	21.58
			9/8	154	Stamps	29.00
			9/19	155	Cowmanure-trees	12.83
			11/18	156	Cards & Stamps	76.50
			12/9	157	Award Frame	17.10
			12/30	158	Award Certificate	37.80
			12/23	159	Feed-animals	9.40
<u>TOTAL INCOME DEPOSIT</u>		\$2275.02				
<u>EXPENSES</u>		<u>1688.30</u>				
BALANCE 1993		\$586.72				
Service Charges 1993		\$28.00				
Assets:	Typewriter					
	Filing Cabinet					
	Camera					
	Coffeemaker					
	Lawnmower (donated)					
	Weedwacker (donated)					

Michael Papero
Michael Papero, Pres.
FRIENDS OF THE WOODS

AGREEMENT

This AGREEMENT, dated Feb. 7, 1994, is made by and between the CHEEKTOWAGA PATRIOTIC COMMISSION, INC., being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

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 Ten thousand Dollars (\$10,000) 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 1994 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 Ten thousand Dollars (\$10,000) on or before June 1, 1994.

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.

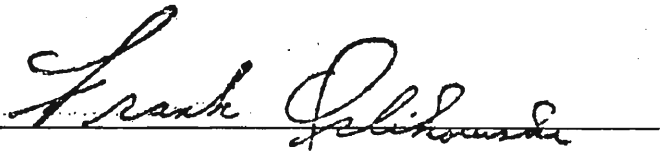
SEVENTH: The Party of the First Part agrees to furnish verified accounts of its disbursements hereunder with certified or verified invoices thereto attached at such times as the Party of the Second Part may determine and in such form and detail as may be required by the Chief Accountant for the Party 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 1994.

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.

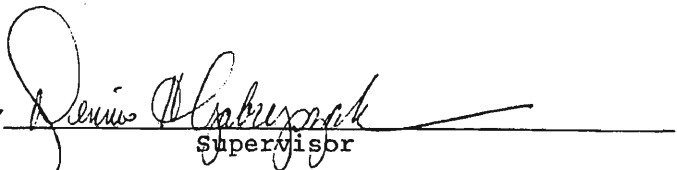
CHEEKTOWAGA PATRIOTIC COMMISSION, INC.

By



TOWN OF CHEEKTOWAGA

By



Supervisor

SCHEDULE A

ACTIVITIES TO BE PERFORMED

CHEEKTOWAGA INDEPENDENCE DAY CELEBRATION

Interdenominational religious service held 7/3rd at Cheektowaga Town Park.

Ceremony and patriotic flag raising at Veterans Monument- Town Park
Arrange all facets of our annual parade. This includes contacting all participants; erecting a reviewing stand; and judging the marchers.

Make arrangements with vendors and concessionaires to set up booths and rides to create a festive atmosphere in park all day. When possible; provide special shows and attractions in band shell during the day.

Contract and pay for giant fireworks display held annually in park.

MISS CHEEKTOWAGA PAGEANT

Annually sponsor pageant for Cheektowaga residents. We under-right all costs which includes publicity; prizes; pageant costs plus reception for all attendees.

CHEEKTOWAGA ANNUAL TREE LIGHTING

Make arrangement for annual tree lighting program.
All participants are invited to a reception following the ceremony.
Each family is given a commemorative tree ornament by Commission.

COMMISSION MARCHES AND REPRESENTS TOWN OF CHEEKTOWAGA ON

Memorial Day -	Services at Leonard Post monuments
Memorial Day -	Services in Cheektowaga Town Park
Flag Day	Services in Cheektowaga Town Park
St Patrick's Day -	Parade participation
Pulaski Day	" "
Loyalty Day	" "
Labor Day	" "
Italian Day	" "
Veterans Day	Parade participation plus services at Pvt Leonard Post monuments
War 1812	Parade participation plus services at War 1812 cemetery

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)

Franko Orlikowski,	PRES	14225
Victor Carlucci	VICE PRES	14043
Ronald Kmiotek	SECRETARY	14227
Sabdi Schmid	CORRESP. SEC.	14211
Bertha Denny	TREAS.	14224
Terry Carlucci	SERGEANT AT ARMS	14043
Alex Burke	DIRECTOR	14206
Majerowicz; Jim	"	14227
Schultz Edward	"	14212
Sunday Sophie	"	14225
Was, Henry	"	14224
Younkers Jake	"	14225

AGREEMENT

This AGREEMENT, dated Jan 18, 1994, is made by and between the DEBONAIRRES DRUM & BATON CORPS, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations and performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of Six hundred twenty-five Dollars (\$625.00) 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 1994 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 Six hundred twenty-five Dollars (\$625.00) on or before June 1, 1994.

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 1994.

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.

DEBONAIRRES DRUM & BATON CORPS

By Deborah M. Leski

TOWN OF CHEEKTOWAGA

By Dennis A. Gaborzak
Supervisor

SCHEDULE A

ACTIVITIES TO BE PERFORMED

February 13, 1994	Indoor Competition - Father Belle Community Center
February 26, 1994	Indoor Competition - North Tonawanda High School
March 6, 1994	Indoor Competition - Williamsville East High School
March 20, 1994	Indoor Competition - Williamsville North High School
April 16 & 17, 1994	Indoor Competition - Williamsville North High School
April 30 & May 1, 1994	Indoor Regional Championships - Springfield, MA.
May 28, 1994	Darien Lake Pageant of Bands Parade
May 30, 1994	Memorial Day Parade - Williamsville, NY
June 25, 1994	Parade - West Seneca Community Days
June 25, 1994	Parade - Marilla Fire Company
July 4, 1994	Parade - Cheektowaga, NY
July 4, 1994	Parade - Lancaster, NY
July 16, 1994	Parade - Alexander Fire Company
July 19, 1994	Parade - Williamsville Old Home Days
July 24, 1994	Performance - Cheektowaga Cultural Weekend
July 29, 1994	Parade - Elba Fire Company
August 13, 1994	Parade - Wendleville Fire Company
August 14, 1994	Parade - Erie County Fair Veteran's Day
August 27, 1994	Parade - Wilson Fire Company
August 27, 1994	Parade * NY-PENN Championship East Aurora, NY
August 28, 1994	Indoor Competition - NY-PENN Championships
September 5, 1994	Parade - Labor Day Cheektowaga, NY
September 10, 1994	Parade - Lewiston Peach Festival
September 18, 1994	Parade - Pulaski Day Buffalo, NY
September 25, 1994	Parade - Festival of Grapes Silvercreek, NY

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: Deborah M. Laski
Depew, New York 14043

VICE*PRESIDENT: Bonnie Elliott
Williamsville, New York 14221

CORRESPONDING: Patti Fox
SECRETARY Cheektowaga, New York 14227

RECORDING SECRETRAY: Cindy Hill
Cheektowaga, New York 14225

TREASURER: Gary Hill
Cheektowaga, New Yrok 14225



DEBONAIRES

BATON AND DRUM CORPS



SCHEDULE C

1993 TOWN FUNDS \$600.00

Instructor Fees - at \$60.00 each:

March 9, 1993

March 16, 1993

March 23, 1993

April 1, 1993

May 7, 1993

May 19, 1993

May 26, 1993

June 3, 1993

\$480.00

Darien Lake Pageant of Bands

Members Tickets

\$120.00

Total

\$600.00



AGREEMENT

This AGREEMENT, dated Feb. 7, 1994, is made by and between the CHEEKTOWAGA COMMUNITY SYMPHONY ORCHESTRA, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations and performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of Six thousand one hundred thirty-five Dollars (\$6,135.00) 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 1994 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 Six thousand one hundred thirty-five Dollars (\$6,135.00) on or before June 1, 1994.

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 1994.

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 COMMUNITY SYMPHONY ORCHESTRA

By Arno J. Zepko

TOWN OF CHEEKTOWAGA

By Dennis H. Gabriel
Supervisor

SCHEDULE A

ACTIVITIES TO BE PERFORMED

Winter Concert - February 27th

Spring Concert - May 22nd

Summer Concert - July 24th at Town Park

Fall concert- usually in October

Christmas concert - December

The dates for the fall concert and the Christmas concerts have not been set as yet since our concert season begins in the fall and we request permission from Maryvale High School to use their premises.

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)

Rev. Michael Burzynski	Cheektowaga NY 14215
Rene Ciesel	Cheektowaga NY 14227
Phyllis Drozd	Cheektowaga NY 14225
Amedeo Duke	Cheektowaga NY 14215
Elizabeth Fetto	Cheektowaga NY 14225
Barbara Johnson	Cheektowaga NY 14225
Thomas M. Johnson	"
Thomas Kazmierczak	Cheektowaga NY 14215
Ann Kelly	Cheektowaga NY 14227
Diane Koczon	Cheektowaga NY 14215
Margaret Kology	Cheektowaga NY 14206
Michelle Tendorf	Cheektowaga NY 14225
Anna S. Zephro	Sloan NY 14212
Mary Moretuzzo (Honorary)	Cheektowaga NY 14225
Carol Scioli	W. Seneca 14218
James Makowski Gen. Man.	Cheektowaga NY 14227
John Landis (Conductor)	Amherst
Fran Landis (Librarian)	
Frank Swartzwelder Per.Man.	Lockport
Kevin Michki (concertmaster)	Kenmore NY

Wednesday, January 19, 1994

Account: CHEEK COM SYM ORCHESTRA

1993 FINANC

From: 1/1/93

Category Descripti

BOOSTERS
TOWN CHEEK

TOTAL INCOME:

ADMIN.
KEY PLAYER
MARKETING
OPERATING
POSTAGE
TECHNICAL

TOTAL EXPENSE:

OVERALL TOTAL:

AGREEMENT

This AGREEMENT, dated Jan 25, 1994, is made by and between the ^{NEW}ART SOCIETY OF CHEEKTOWAGA, 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 Six hundred twenty-five Dollars (\$625.00) 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 1994 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 Six hundred twenty-five Dollars (\$625.00) on or before June 1, 1994.

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 1994.

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.

New-ART SOCIETY OF CHEEKTOWAGA

By *Elizabeth Rhodes*

TOWN OF CHEEKTOWAGA

By *Dennis Alsup*
Supervisor

SCHEDULE A

ACTIVITIES TO BE PERFORMED

Projections for 1994

New Art Society of Cheektowaga

1. Hold a fund raiser to raise money for our group.
2. Explore other local sources of money available to non-profit groups holding form No. 501, C-3.
3. Hold a Spring Show, April 1st to April 30th, at the Rainbow Gallery, including reception, poetry, and judged Art Show.
4. Display at Key Bank, Galleria Mall, and Thruway Mall.
5. Display members works at any other available Town sites.
6. Have a demonstrator at our monthly meetings.
7. Member display at the Cheektowaga Chamber of Commerce Trade Show, to be held in April at the Cheektowaga Recreatin Center.
8. Member display at the Polish-American Festival, if the opportunity to do so exists.
9. Valentine's Day Show-and-Sell February 11, 12, & 13th, in an available shop at the Galleria Mall.
10. As a group, travel to a local gallery in Buffalo, for a study tour of an appropriate exhibit.
11. Sponsor a watercolor/pastel workshop, if space/room is available.
12. Mother's Day Show-and-Sell on May 6, 7, 8th, in an available store at Galleria mall.
13. October display in Apple Fest, weather permitting. Fifty (\$50) entry fee required.
14. Greater Buffalo Association of Realtors-"Avenue of the Artists" at 100 Sylvan Parkway, Amherst, N.Y, display & sale-date to be determined.
15. Fall Show in a gallery or available location, judged-with ribbon awards, reception by invitation, and through news media.
16. Continue membership in Cheektowaga Chamber of Commerce.
17. Promote our organization through news releases, information pamphlets, etc.

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)

Officers of the New Art Society of Cheektowaga are as follows:

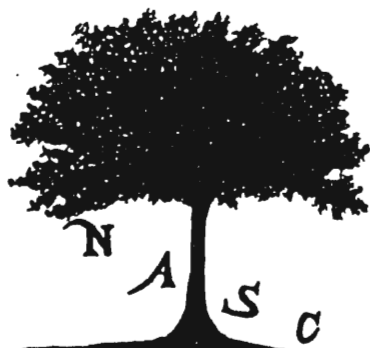
President: Elizabeth Rhoades;	Cheektowaga 14225.
Vice-President: Vicki Vitale;	Cheektowaga 14225.
Secretary: Nanci Hillard-Govin;	Kenmore 14217.
Treasurer: Sam Chiaromonte;	Depew 14043.
Sergeant-st-Arms: Bill Rodier;	Cheektowaga 14227.

Financial Report

1993

PAGE I

		EXPENSES	INCOME	
1	1/93 postage 5.80+5.80+5.80+9.88	27.28	1301.95	1
2	2/93 supplies 4.08+5.00+3.13+2.85+2.34	17.40	1274.67	2
3	3/93 copies & paper 621+.20	6.41	1257.27	3
4	4/93 demo supplies 18.32	18.32	1250.86	4
5	5/93 film of show developed 5/13 - 3.25	8.38	1232.54	5
6	6/93 ribbons for show 7/93 - spring	12.65	1224.16	6
7	7/93 Chet Wick Photographs Cupacasso grand opening	37.00	1211.51	7
8	8/93 show supplies 11.50-4.59, 358, 842 324	34.57	1174.51	8
9	9/93 postage 5.80 Phone Bill 4.35	10.15	1139.94	9
10	10/93 copies 1.30 cups 2.50	3.80	1129.79	10
11	11/93 fee for gallery Rainbow Connection	-100.00	1125.99	11
12	12/93 fee for judge 5/1/93 John Novelli	-75.00	1050.99	12
13	13/93 come & Matt Wathel to be given away	-231.00	819.99	13
14	14/93 postage 2.90 - 5.80 - 5.80 (5/93)	14.50	805.49	14
15	15/93 copies 1.69 + 1.26 Postu Bond 2.99 (6/10)	5.94	807.45	15
16	16/93 postage 5.80 + 4.75 + 4.13 7/93	14.68	792.77	16
17	17/93 1/2 postage 11.60 Party suply 324. Ribbon 9.70	-24.54	868.23	17
18	18/93 1/2 postage 11.60 Party suply 324. Ribbon 9.70	-20.00	848.23	18
19	19/93 1/2 postage 5.80 copies 261 Soda 10.25	-18.68	837.55	19
20	20/93 1/3 film 6.00, 875.40 - 5.02 - 700 film develop	-24.35	813.20	20
21	21/93 1/5 - Xmas Party 28.58 Postage 9.60 supplies 5.65	-94.72	718.48	21
22	22/93 20 21x6 Banner sign Rink (Gala Gallery)	-80.00	638.48	22
23	23/93 16 Order Cheshe "Artistic Co" 3000 k.	-595	632.53	23
24	24/93 13 Nov. fee given judge "John Gage"	-75.00	557.53	24
25	25/93 100 food for all show & wine. (Cali show)	7861	478.92	25
26	26/93 500 show food & wine. Spring show	-7550	403.42	26
27	27/93 16 Walden Galleria Insurance for show	-7500	328.42	27
28	28/93 146 Valentines show			28
29				29
30				30
31				31
32				32



NEW ART SOCIETY OF CHEEKTOWAGA

ACTIVITIES PERFORMED 1993

- January Display-and-Sell at: Key Bank, Sheridan & Harlem
Key Bank, Appletree Mall
Bed & Breakfast, Ellicottville, N.Y.
- February Display February 1st to 28th: Cappucino's Coffee House, 3719 Union
Road, Cheektowaga.
"Meet the Artists" Saturday, February 20th-very big success.
Valentine's Day Art Show and Sale at Galleria Mall, untenanted
store. February 12th, 13th, & 14th.
Monthly meeting, February 17th. Glen Westland, demonstrator.
Topic: "Mat it, frame it, back it."
Art Exhibit, Rainbow Gallery, 2835 Delaware Avenue, Kenmore.
January 30th to February 28th. Hours are
Mon. to Sat. 11:00am to 5:00pm. Exhibit by members Bruce Kozma,
Richard Ruffo, and Glen Westland.
Reception January 30th, from 5:00p.m. to 10:00p.m.
- March: Display-and-Sell at Key Bank, Appletree Mall
Show-and-Sell at Cappucino's Coffee House, March 1st to March 31st.
Grand Opening-attended by 60 people. Richard
Solecki was present to cut ribbon.
"Meet the Artists" March 20th from 2:00 to 4:00p.m.
Meeting, March 17th. Michael McMahon, demonstrator from Lewiston.
Topic: Easter color demonstration.
- April Galleria Mall Offices: Display by members Elizabeth Rhoades, Henri
Rzeski, Vicki Vitale.
Key Bank, Appletree Mall: members display-and-sell.
Meeting, April 21st. Meeting to discuss current projects and
upcoming events.
One Man Show, Spring Cats, by artist Glen Westland, at Cappucino's
Coffee House. 150 invitations-very big success.
On display from April 2nd to April 20th.

(Activities Performed 1993, cont'd.)

- April Cheektowaga Chamber of Commerce Trade Show, April 24th & 25th,
 from 11:00 a.m. to 5:00 p.m. at the Cheekto-
 waga Recreation Center.
- Channel 10 took videos of it. Ten members
 displayed, and others manned the table giving
 out information and literature.
- Spring Art Show, at Rainbow Connection Gallery, from April 21st to
 May 15th. Members display.
- Judged by John Novelli on Saturday, May 1st.
- Reception from 2:00 p.m. to 8:00 p.m. Ten
 ribbons awarded. Received lots of publicity.
 Three hundred invitations mailed--well--attended.
- Show-and-Sell-new location: Premier Furniture at Walden & Union
 Roads, Cheektowaga. Several members partici-
 pating. Grand Opening of Show--April 23rd.
- Display-and-Sale also at Bed & Breakfast Inn in Ellicottville.
- May Galleria Mall Offices. Display by Elizabeth Rhoades, Henri Rzeski,
 and Vicki Vitale.
- Key Bank, Appletree Mall: display-and-sell by members Elizabeth
 Rhoades, Glen Westland, Henri Rzeski, Sam
 Chiarmonite, Vicki Vitale, Teri Jo Ritz.
- Meeting, May 19th. Thruway Mall Community Room--no demonstrator.
 Forum held to discuss upcoming events, and
 means of fund-raising. We are currently
 saving Tops register tapes. For every \$300
 in tapes, we receive \$1.00.
- Greater Buffalo Association of Realtors: Spring Show. Display-
 and-Sell by members, from June 1st to June 30th.
 Set-up, May 28th.
- Ongoing displays at Premier Furniture, Key Bank, Ellicottville Bed
 & Breakfast Inn.
- June Display at Galleria Mall Offices. Show-and-Sell at Key Bank, Apple-
 tree Mall, and Premier Furniture.
- Meeting, June 16th. Demonstrator Leon Sulkowski, working in chipped
 tile/mosaics.
- Group trip to view exhibit at Anderson Gallery in Kenmore, June 19th
 at 2:00 p.m.
- July No meeting--summer break. Two members displaying at Cappu'ino's.

(Activities Performed, 1993, cont'd.)

- August No meeting. Ongoing displays at Key Bank, Galleria Mall Offices, and Premier Furniture.
- Budget for 1994 season submitted for our group.
- Polish Festival, August 21st, 22nd. The group was going to display at the Festival, but was told there was no room. However, the space was given to the Democratic Committee to pass out re-election literature.
- September Meeting, September 15th, Thruway Mall Community Room. Demonstrator Henri Rzeski. Pen-and-ink demonstration-entire group participated.
- Displays at Key Bank, Galleria Mall Offices.
- Greater Buffalo Assn. of Realtors Media 10 Art Show, September 21st to October 29th.
- Reception October 3rd from 1:30 to 3:30 p.m. Five pieces of art work were sold from this display.
- October Meeting, October 20th at empty shop of Thruway Mall-Community Room is closed. Not good location for meetings-no food, drink, or demonstrator allowed; and must leave by 9:00 p.m. Will seek new location.
- Displays at Key Bank, Galleria Mall Offices.
- Albright Knox Members Gallery. One of our members, Michael McMahon, has works on display Sept. 15th to October 31st.
- Reception Sept. 17th from 5:15 to 7:00 p.m.
- He sold ten pieces from this display.
- Michael's Crafts, Union Road. Joan Swatty, one of our members is giving classes in water color, pastels, and jewelry making from water color paper.
- November No meeting: there is no room available at any Cheektowaga public building. They all close at 5:00 p.m. Letter sent to Town Supervisor-no answer.
- Fall Show-Rainbow Connection Gallery, November 6th to December 4th.
- Reception November 13th from 4:00 to 8:00 p.m.
- Judged by Western New York artist, John Yaeger.
- Poems for exhibit written by Pat Kozma. Poetry by Richard Ruffo.

(Activities Performed, 1993 cont'd.)

November Thruway Mall, former Sample store. Members display from November 1st to December 31st.

December No meeting, as no room available anywhere within the Town of Cheektowaga yet.

Christmas Party for members and guests held at Homestyle Buffet on Union Road. Door prizes and gift exchange.

AGREEMENT

This AGREEMENT, dated Jun 27, 1994, 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 eighty Dollars (\$2,080.00) 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 1994 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 eighty Dollars (\$2,080.00) on or before June 1, 1994.

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.

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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

Jama M. George - Seifert
President

TOWN OF CHEEKTOWAGA

By

Dennis H. Sabryzak
Supervisor

SCHEDULE A
ACTIVITIES TO BE PERFORMED

The Cheektowaga Cultural Society provides an annual Cultural Weekend in Cheektowaga Town Park during the month of July.

The event, which is to promote culture attracts numerous residents both in and outside of the town.

Included in the weekend is entertainment and an arts and crafts show sponsored by the Cheektowaga Art Guild. There are also displays by the Cheektowaga Stamp and Coin Club, the Cheektowaga Historical Society, the Cheektowaga Garden Club, and a performance by the Cheektowaga Community Chorus and the Debonaires Baton and Drum Corp. This year, we are working with the Cheektowaga Symphony Orchestra who is also interested in performing.

In addition, the YES Group has provided face painting for the children and a historic fire company display is also part of the festivities. The event is traditionally family oriented and enjoyable for all ages!

SCHEDULE B
PROOF THAT 80% OR MORE OF THE OFFICERS
ARE TOWN OF CHEEKTOWAGA RESIDENTS

PRESIDENT

Diana M. Koczon-Seifert
Cheektowaga, NY 14225

TREASURER

Harold Dumke
Bowmansville, NY 14026

VICE-PRESIDENT

Lynne Butts
Cheektowaga, NY 14225

RECORDING SECRETARY

Marge Gorski
Cheektowaga, NY 14225

CORRESPONDING SECRETARY

Diane B. Koczon
Cheektowaga, NY 14215

Item No. 9d Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the Supervisor be authorized to execute the 1994 Family Support Contract, C007032 Amendment #4, in the amount of \$32,272.00 on behalf of the Cheektowaga Youth and Recreational Services Department and the New York State Office of Mental Retardation and Development Disabilities.

Upon Roll Call....

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

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

WHEREAS, on December 1, 1992, a fire caused damage to the Town-owned Sewer Maintenance Garage at 171 Central Boulevard in the Town, and

WHEREAS, the Town had fire insurance for such building through St. Paul Fire and Marine Insurance Company, and

WHEREAS, insurance forms relating to part of this fire loss were previously submitted to the Town and approved by Town Board resolution dated August 16, 1993, and

WHEREAS, an additional insurance form entitled "Sworn Statement in Proof of Loss" approving an additional payment of \$112,011.56 to the Town has now been submitted, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the above referenced Sworn Statement in Proof of Loss.

Upon Roll Call....

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

Item No. 9f Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga will be co-sponsoring "Cheektowaga Day With the Buffalo Blizzard" with the Walden Galleria Mall on March 6, 1994 in the Buffalo Memorial Auditorium, and

WHEREAS, the Town will utilize a portion of the Walden Galleria on Friday, February 18th and Saturday, February 19, 1994 for a special promotional event, and

WHEREAS, although there is not rental cost involved in utilizing the Walden Galleria, the owner of the mall does require the Town to execute the attached application form, and

WHEREAS, the Town is agreeable to the terms as stated on the attached application (with the exception noted for providing an insurance certificate), NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached application on behalf of the Town.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

COMMUNITY ACCESS FORM

APPLICATION FOR PERMISSION TO ENGAGE IN ACTIVITY AT
WALDEN GALLERIA

Note: Applications to use the shopping center must be submitted to the Management Office no less than two (2) weeks prior to the date(s) desired. Applications will be reviewed in the order received, and subject to availability, activities will be calendarized on a first come, first serve basis. If necessary, attach additional sheets and so indicate in the appropriate place on the application form.

PLEASE TYPE OR PRINT

NAME OF ORGANIZATION: Town of Cheektowaga Youth & Recreational Services Department

ADDRESS OF ORGANIZATION: 275 Alexander Avenue
Cheektowaga, NY 14221 PHONE: 895-1587

NATURE OF TYPE OF INTENDED USE: Display tables

DATE(S) REQUESTED: Friday, February 18 and Saturday, February 19, 1994

TIME OF EVENT: Fri.: 6-9:30 p.m. A.M. TO Sat. 10:00 a.m.-6:00 P.M.

GROUP LEADER OR PERSON RESPONSIBLE: Bonnie Platt

HOME TELEPHONE: () _____

PLACE OF EMPLOYMENT: see above

BUSINESS TELEPHONE: () 895-1587

NUMBER OF PERSONS REQUESTED TO BE PERMITTED AT ANY ONE TIME: 6

WILL A POSTED SIGN, PLACARD OR DISPLAY BE USED AT THE DESIGNATED LOCATION?

yes

IF "YES" GIVE ALL RELEVANT DETAILS, INCLUDING LOCATION, SIZE, CONFIGURATION OR SAME:

Banners approx. 18"x 48" will be hung from table fronts.

REPRESENTATIONS AND AGREEMENTS

The undersigned hereby represents that he/she is the Applicant or an officer or other authorized agent of the Applicant named herein and that he/she is over 18 years of age. The undersigned further acknowledges on behalf of him/herself or its group or organization that it has received and has read a copy of the Statement of Policy, Rules and Regulations governing use of the shopping center (rules and regulations) and recognizes and agrees by his/here signature hereto that the making of this application, the issuance of any permit based upon this application and the use of the shopping center as so authorized are expressly conditional upon applicant's acceptance and continuing compliance with such rules and regulations, and that such rules and regulations are expressly incorporated by reference into any permit to applicant to access a portion of the shopping center. *

The undersigned declares that the factual information furnished by him/her in the application is true, accurate and complete to the best of his/her knowledge and belief.

Applicant acknowledges and agrees that shopping center management reserves the right to request such additional information as may be necessary in its opinion to evaluate this application for access to the shopping center.

If a permit to access the shopping center is granted, applicant hereby acknowledges and agrees that in consideration for the right of access to the shopping center as permitted by management, applicant covenants and agrees to comply with, perform and be bound by all provisions of the permit, rules and regulations, and any attachments and exhibits thereto.

Applicant: Cheektowaga Youth & Recreational Services
Organization

Authorized Agent Signature: Bernie Platt

Agent's Title: Program Instructor

Date: 2-10-94

Office Use Only

Area Assigned: _____

Date(s) & Time(s) of Use: _____

Deposit Received: _____ by _____

Insurance Certificate Received: _____ by _____

Approved by: _____ Date: _____

* In lieu of the Insurance Requirements as stated on the Statement of Policy, Rules and Regulations, the Town of Cheektowaga will provide a letter stating that it is self-insured and will cover its liabilities under this Application/Agreement (See attached Exhibit A).

JAMES J. KIRISITS
Town Attorney

KEVIN G. SCHENK
Deputy Town Attorney

MICHAEL J. STACHOWSKI
Special Prosecutor

OFFICE OF THE TOWN ATTORNEY
3301 Broadway Street
Cheektowaga, New York 14227-1088
716/686-3457
FAX 716/683-0134



February 7, 1994

Pyramid Company of Buffalo and
Pyramid Management Group, Inc.
c/o Walden Galleria
One Walden Galleria
Buffalo, New York 14225

Re: Proof of Insurance for Use of Walden Galleria Mall
Cheektowaga Day With the Buffalo Blizzard Promotional
Event to be Held on February 18th and 19th, 1994

Dear Sir or Madam:

Be advised that, on March 24, 1980, the Town of Cheektowaga elected to self-insure and pay compensation benefits to its employees in accordance with the Workers Compensation Law of the State of New York. A copy of the letter from the N.Y.S. Workers Compensation Board accepting the Town as a self-insured employer is available upon request. Payments for such benefits are guaranteed by the full faith and credit of the Town and will be paid out of budgeted funds or from funded loss reserves or from Excess Workers Compensation insurance.

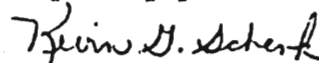
This notice will certify that the Town of Cheektowaga has elected to become a self-insurer for liabilities formerly covered by policies of Automobile, General, Police, Public Officials and Excess Umbrella Liability insurance. A copy of the Town Board resolutions effecting self-insurance are available upon request.

In lieu of a Certificate of Insurance, please accept this notice as evidence of the Town's intent to pay its legal obligations for meritorious Automobile, General, Police and other uninsured liability claims made against it and the Pyramid Company of Buffalo and/or Pyramid Management Group, Inc. to the extent provided in the Town's agreement with you.

Payments for such claims are guaranteed by the full faith and credit of the Town or its districts, as applicable, and will be paid out of budgeted funds or from funded loss reserves or from the proceeds of bonds the Town is permitted to issue for the payment of claims.

I trust the above will satisfy your insurance requirements. If you have any questions, please let me know.

Very truly yours,



Kevin G. Schenk
Deputy Town Attorney

cc: Ernest A. Holfoth

POLICY, RULES AND REGULATIONS GOVERNING THE
USE OF WALDEN GALLERIA FOR ACTIVITIES

Mall Hours: Monday - Saturday
Sunday

10:00 am - 9:30 pm
11:00 am - 6:00 pm

Please retain these rules and regulations for your records.

1. Use booth space for the sole purpose of the display and solicitation of matters not in competition with merchants already in the center. Management reserves the right to terminate this agreement if the exhibitor violates any terms of agreement or if display is unacceptable in the opinion of the mall management staff.
2. Cover all tables used for display to within 2" of the floor with coordinating fabric which is wrinkle free. All packing cartons must be either concealed or removed from the exhibit before opening of the mall. Use of lawn chairs is prohibited.
3. You must provide a heavy duty FLAT electrical cord from hook-up to lighting secured thoroughly with rubber or plastic floor duct. Lighting will be limited to 300 watts/booth. No taping to floors or exposed cords will be allowed.
4. In the case of booth signs, all material must be professionally printed. Approval determined by Pyramid Management.
5. Booth must be operational during all mall hours.
6. Assume full responsibility for damage to merchandise and personal items and liability for personal injury resulting from negligence; to release Walden Galleria and Pyramid Management Group, Inc. from all claims therefrom. Damages - persons or groups violating the rules will pay for any damages caused to or expenses incurred by the mall as a result of the violations. Security deposit may be required upon request.
7. Security will be provided for other than mall hours, but Walden Galleria assumes NO responsibility for property of exhibitor.
8. If for any reason this display cannot be held, the exhibitor agrees to release Walden Galleria from any claim or loss except deposit.
9. Set-up and tear down must be before 10:00 am or after 9:30 pm. THERE ARE NO EXCEPTIONS! Sunday tear down time is after 6:00 pm. Anyone disregarding this rule will not be permitted to exhibit thereafter.
10. Displays are limited in heights to 6 feet, unless previous arrangements have been made with mall management.
11. NO display will block any doors, display windows, emergency or fire exits or fire hydrants.
12. NO signs, posters, banners, etc. may be attached to any mall property or structure.
13. NO boxes are to be stored behind displays. Keep excess literature, etc., under tables hidden from view.
14. Displays are to be kept neat at all times. Leave your area as clean as the way you found it. Clean area of debris daily.
15. Exhibitors using audio equipment MUST keep the volume at a reasonable level.
16. Helium balloons and flyers in the mall or on cars in the parking areas is strictly forbidden.

17. NO exhibitor is allowed to intercept shoppers in any way be calling to them or physically stopping them. Anyone disregarding this clause will be asked to leave the mall immediately and no monies will be refunded. Distribution of leaflets is not permitted outside or inside the mall. Printed matter may be distributed inside the mall ONLY from your booth or table. NO bumper stickers or self-adhesive type handouts will be permitted.
18. Risk of injury - persons entering upon the premises of the mall for the purpose described in these rules do so at their sole risk. Neither the mall nor any of its owners, beneficiaries or agents shall have any liability for injury to such persons except liability arising from the willful misconduct of the mall's agents or employees.
19. There will be a fee per day/per unit charges for any exhibit not removed from the mall on the day or time specified by the mall manager or the marketing director. NO exhibit shall be moved during mall hours.
20. All cars/boats/trailers must be carpeting under tires and plastic drop cloths on the floor under engine/transmission/rear axle and gas tank. Battery must be disconnected. No more than two (2) gallons of fuel in gas tanks. Vehicle's fuel tank, ignition, doors and trunk must be locked and the key kept in Security Office. Exhibitor is responsible for keeping the vehicle clean while on display. No spray cleaners or polishers may be used on automobiles or boats in the center.
21. All displays must be set-up between black floor tiles on the lower level to prevent impedance to flow of shopper traffic.
22. The Landlord has the right to cancel any agreement with one hour's notice, or as specified in an individual contract.
23. While you are exhibiting at Walden Galleria, passenger automobiles are required to park at least 15 spaces away from the mall structure.
24. Exhibitor location will be to the discretion of the mall management.

WALDEN GALLERIA INSURANCE REQUIREMENTS

- One million dollar (\$1 million) liability insurance certificate from your insurance carrier.
- The certificate must:
 - Name Pyramid Company of Buffalo and Pyramid Management Group, Inc. as additional Insured.
 - State the type of event (i.e. demonstration, fashion show)
 - State the date(s) of the event(s)
 - Be dated within 30 (thirty) days prior to the event
- Certificates may be faxed to the mall management office (716/681-1773) however, a hard copy must be received as well.
- All insurance certificates must be received by us no later than 48 hours prior to the day of the scheduled event.

Item No. 9g Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, by resolution dated July 19, 1993, this Town Board authorized the Supervisor to execute an agreement with Sonwil Distribution, Inc. relating to the transfer and reconstruction of a private roadway known as Sonwil Drive to the Town, and

WHEREAS, such resolution stated that such authorization was subject to the Town Attorney and Town Engineer approving the form, etc. of such agreement, and

WHEREAS, the Town Engineer has been reviewing matters relating to drainage and sanitary sewers in connection with such roadway, and has suggested certain revisions to the plans for Sonwil Drive and proposed future development, and

WHEREAS, the Town Attorney's Office has suggested revision of some portions of the aforementioned agreement, and

WHEREAS, the attached revised agreement has been submitted by Sonwil Distribution Center, Inc., and

WHEREAS, the attached revised agreement also will serve to amend certain conditions contained in resolutions dated November 4, 1991 and June 1, 1992 approving the rezoning of lands at the terminus of the existing Sonwil Drive (i.e. when a building permit could be approved for future construction), and

WHEREAS, this new agreement, as well as the former agreement provisionally approved on July 19, 1993, call for Sonwil Drive to be reconstructed in accordance with plans approved by the Town, except that the portion of Sonwil Drive which crosses the Conrail railroad tracks will not be reconstructed pursuant to this agreement, and

WHEREAS, the Town Superintendent of Highways has also reviewed the attached agreement and finds same acceptable, and

WHEREAS, this agreement is acceptable to this Town Board, NOW,
THEREFORE, BE IT

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

RESOLVED, that, to the extent that the terms of this agreement are inconsistent with the conditions contained in the aforementioned Town Board resolutions pertaining to the rezoning of lands at the terminus of Sonwil Drive, the terms of this agreement shall supercede same, and BE IT FURTHER

RESOLVED, that conditions 5.A, 5.B and 5.C., as specified in the June 1, 1992 resolution, which provided for Sonwil Drive and the Phase I extension to be constructed at the expense of the Developer and be offered for dedication to the Town prior to the issuance of any building permit for the construction of a building on the Project site are hereby amended to provide that the Developer is to transfer Sonwil Drive and the Phase I extension of Sonwil Drive to the Town and the Town is to construct Sonwil Drive and the Phase I extension pursuant to Sections 200 and 202-b of the Town Law and that the Developer is to acquire a building permit for 300 Sonwil Drive prior to roadwork being done so that construction of such building and road improvements may proceed contemporaneously.

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 made this 7th day of February, 1994 by and between the Town of Cheektowaga, New York, a municipal corporation with its offices at the Town Hall, Broadway and Union Road, Cheektowaga, New York (hereinafter "the Town") and Sonwil Distribution Center, Inc., a New York corporation with its office and principal place of business at 100 Sonwil Drive, Cheektowaga, New York (hereinafter "Sonwil").

RECITALS:

WHEREAS, Sonwil is the legal and/or beneficial owner of certain premises commonly known as Sonwil Industrial Park, located in the Town of Cheektowaga, New York, which premises are described on Schedule "A" annexed hereto and made a part hereof; and

WHEREAS, there is located upon such premises or upon easements granted to Sonwil appurtenant to such premises a certain private roadway known as Sonwil Drive, which private roadway is described on Schedule "B" annexed hereto and made a part hereof; and

WHEREAS, heretofore the Town and Sonwil entered into a certain agreement in writing dated June 6, 1988 relative to the dedication and improvement of Sonwil Drive as a public highway pursuant to the procedures established under §200 of the Town Law; and

WHEREAS, on August 14, 1992, Sonwil acquired certain premises adjacent to and south of Sonwil Industrial Park, which premises were the subject of a certain resolution of the Town

Board of the Town of Cheektowaga on November 4, 1991, rezoning said premises from R-Residential District and RA-Apartment District to M1-Light Manufacturing District on certain conditions (which premises are more particularly described on Schedule "C" annexed hereto and made a part hereof, and which are hereinafter referred to as the "Rezoned Parcel"), and

WHEREAS, said rezoning conditions were modified by a certain resolution of the Town Board of the Town of Cheektowaga on June 1, 1992, and

WHEREAS, pursuant to said resolutions of November 4, 1991 and June 1, 1992, the rezoning of the Rezoned Parcel was conditioned on (among other things) the improvement of existing Sonwil Drive from Genesee Street to its terminus at the southerly property line of Sonwil Industrial Park, and the application by Sonwil for a public improvement permit for the extension of Sonwil Drive on the Rezoned Parcel, according to specifications heretofore approved by the Town of Cheektowaga Highway Superintendent in 1990 or their equivalent pursuant to the procedures established under Chapter 54 of the Code of the Town of Cheektowaga, and

WHEREAS, Sonwil has caused certain plans and specifications to be prepared by Nussbaumer & Clarke, Inc., dated May, 1993, Job Number 93-410 (supplementing and revising previous plans and specifications dated "Rev. 9/3/91"), regarding the improvement of existing Sonwil Drive and the construction of the first phase extension of Sonwil Drive on the Rezoned Parcel

(including certain work regarding installation of a sanitary sewer), a schedule of which plans and specifications is annexed hereto and made a part hereof as Schedule "D" (hereinafter referred to as "the Plans and Specifications"), and

WHEREAS, said Town Board resolution of June 1, 1992, authorized the Town to enter into one or more agreements with Sonwil in furtherance of said matters, and

WHEREAS, the Town and Sonwil wish to enter into this agreement for the purpose of (i) fulfilling the Town Board resolutions of November 4, 1990 and June 1, 1992 and (ii) replacing the agreement dated June 6, 1988 between the Town and Sonwil relative to the improvement and dedication of Sonwil Drive and to provide for the improvement of existing Sonwil Drive, the extension of Sonwil Drive, and the other work described in the Plans and Specifications,

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, the sufficiency of which is hereby acknowledged, it is hereby agreed as follows:

1. The aforesaid agreement between the Town and Sonwil dated June 6, 1988 is hereby canceled and replaced by this agreement.

2. Within 30 days after execution of this Agreement, Sonwil will deliver to the Town:

(i) a quit claim deed transferring all its right, title and interest (including an assignment of its easement rights) in and to the premises known as Sonwil Drive, as more

particularly described and outlined in red on Schedule "B" hereto and made a part hereof (reserving to Sonwil an easement to maintain the existing sanitary sewer not being transferred to the Town but within said right of way), and transferring all its right, title and interest (including an assignment of its easement rights and licenses) in and to the premises known as the First Phase Extension of Sonwil Drive, as more particularly described and outlined in red on Schedule "E" annexed hereto and made a part hereof.

(ii) an easement granting a non-exclusive right and privilege in common with others to use a certain strip of land 40 feet wide (30 feet of which being within the proposed right of way for the extended Sonwil Drive) upon the Rezoned Parcel for purposes of constructing and maintaining the sanitary sewer described in the Plans and Specifications, and for a stone maintenance road within the proposed right of way for the extended Sonwil Drive, the premises which are the subject of said easement being more particularly described on Schedule "F" annexed hereto and made a part hereof. The exact location of said sanitary sewer pipeline and stone maintenance road shall be determined by an as-built survey following construction which shall be made a part of the easement document.

(iii) an easement granting a non-exclusive right and privilege in common with others to use a certain strip of land 15 feet wide, for the purpose of constructing and maintaining a drainage ditch as described in the Plans and

Specifications, the premises which are the subject of said easement being more particularly described on Schedule "G" annexed hereto and made a part hereof.

(iv) an easement granting a non-exclusive right and privilege in common with others to use a certain strip of land 25 feet wide to be centered over the proposed 60± L.F. of 10" diameter pvc sanitary sewer located at Sta 44+90± as shown on Sheet No. 9 of the Sonwil Drive Pavement and Improvement Design Drawings prepared by Nussbaumer & Clarke, Inc. referenced on Schedule D, for a sewer crossing to connect the sanitary sewer to serve the proposed Parwood Estates Subdivision. The exact location of said pipeline shall be determined by an as-built survey which shall be made a part of the formal easement document.

(v) petitions pursuant to Section 200 and 202-b of the Town Law signed by Sonwil as owner of at least 50% of the real estate fronting or abutting on Sonwil Drive and the First Phase Extension of Sonwil Drive, requesting that the Town pursuant to the Plans and Specifications improve such private road, construct and install the sanitary sewer, and assess the expense thereof, including the costs of the preparation of the Plans and Specifications and all costs incurred for engineering consulting services required and bond cost fees, against said real estate fronting or abutting thereon and benefited thereby (excluding property owned by the Town) in accordance with law.

3. Upon receipt of such deed, easement and petitions, the Town agrees to proceed pursuant to Section 200 and 202-b of the Town Law and, subject to completion of the necessary legal proceedings, to adopt resolutions authorizing the improvement of Sonwil Drive and the First Phase Extension of Sonwil Drive, and the construction and installation of the sanitary sewer, in accordance with the Plans and Specifications with the cost thereof (including the cost of preparing the Plans and Specifications) and all costs incurred for engineering consulting services required, as determined by the Town Engineer, to obtain regulatory approvals of the sanitary sewer, etc., and to complete the project, to be assessed against the benefited properties (excluding properties owned by the Town) and to adopt the appropriate bonding resolutions pursuant to the Local Finance Law in order to authorize the financing of the construction of such improvements, including but not limited to the preparation of said Plans and Specifications and the performance of such engineering consulting services, all to the extent and in the manner permitted by law.

4. Upon the adoption of a resolution determining to make the aforesaid improvement and adoption of such bonding resolutions, the Town agrees to accept dedication of Sonwil Drive and the First Phase Extension of Sonwil Drive pursuant to such quit claim deed, and to construct and install the sanitary sewer, and to cause any necessary improvements to be made to Sonwil Drive and the First Phase Extension of Sonwil Drive pursuant to

the Plans and Specifications (excluding any work pertaining to the water main extension) for the purposes of using same as a public highway, all to the extent, and in the manner permitted by law. Upon the Town's acceptance of the conveyance of Sonwil Drive and the First Phase Extension of Sonwil Drive (including the assignment of Sonwil's easement rights and licenses as referenced at section 2(i) above), Sonwil shall have no further responsibilities with respect to the improvement or maintenance of Sonwil Drive and the First Phase Extension of Sonwil Drive, except as set forth in this Agreement. Notwithstanding the foregoing and anything to the contrary contained herein, in the event that as a result of the bid of the lowest responsible bidder for such work the amount of the bond will exceed the sum of \$385,000, then the bid will not be awarded and the improvements as described in the Plans and Specifications shall not be made, and Sonwil and the Town shall then determine which changes, if any, can be made to the Plans and Specifications, to reduce the scope of the project and the cost before rebidding same.

5. At the time of acceptance of such deed and easements, Sonwil agrees to pay the premium for a title insurance policy covering Sonwil Drive and the First Phase Extension of Sonwil Drive, issued by a title insurance company licensed by the State of New York, in the minimum amount.

6. The parties acknowledge and agree that heretofore it was anticipated that the improvement of Sonwil Drive and the

First Phase Extension of Sonwil Drive, and the construction of the sanitary sewer pursuant to the Plans and Specifications, and the dedication of the extended Sonwil Drive as a public highway, were to be completed by Sonwil under the procedures established for public improvements under Chapter 54 of the Code of the Town of Cheektowaga. The parties also acknowledge and agree that Sonwil had submitted an application for a public improvement permit on November 2, 1992 in furtherance thereof, which application is still pending. Notwithstanding the parties' election to proceed under Section 200 and 202-b of the Town Law in lieu of Chapter 54 of the Code of the Town of Cheektowaga, the Town acknowledges and agrees that as a result of the filing by Sonwil of said application for a public improvement permit on November 2, 1992, Condition No. 3 of the aforesaid Town Board resolution of November 4, 1991, as amended by the aforesaid Town Board resolution of June 1, 1992, is deemed satisfied.

7. Further southerly extensions of Sonwil Drive may be completed in phases. To the extent that the Plans and Specifications describe certain work to be completed south of the First Phase Extension of Sonwil Drive, such as the further extension of Sonwil Drive and the construction of the emergency access road to Airport Drive, the Plans and Specifications are hereby approved by the Town. Applications for public improvement permits for said further extensions of Sonwil Drive based on the Plans and Specifications shall be deemed sufficient, and, if such an application is otherwise in compliance with the Town of

Cheektowaga Public Improvement Permit Ordinance, such application shall be approved and the public improvement permit shall be issued as requested in such application. Provided that the work to be performed pursuant to such a public improvement permit is to be inspected at Sonwil's sole expense by an independent consulting engineer approved in writing by the Town, as authorized agent of the Town Engineer, the public improvement permit fee shall be waived, and certification to the Town Engineer by said independent consulting engineer that the work has been completed in substantial compliance with the Plans and Specifications shall be acceptable to the Town and shall be deemed sufficient to satisfy the requirement for a Certificate of Approval by the Town Engineer as to such work. Such approval of an independent engineer shall not be unreasonably withheld by the Town. Upon completion of a further extension of Sonwil Drive, and certification to the Town by the independent consulting engineer that said work has been completed in substantial compliance with the Plans and Specifications, Sonwil shall tender to the Town a quit claim deed transferring its entire right, title and interest in and to said further extension of Sonwil Drive and the Town shall accept said deed and said dedication of said premises as a public highway. Any such further extensions of Sonwil Drive shall otherwise be in compliance with the Town's Public Improvement Permit Ordinance. At the time of acceptance of such deed, Sonwil agrees to pay the premium for a title insurance policy covering Sonwil Drive, issued by a title

insurance company licensed by the State of New York, in the minimum amount for which such a title insurance policy may be issued, all in form and substance acceptable to counsel for the Town.

8. In order to induce Sonwil to extend Sonwil Drive on the Rezoned Parcel and construct at its expense the aforesaid emergency access road as described in this Agreement, the Town hereby grants Sonwil a right of first refusal with respect to any sale, lease, transfer or other disposition of property currently owned by the Town east of Sonwil Drive as extended and to be extended and to the east of the Rezoned Parcel (such property being subject of said right of first refusal being more particularly described on Schedule "H" annexed hereto and made a part hereof), subject to any prior right of any person to reacquire any part of such property as provided by law.

9. Sonwil has submitted a site plan and other materials to the Town relative to the construction of a new building on the Rezoned Parcel to be served by the First Phase Extension of Sonwil Drive. The Town agrees that a building permit for such proposed new building will be issued to Sonwil upon adoption by the Town Board of a resolution authorizing this Agreement and upon satisfaction of the following other conditions:

(i) Execution of this Agreement by the Town and Sonwil;

(ii) Delivery to the Town Engineer of a completed New York State DEC Application for Approval of Plans for a Wastewater Disposal System regarding the sanitary sewer to be constructed hereunder pursuant to the Plans and Specifications;

(iii) Delivery to the Town of a commitment in writing from Sonwil to follow the Drainage Plans heretofore approved by the Town Engineer regarding the proposed improvements on the Rezoned Parcel (and regarding modification of the outlet pipe of the existing detention basin), which Drainage Plans and approval are annexed hereto and made a part hereof as Schedule "I".

(iv) The execution of a Main Extension Agreement with the Erie County Water Authority ("the ECWA") regarding the extension of the Sonwil Drive water main for the length of the First Phase Extension of Sonwil Drive so as to serve structures on the property adjoining said highway.

(v) Delivery to the Town of a commitment in writing from Sonwil to comply with the Landscape and Tree Preservation Plan annexed hereto and made a part hereof as Schedule "J".

(vi) Delivery to the Town of the deed and easements referred to in paragraph 2 hereinabove.

(vii) Delivery to the Town of a commitment in writing from Sonwil that Sonwil will not as part of any Industrial Revenue Bond financing seek an exemption from any special assessments and charges levied against Sonwil's real

property as a consequence of the bonding of the costs of the improvements of Sonwil Drive and the First Phase Extension of Sonwil Drive.

The Town agrees to use its best efforts to assist Sonwil in entering into a Main Extension Agreement with the ECWA and shall advise the ECWA that Sonwil, by entering into this Agreement, has complied with all Town requirements for the dedication of Sonwil Drive as a public highway. In addition, the Town hereby grants to Sonwil and its Contractors, their subcontractors, and any employees of them, a temporary license to use the Town's real property located between the terminus of existing Sonwil Drive and the Rezoned Parcel in order to have ingress and egress to and from the site of the proposed new building on the Rezoned Parcel, pending completion of the First Phase Extension of Sonwil Drive. This temporary license shall be limited to the period reasonably necessary to complete construction of said new building and to have a certificate of occupancy issued. In exercising its rights under said license, Sonwil may clear a path across the Town's property and deposit sufficient amounts of stone or other materials on said Town property so as to permit construction equipment to travel safely across said Town property, provided that such work does not materially interfere with the completion of the improvements to Sonwil Drive and the First Phase Extension of Sonwil Drive.

10. The Town and Sonwil acknowledge and agree that regulatory approvals and other matters may delay use of the

sanitary sewer to be constructed pursuant to the Plans and Specifications. Accordingly, the proposed new building on the land adjoining the First Phase Extension of Sonwil Drive may be serviced by Sonwil's existing private sanitary sewer connected to Sewer District No. 8, and such sewer connection will be sufficient for issuance of a certificate of occupancy, subject only to the standard approvals by the building and plumbing inspector and Town Engineer regarding said sewer connection. Also, final paving of Sonwil Drive or the First Phase Extension of Sonwil Drive will not be required for issuance of a certificate of occupancy for the new building, provided at least ^{base and} a binder coat of paving has been applied upon said highway and upon the parking areas serving the proposed new building.

11. The Town may condition the issuance of a building permit covering the construction of additional buildings to be located on the Rezoned Parcel south of the land adjoining the First Phase Extension of Sonwil Drive upon the issuance of a new public improvement permit covering the extension of Sonwil Drive to a point necessary to serve the portion of the Rezoned Parcel upon which such a new building is to be constructed and the furnishing of a performance bond in such amount as is satisfactory to the Town Engineer of the Town to secure the obligations of Sonwil to so extend and construct the new sections of Sonwil Drive to serve such new building, all pursuant to §13-13(B) and §54-5(A) of the Ordinances of the Town of Cheektowaga. The said new sections of Sonwil Drive shall be dedicated to the

Town prior to the issuance of a certificate of occupancy for such buildings.

12. An emergency access road consisting of an extension of Airport Drive across railroad tracks owned by Conrail and the Rezoned Parcel and connecting to Sonwil Drive as set forth on the Plans and Specifications shall be constructed by Sonwil at its expense at a time when the phased-in extension southerly of Sonwil Drive comes within 150 feet of the extension easterly of the northerly line of Airport Drive; provided that the Town obtains, at the Town's expense, the necessary easements and/or licenses to construct such extension of Airport Drive. Sonwil shall coordinate with the Hy-View Fire District the precise location of such access road and its connection with Sonwil Drive, so as to accommodate the buildings planned and/or constructed on the Rezoned Parcel. Upon completion of such emergency access road, Sonwil shall convey the portion thereof located on the Rezoned Parcel to the Town. Said emergency access road shall be constructed in accordance with the Plans and Specifications as applicable to said emergency access road (Plans and Specifications, Sheet No. 12 of 16, entitled "Airport Drive Fire Access Road"). The parties acknowledge and agree that such access road is designated for emergency purposes only, and not for public use, and said access road shall not be constructed to the same standards as Sonwil Drive or its extensions.

13. The existing portions of Sonwil Drive, the First Phase Extension of Sonwil Drive, and the further extensions of

Sonwil Drive as they are constructed and dedicated to the Town shall be known as Sonwil Drive and shall continue to be known as Sonwil Drive subsequent to such dedication, and the name of such dedicated highway shall not be changed by the Town without the prior written consent of Sonwil.

14. This agreement shall be binding upon and inure to the benefit of the parties' respective successors and assigns.

IN WITNESS WHEREOF, the respective parties hereto have caused this agreement to be signed by their duly authorized officers and their respective seals to be attached hereto.

TOWN OF CHEEKTOWAGA

By: Dennis H. Gabryszak
Dennis Gabryszak, Supervisor

SONWIL DISTRIBUTION CENTER, INC.

By: Stuart J. Wilson
Stuart J. Wilson, President

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

On the 7th day of February, 1994, before me personally came Dennis Gabryszak, to me personally known, who being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, the corporation described in and who executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board; and that he signed his name thereto by like order.

Valerie A. Meyers
Notary Public

VALERIE A. MEYERS
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES APRIL 11, 1994

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

On the 14th day of February, 1994, before me personally came Stuart J. Wilson, to me personally known, who being by me duly sworn, did depose and say that he resides in the Town of Amherst, New York; that he is the President of Sonwil Distribution Center, Inc., the corporation described in and which executed the foregoing 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.

Elsie T. Strabel
Notary Public

ELSIE T. STRABEL
Notary Public, State of New York
Qualified in this County
My Commission Expires March 30, 1994

INDEX OF SCHEDULES

- Schedule "A" - Description of Sonwil Industrial Park
- Schedule "B" - Description of Sonwil Drive
- Schedule "C" - Description of Rezoned Parcel
- Schedule "D" - Schedule of Plans and Specifications prepared by Nussbaumer & Clarke, Inc.
- Schedule "E" - Description of First Phase Extension of Sonwil Drive
- Schedule "F" - Description of Easement for Sanitary Sewer and Stone Maintenance Road
- Schedule "G" - Description of Easement for Drainage
- Schedule "H" - Description of Real Property Subject to Right of First Refusal
- Schedule "I" - Drainage Plans
- Schedule "J" - Landscape and Tree Preservation Plan

SCHEDULE "A"

PARCEL 1

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

BEGINNING at a point in the easterly line of that parcel of land conveyed by George Sugg to New York State Realty and Terminal Company, by deed dated October 17 1923, recorded in the Erie County Clerk's Office in Liber 1689 of Deeds at page 606, distant southerly one hundred seventeen and eight tenths (117.8) feet as measured along the same from the northeasterly corner thereof and running thence southwesterly by a curved line convex to the northwest drawn with a radius of two thousand one hundred sixty-eight and fifty-one hundredths (2168.51) feet concentric with the center line of the former double track connection between the West Shore Railroad and the main line of The New York Central Railroad, three hundred and five tenths (300.5) feet more or less, to a point of compound curvature; thence southwesterly and southerly by a curved line convex to the northwest and west drawn with a radius of one thousand six hundred thirty-nine and sixty-eight hundredths (1639.68) feet, one thousand four hundred thirty-eight and five tenths (1438.5) feet, more or less, to a point of tangency; thence southerly tangent to the last described course, six hundred fifty-one and seven tenths (651.7) feet, more or less, to the southerly line of that parcel of land conveyed by George Sugg to New York State Realty and Terminal Company by deed dated and recorded as aforesaid; thence easterly along the southerly line of that parcel of land conveyed by George Sugg to New York State Realty and Terminal Company by deed dated and recorded as aforesaid, six hundred eighty-four and four tenths (684.4) feet to the southeasterly corner thereof; thence northerly along the easterly line of that parcel of land conveyed by George Sugg to New York State Realty and Terminal Company by deed dated and recorded as aforesaid, two thousand one hundred fifty-four and two tenths (2154.2) feet to the point and place of beginning; containing twenty-nine and three hundredths (29.03) acres of land, more or less.

EXCEPTION: Except and excluding therefrom lands conveyed by Sonwil Distribution Center, Inc. to Teledyne Industries, Inc. by deed dated August 24, 1992 and recorded in Erie County Clerk's Office at Liber 9160 of Deeds at Page 509.

PARCEL 2

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

BEGINNING at the most northeasterly corner of that parcel of land conveyed by New York State Realty and Terminal Company to Sonwil Distribution Center Inc. by deed dated December 28 1962 and recorded in Erie County Clerk's Office in Liber 6849 of Deeds at page 93; running thence southwesterly along a curve to the west, being the northwesterly line of that parcel of land conveyed by deed aforesaid eight hundred forty-five (845) feet to a point therein; thence westerly along the westerly prolongation of a line drawn radially to the last preceding course one hundred (100) feet; thence northeasterly along a curve to the right drawn concentric with and at all points distant northwesterly one hundred (100) feet from the course herein above firstly described nine hundred sixty-five (965) feet more or less to a point in the northerly prolongation of the easterly line of that parcel of land conveyed by deed aforesaid; thence southerly along the northerly prolongation of the easterly line of that parcel of land conveyed by deed aforesaid one hundred seventeen and eight tenths (117.8) feet more or less to the point and place of beginning, containing two and one tenth (2.1) acres of land, more or less.

PARCEL 3

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

BEGINNING at a point in the center line of Genesee Street 257.85 feet westerly from the northeast corner of lands conveyed by Christina Sugg to Jacob Sugg by deed recorded in the Erie County Clerk's Office in Liber 452 of Deeds at page 389, as measured along the center line of Genesee Street; running thence westerly along the center line of Genesee Street 60 feet to a point; running thence southerly parallel with the west line of said Lot No. 77, 206 feet to the northerly line of the West Shore Railroad Company's land; running thence northeasterly along the northerly line of the West Shore Railroad Company's land 66.26 feet to a point which would be intersected by a line drawn southerly through the point of beginning parallel with the west line of said Lot No. 77; running thence northerly parallel with the west line of said Lot No. 77, 189.29 feet to the point of beginning.

SCHEDULE "F"

TRACT I:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 77, Township 11, Range 7 of the Holland Land Company's Survey and being more particularly bounded and described as follows:

COMMENCING at the center line of Genesee Street and the northeast corner of lands conveyed by deed recorded in Erie County Clerk's Office in Liber 452 of Deeds at page 389; thence southwesterly along the center line of Genesee Street, a distance of 257.85 feet to the principal point or place of beginning; thence south parallel to the west line of Lot No. 77 a distance of 189.29 feet to a point on the northwest boundary of the right of way (100 feet wide) now or formerly of the New York State West Shore and Buffalo Railway (V.S. Number 122); thence southeasterly along the line that is drawn at right angles to the said northwest boundary of the right of way now or formerly of the New York West Shore and Buffalo Railway (V.S. Number 122), a distance of 515.76 feet to a point, said point being 2 feet westerly of, as measured at right angles to the east line of lands conveyed to New York State Realty and Terminal Company by deed recorded in Erie County Clerk's Office in Liber 1689 of Deeds at page 606; thence southerly along a line drawn parallel with and distant 2 feet westerly of, as measured at right angles to, the east line of lands conveyed by deed so recorded in Liber 1689 of Deeds at page 606, a distance of 1793.82 feet to a point, said point being on the south line of Lot No. 77 and the south line of lands conveyed by deed so recorded in Liber 1689 of Deeds at page 606; thence westerly along said line, a distance of 60 feet to its point of intersection with a line drawn parallel with and distant 62 feet westerly of, as measured at right angles to, the east line of lands conveyed by deed so recorded in Liber 1689 of Deeds at page 606; thence northerly along said last mentioned parallel line, a distance of 1305.52 feet to a point; thence westerly at right angles to the last mentioned course a distance of 200 feet to a point; thence north at right angles to the last mentioned course a distance of 60 feet to a point; thence easterly at right angles to the last mentioned course, a distance of 200 feet to a point; thence northerly at right angles to the last mentioned course, and along said line that is drawn parallel with and distant 62 feet westerly of, as measured at right angles to the east line of lands conveyed by deed so recorded in Liber 1689 of Deeds at page 606, a distance of 400.31 feet to a point; thence northwesterly along a line that is drawn at right angles to said right of way now or formerly of the New York West Shore and Buffalo Railway (V.S. Number 122), a distance of 511.83 feet to a point, said point being on the northwest boundary of said right of way now or formerly of the New York West Shore and Buffalo Railway (V.S. Number 122); thence northerly along a line drawn parallel to the west line of Lot No. 77, a distance of 206 feet to a point, said point being in the center line of Genesee Street; thence northeasterly along said center line of Genesee Street, a distance of 60 feet to the point or principal place of beginning.

EXCEPTING AND EXCLUDING THEREFROM the lands appropriated by the People of the State of New York from Sonwil Distribution Center, Inc. for the widening of Genesee Street pursuant to a Notice of Appropriation dated February 10, 1992 and recorded February 10, 1992 in Liber 10389 of Deeds at Page 683.

EASEMENT WITHIN TRACT I

BEGINNING at a point in the northwesterly exterior line of the right-of-way of the West Shore Railroad of the Grantor opposite Chaining Station 2202 plus 027 in the center line thereof; and running

Thence southwesterly, along said northwesterly exterior line, sixty-six and twenty-six hundredths (66.26) feet;

Thence southeasterly, at right angles to the last preceding course, two hundred fifty-four (254) feet, more or less, to a point in the northwesterly line of the premises conveyed or about to be conveyed by New York State Realty & Terminal Company to the Grantee herein as aforesaid;

Thence northeasterly, along said northwesterly line of the premises conveyed or about to be conveyed by New York State Realty & Terminal Company to the Grantee herein as aforesaid, sixty-eight (68) feet, more or less, to its intersection with a line drawn southeasterly, parallel with the second course above described, from the above described point of beginning;

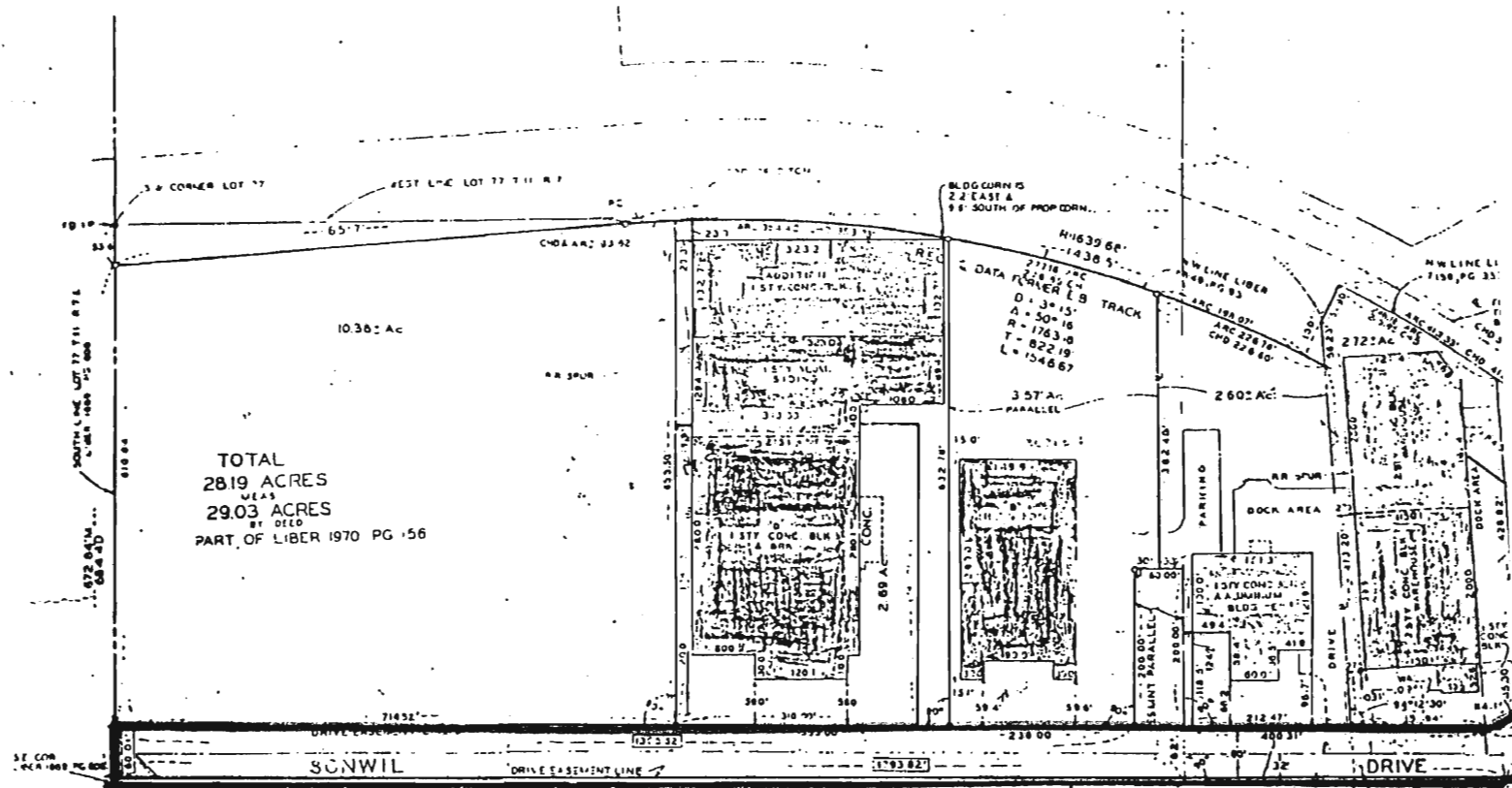
Thence northwesterly, along said line drawn southeasterly, as aforesaid, two hundred thirty-nine (239) feet, more or less, to the point and place of beginning.

[Description of portion of Sonwil Drive covered by an easement across railroad right-of-way, and included within description of Sonwil Drive in Tract I above.]

TRACT II:

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

COMMENCING at a point at the southeasterly corner of lands conveyed to New York State Realty and Terminal Company by deed recorded in Erie County Clerk's Office in Liber 1689 of Deeds at Page 606 said point also being on the south line of Lot No. 77; thence westerly along said south line of Lot No. 77 a distance of two feet to a point; thence northerly on a line drawn parallel with and distant two feet westerly of, as measured at right angles to, the east line of lands conveyed by deed so recorded in Liber 1689 of Deeds at Page 606, a distance of 1793.82 feet to a point; thence easterly at a right angle a distance of two feet to a point in the east line of lands conveyed by deed so recorded in Liber 1689 of Deeds at Page 606; thence southerly along said east line of lands conveyed by deed so recorded in Liber 1689 of Deeds at Page 606, a distance of 1794 feet, more or less, to the point of beginning.



TOTAL
28.19 ACRES
MEAS
29.03 ACRES
BY DEED
PART OF LIBER 1970 PG 156

Should it be a violation of Section 2275, Subsection 2, of the New York State Education Law for any person unless acting under the direction of a licensed professional engineer or land surveyor to make, to any or reports to which the seal of a professional engineer or land surveyor may be applied.

WE HEREBY CERTIFY to the Monroe Abstract & Title Corporation that this survey was actually made on the ground and is in conformance with the information and instructions provided. The field notes and pertinent data, which remain part of our official records, can be found at 5757 Main Street, Williamsville, New York 14221

BISSELL, MERRILL ASSOCIATES

By: William H. Merrill, Jr. Lic. 148362

Date: _____



PROPER
MODIFIED
BISSELL
ENGRS.

RCG395E

SCHEDULE "C"

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

BEGINNING at a point in the southerly line of said Lot Number 74, where the same is intersected by the easterly line of the parcel of land described and designated as Parcel No. 3 in Deed from New York State Realty and Terminal Company, predecessor of the Grantor, to the New York Central Railroad Company, dated December 24, 1927, recorded in the Office of the Clerk of the said County of Erie in Liber 1970 of Deeds at Page 156; and running thence northerly along the easterly line of that parcel of land described and designated Parcel No. 3 in said Deed dated and recorded as aforesaid, said line is also being the westerly line of lands described in a Deed to Lawrence Reger and others as Trustees, recorded in the Erie County Clerk's Office in Liber 7438 of Deeds at Page 233, 1184.47 feet to the northwest corner of said lands conveyed to Reger and others as Trustees, said point being the principal point or place of beginning; thence northerly 1370.43 feet along the east line of said parcel of land described and designated as Parcel No. 3 in the aforesaid Deed to New York Central Railroad Company to a jog or offset therein; thence easterly and at right angles to the last course along said jog or offset, 30 feet; thence northerly, continuing along the easterly line of said parcel of land described and designated as Parcel No. 3 in the aforesaid Deed to New York Central Railroad Company, dated and recorded as aforesaid, 844.82 feet to the northeasterly corner of said parcel, said point being on the northerly line of Lot Number 74; thence easterly along the northerly line of Lot Number 74, 540.76 feet to the easterly line of lands conveyed to Louis Maigret by Deed recorded in Erie County Clerk's Office in Liber 93 of Deeds at Page 472; thence southerly along the east line of the aforesaid lands conveyed to Louis Maigret by Deed recorded as aforesaid, 2218.55 feet to the north line of the Village of Depew; thence westerly along the north line of said Village of Depew and along north line of lands conveyed to Lawrence Reger and others as Trustees, by Deed recorded as aforesaid, 356.10 feet to the principal point or place of beginning.

SCHEDULE "D"

[Plans and Specifications]

SONWIL DRIVE PAVEMENT AND IMPROVEMENTS DESIGN

**Town of Cheektowaga, New York
May, 1993 - 93-410**

List of Drawings:

1. Title and Index Sheet
2. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 10+00 thru 16+00
3. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 16+00 thru 22+00
4. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 22+00 thru 26+50
5. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 26+50 thru 31+00
6. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 31+00 thru 35+00
7. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 34+00 thru 39+00
8. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 39+00 thru 44+00
9. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 44+00 thru 49+00
10. Sonwil Drive Pavement and Improvements,
Plans and Profiles STA. 49+00 thru 54+20
11. Sonwil Drive Pavement and Improvements,
Sanitary Sewer MH No. 1 to MH No. 2
12. Sonwil Drive Pavement and Improvements,
Airport Drive Fire Access Road
13. Sonwil Drive Pavement and Improvements, Payment Details
14. Sonwil Drive Pavement and Improvements, Waterline Details
15. Sonwil Drive Pavement and Improvements, Sanitary Details
16. Sonwil Drive Pavement and Improvements, Sanitary Details

SCHEDULE "E"

LEGAL DESCRIPTION

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

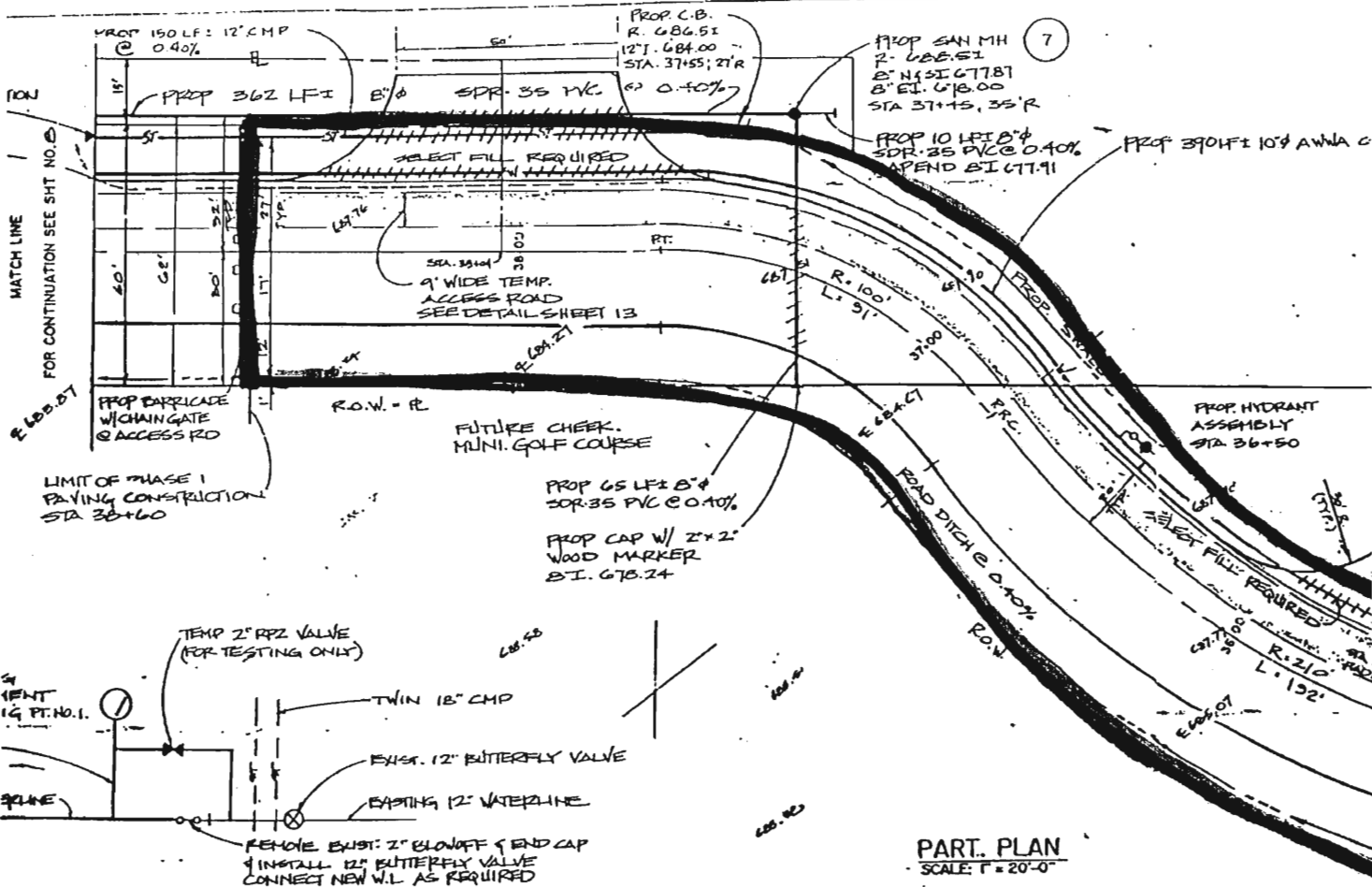
Beginning at a point on the east line of Louis Maigret by Liber 93 of Deeds at Page 472, 138.3 feet more or less southerly of the north line of Lot 74 as measured along the east line of Maigret, thence S 00°-18'-54" E along the east line of Maigret, 211.59 feet, thence S 89°-41'-06" W, 60.00 feet to a point, thence N 00°-18'-54" W, 100.00 feet, thence northeasterly, along a curve to the right having a radius of 130.00 feet and an arc length of 115.19 feet to a point of reverse curve, thence northerly along a curve to the left having a radius of 190.00 feet and an arc length of 16.37 feet to the point of beginning containing 0.24 acres more or less.

**SCHEDULE B
EASEMENT (v)**

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

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

Containing 0.28 more or less acres.



WATERLINE CONNECTION AND TESTING DETAIL

N.T.S.

PART. PLAN
SCALE: F = 20'-0"

SCHEDULE "F"

SANITARY SEWER EASEMENT

Description of East-West Strip

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 74, Township 11, Range 7 of the Holland Land Company's Survey and described as follows:

A strip of land twenty-six (26) feet in width bounded on the east and west by the easterly line and westerly line of the Property, respectively, and the southerly line of which is the following described line:

BEGINNING at a point in the west line of Property 304.68 northerly of the southwest corner of the Property as measured along the westerly line of the Property said point being the principal point of beginning of the line described hereby, thence north 89 - 41' - 06" east a distance of 387.00 feet more or less to the easterly line of the Property.

Description of the Northerly Extension

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

A strip of land forty (40) feet in width, the southerly line of which is the northerly line of the East-West strip of land described above, the easterly line of which is a line parallel to, and thirty-two (32) feet westerly of, the easterly line of the Property, and the northerly line of which is a line parallel to, and 200 feet southerly of the northerly line of the Property.

Notes:

1. The term "Property" as used above shall mean the Property described in Schedule C annexed to and made of this Agreement.

SCHEDULE "G"

DRAINAGE EASEMENT

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

A strip of land fifteen (15) feet in width, the easterly line of which is the easterly line of the Property, the westerly line of which is a line parallel to and 15 feet westerly of the easterly line of the Property, the southerly line of which is the southerly line of the Property, and the northerly line of which is the northerly line of the Property.

Notes:

1. The term "Property" as used above shall mean the Property described in Schedule C annexed to and made of this Agreement.

PROPOSED LANDS TO BE ACQUIRED BY
THE TOWN OF CHEEKTOWAGA
PARCEL "C"

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

Beginning at a point in the north line of Lot 74 at the west line of lands conveyed to Anthony Gangloff by Liber 987 of Deeds at Page 489; point of beginning being 656.04 feet west of the northeast corner of Lot 74; thence southerly along the west line of lands conveyed to said Gangloff 2229.02 feet to the south line of the south line of the Town of Cheektowaga; thence westerly along the south line of the Town of Cheektowaga, 591.36 feet to the west line of lands conveyed to Louis Maigret by Liber 93 of Deeds at Page 472; thence northerly along the west line of said Maigret 2218.55 feet to the north line of Lot 74; thence easterly along the north line of Lot 74, 591.43 feet (measured) to the point or place of beginning, being 30.18 acres, more or less.



CORNERS TO THE NORTHEAST CORNER OF LOT 74

WEST LINE OF LANDS CONVEYED TO ANTHONY GANGLOFF BY LIBER 987 OF DEEDS AT PAGE 432

PARCEL 'C'

WEST LINE OF LANDS CONVEYED TO LUIS PASQUET BY LIBER 93 OF DEEDS AT PAGE 472

299.76' DEED 1891
591.43' DEED 1892
120.00' DEED 1893
120.00' DEED 1894
120.00' DEED 1895
120.00' DEED 1896

NORTH LINE OF LOT 74

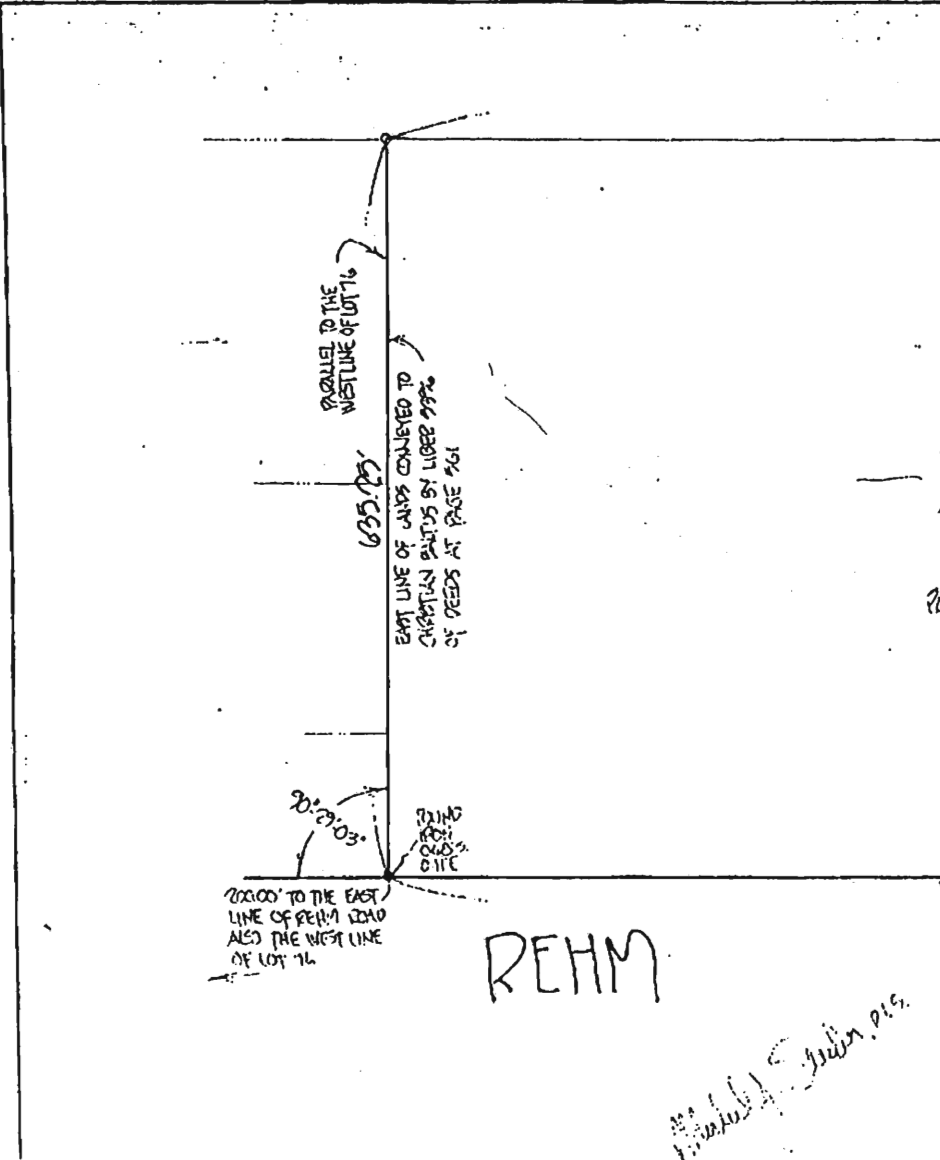
NOTE - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

Marked J. Swisher, P.L.S.

PROPOSED LANDS TO BE ACQUIRED BY
THE TOWN OF CHEEKTOWAGA
PARCEL "K"

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 76, Township 11, Range 7 of the Holland Land Company's survey and more particularly described as follows:

Beginning at a point in the north line of Rehm Road at its intersection with the west line of lands conveyed to Henry S. Kozik by Liber 5570 of Deeds at Page 495; thence northerly parallel to the east line of Lot 76 and along the west line of Kozik, 635.25 feet; thence westerly parallel with south line of Lot 76, 1012.09 feet to the east line of lands conveyed to Christian Baltus by Liber 5396 of Deeds at Page 561; thence southerly along the east line of Baltus and also parallel to the west line of Lot 76, 635.25 feet to a point in the north line of Rehm Road, 200.00 feet east of the west line of Lot 76; thence easterly along the north line Rehm Road, 1021.03 feet to the point or place of beginning, being 14.83 acres, more or less.



PROPOSED LANDS TO BE ACQUIRED BY
THE TOWN OF CHEEKTOWAGA
PARCEL "O"

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

Beginning at a point in the west line of Rehm Road at its intersection with the south line of lands conveyed to Agnes Boyer by Liber 2200 of Deeds at Page 212; thence southerly along said west line of Rehm Road, 2126.56 feet to the northeast line of lands of the Lehigh Valley Railroad formerly the Depew & Tonawanda Railroad Company (now abandoned); thence northwesterly along the said northeast line of the Lehigh Valley Railroad, 1553.66 feet to a point of curvature; thence along a curve to the left having a radius of 2914.90 feet, an arc length of 642.04 feet to the south line of lands conveyed to Boyer; thence easterly along the south line of Boyer, 530.21 feet to the point or place of beginning, being 11.51 acres, more or less.

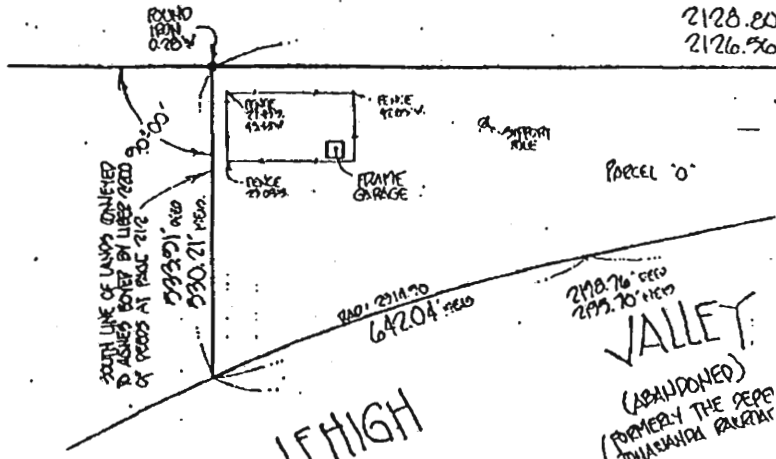


REHM

(49.50' WIDE)

2128.80

2126.50



LEHIGH

Marked by [Signature] PLS

PROPOSED LANDS TO BE ACQUIRED BY
THE TOWN OF CHEEKTOWAGA
PARCEL "P"

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

Beginning at a point in the south line of Lot 77 at its intersection with the west line to lands conveyed to the County of Erie by Liber 3649 of Deeds at Page 222; thence easterly along the south line of Lot 77, 942.85 feet to the southwest line of lands conveyed to the Lehigh Valley Railroad formerly the Depew & Tonawanda Railroad Company (now abandoned); thence northwesterly along the southwest line of the railroad, 1676.00 feet to a point of curvature; thence along a curve to the left having a radius of 2747.90 feet, an arc length of 863.55 feet to the southeasterly line of the West Shore Railroad (formerly New York, West Shore and Buffalo Railroad Company by Liber 435 of Deeds at Page 55); thence southwesterly along the southeast line of the railroad, 399.60 feet more or less to the west line of lands conveyed to the County of Erie by aforesaid deed; thence southerly along the west line of lands to the County of Erie, 2267.16 feet to the point or place of beginning, being 38.89 acres, more or less.



LEHIGH

VALLEY (ABANDONED)

2539.39' ± DEEP
2335.39' MEAS

863.59' MEAS.
R=7147.70'

WEST SHORE RAILROAD
(PARCELS: NEW YORK WEST COAST & BUFFALO RAILROAD CO.)

397.60' ±
12:34:24"

FENCE ON LINE

WEST LINE OF LANDS CONNECTED TO THE COUNTY OF ERE BY LIBER 9649 OF DEEDS AT PAGE 222

L. 7210 / p. 95
(PARCEL 'D')

Handwritten signature and date: 11/15/15

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN EXAMINATION OF TITLE AND IS SUBJECT TO ANY CHANGE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION

Chester L. Bryan, P.E.



Post-it [®] brand fax transmittal memo 7871		# of pages > /
To: <u>Kevin Schenk</u>	From: <u>Bill Pugh</u>	
Co: <u>Law Dept</u>	Co: <u>Engineering</u>	
Dept:	Phone: <u>896-0788</u>	
Fax: <u>683-0134</u>	Fax:	

COPY VIA MAIL

MEMO

TO: Tom Adamczak
Building Inspector

FROM: Bill Pugh, P.E.
Assistant Town Engineer

DATE: January 28, 1994

RE: Sonwil Drive Phase I Expansion
40,000 S.F. Warehouse Facility

Parker Bay Engineering has prepared and submitted a drainage study for the proposed expansion and Phase I development of the northerly 4.2 acre portion of the recently rezoned 23 acre Sonwil parcel. The Stormwater Management Plan provides for a detention basin to be located on the west side of the proposed warehouse, discharging to the ditchline along the eastern side of the elevated rail bed, with the discharge rate being limited to pre-development flows (C=.15). We are in agreement with the concept that stormwater management for future phased expansion will utilize this same methodology whereby a series of basins will be constructed rather than one (1) large basin.

In addition to the new development, Parker Bay Engineering, at the request of this department, prepared a Supplemental Drainage Study which analyzed the effectiveness of the existing detention basin which serves the southern portion of the existing industrial park. This supplemental study confirms that the existing basin has the capacity for a 100 year storm, but requires a reduction/modification to the outlet pipe to be truly effective, confirming a conclusion drawn from the drainage study for the proposed golf course, prepared by Ken Kloeber Engineering.

We find the Stormwater Management Plan for the Phase I expansion to be acceptable and recommend that the modification to the existing basin, which consists of reducing the outfall diameter to a 5" orifice at a very modest expense, be performed in concert with the Phase I development if not sooner.

WRP/njj

cc: Councilman Johnson

Alexander Community Center + 275 Alexander Avenue + Cheektowaga, New York 14211 + 716 / 896-0788



SONWIL

DISTRIBUTION CENTER

SUPPLEMENTAL DRAINAGE STUDY

**300 Sonwil Drive
Cheektowaga, New York**

**Caley+Company Architects
79 Windsor Avenue
Buffalo, New York**

**Parker Bay Engineering, P.C.
1411 Statler Towers
Buffalo, New York**

1307

PARKER BAY ENGINEERING, P.C.

1411 STATLER TOWERS
BUFFALO, NY 14202

(716) 842-6900
FAX (716) 842-0729

12 January 1994

Mr. Stuart Wilson
Sonwil Distribution Center
100 Sonwil Drive
Buffalo, N.Y. 14225

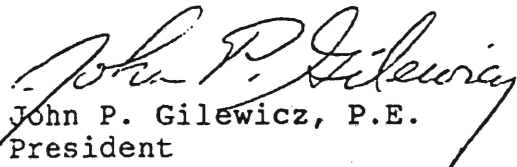
RE: Supplemental Storm Drainage Study for Existing
Sonwil Distribution Center
Cheektowaga, N.Y.

Dear Mr. Wilson:

In accordance with your request, we have prepared this Supplemental Drainage study regarding the existing Sonwil Distribution Center. This supplement is also in response to a request from the Assistant Town Engineer, Mr. William Pugh as noted in his letter dated 12/28/93.

Please review this report at your convenience and feel free to contact me with any questions you may have. Thank you again for the opportunity to be of service on this project.

Sincerely,
PARKER BAY ENGINEERING, P.C.


John P. Gilewicz, P.E.
President

I. BACKGROUND

In November of 1993, Parker Bay Engineering was retained to develop a storm water drainage feasibility plan for a 23 acre parcel of land in Cheektowaga, New York. This parcel of land is directly south of the existing Sonwil distribution facilities on Sonwil Drive. According to information provided by the Town of Cheektowaga Engineering Department, there exists a serious drainage problem downstream from the existing and proposed developments. A report, commissioned by the Town, entitled, "Storm Water Management Plan for Cheektowaga Public Golf Course", dated December, 1993, and prepared by Ken W. Kloeber Consulting Engineers, identifies the existing Sonwil development as the major cause of these downstream problems.

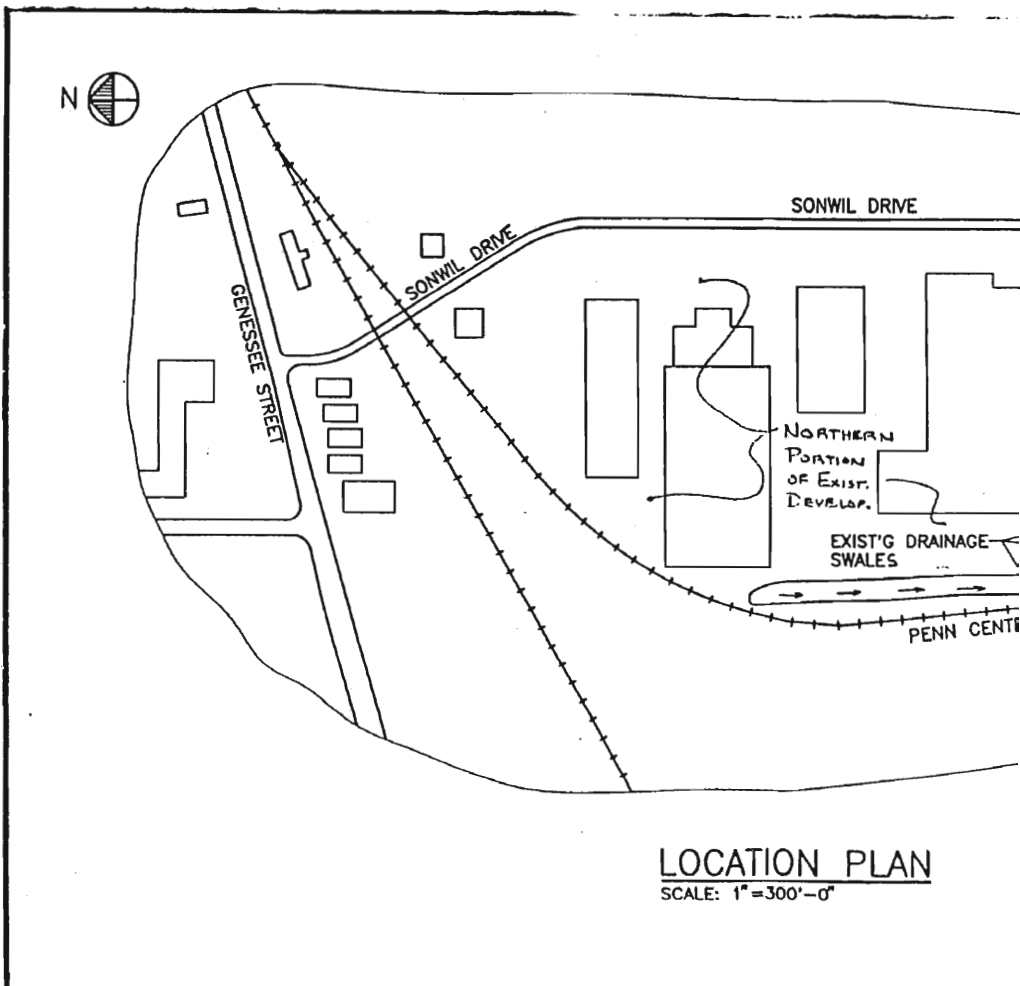
There is a large drainage swale at the southwest corner of the existing development. This swale appears to be ineffective, however, in controlling runoff from the development. The Town of Cheektowaga has requested that this existing swale be evaluated, and modified if possible, to effectively detain runoff. They have also requested that any recommendations regarding modifications to the existing swale be included in the site drainage study for the proposed

development. This report will evaluate the existing swale,
and is supplemental to the site drainage report for the
proposed development.

II. DESCRIPTION OF EXISTING FACILITIES

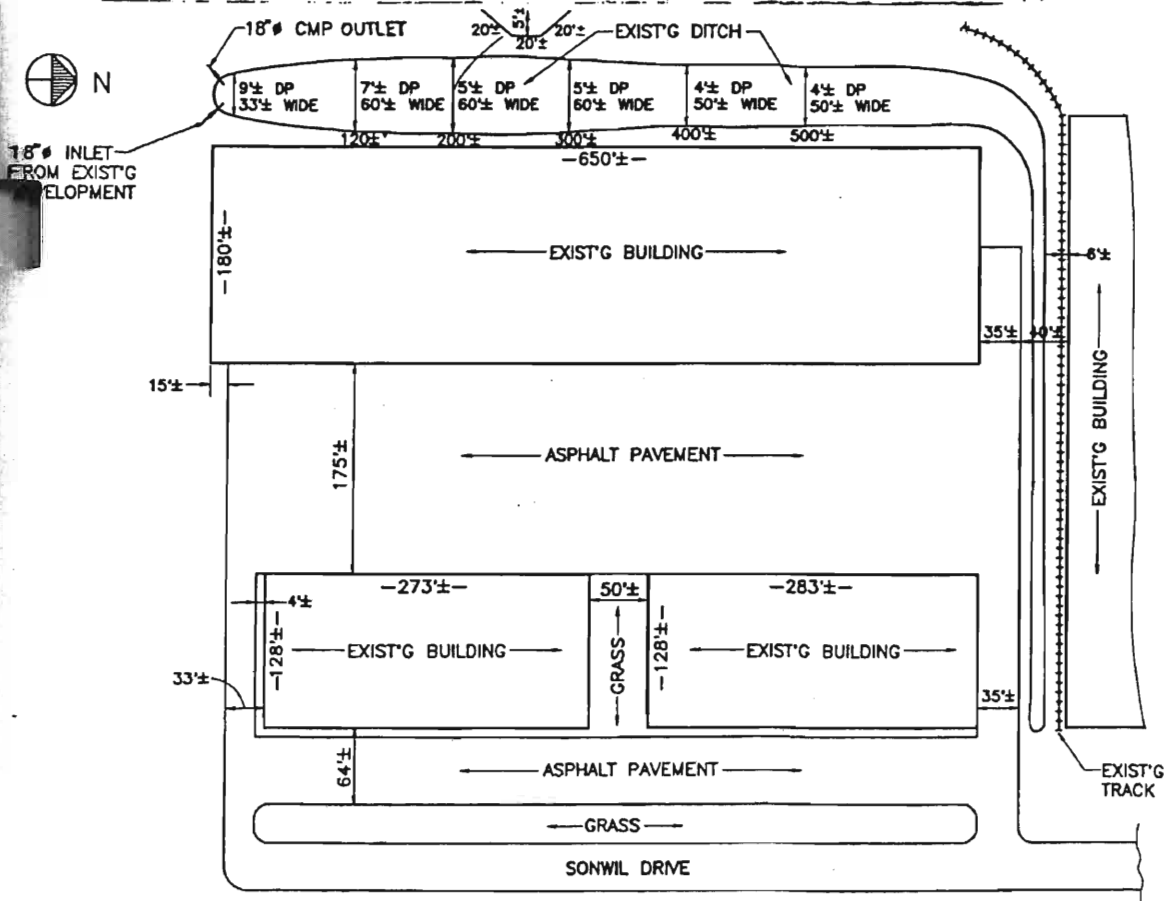
A schematic layout of the existing development is shown on SK-5. The northern portion of the development is separated from the southern part of the development by a railway spur line. The northern portion of the development drains directly to the drainage swale parallel to the Penn Central railroad tracks. The southern portion of the development drains through an existing drainage swale at the southwest corner of the property, and into the drainage swale parallel to the tracks. This report will deal only with the existing drainage swale and the southern portion of the development.

An enlarged schematic layout of the southern portion of the existing development is shown on SK-6. This portion of the development encompasses approximately eight and one half acres. The stormwater from the roofs of the two buildings adjacent to Sonwil Drive, all of the asphalt paving, and one half of the roof of the rear building is piped to the drainage swale behind the rear building. The stormwater from one half of the roof of the rear building discharges directly into the swale. The inlet and outlet pipe locations for the swale are shown on SK-6. The swale is essentially ineffective in detaining storm runoff as the inlet and outlet



LOCATION PLAN

SCALE: 1"=300'-0"



LOCATION PLAN

SK-6

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BUFFALO, N.Y. 14202

pipes are both 18" diameter CMP's and the inlet and outlet locations are so close together. The swale has a potential storage capacity of approximately 112,500 cubic feet. Swale volume calculations may be found in Appendix "A".

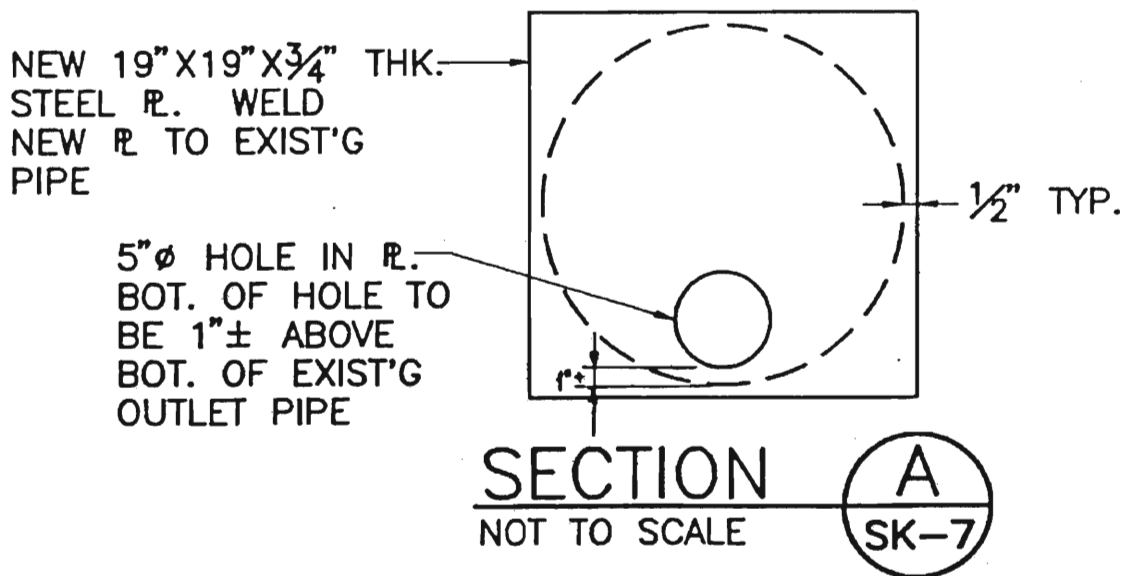
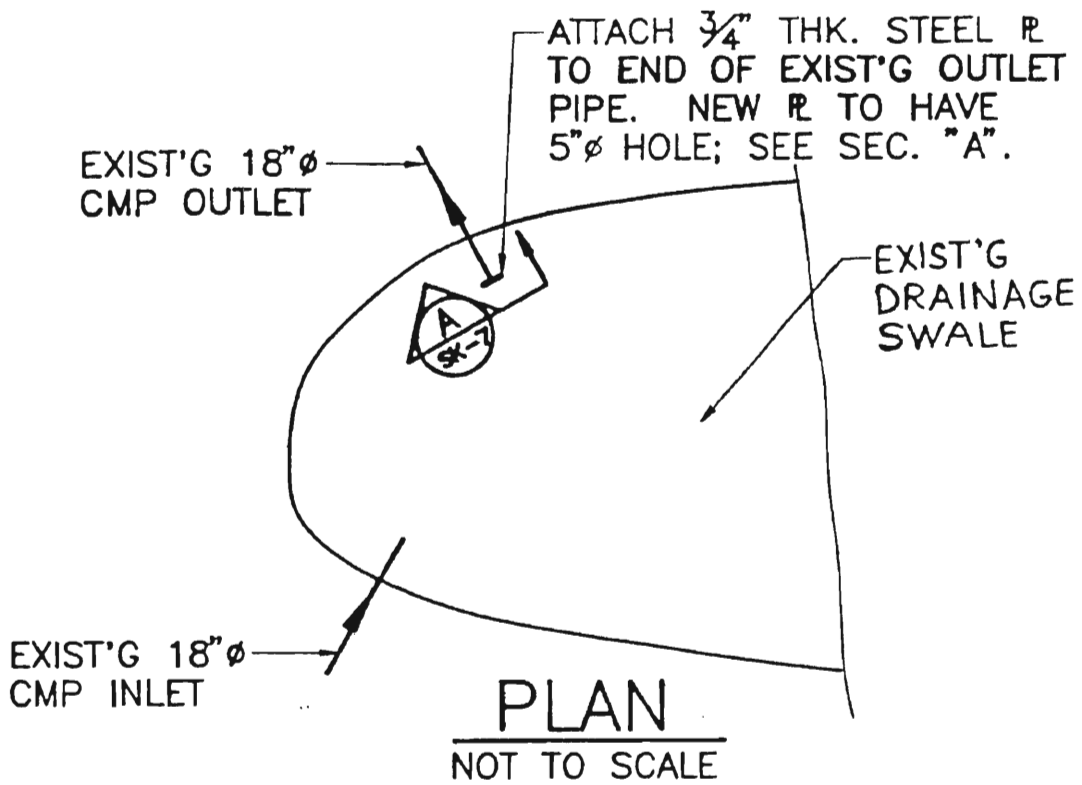
III. RECOMMENDED MODIFICATIONS TO EXISTING SWALE

A predevelopment runoff was calculated for the eight and one half acre parcel of property using a runoff coefficient of $C = 0.15$ in accordance with Town Requirements. The predevelopment runoff was found to be 2.05 cubic feet per second. Calculations were carried out for this portion of the development using ten year, twenty-five year and one hundred year, six hour storms. These calculations, including the calculation of the predevelopment runoff, may be found in Appendix "B". Storage requirements for the three storms are listed below:

10 year, 6 hour storm:	54,300 cubic feet
25 year, 6 hour storm:	59,600 cubic feet
100 year, 6 hour storm:	97,700 cubic feet.

These storage values were based on an outlet value of 2.05 cubic feet per second.

The existing outlet pipe may be modified by attaching a steel plate to the end of the pipe with a five inch diameter hole, as shown on SK-7. Flows from the swale into the drainage ditch parallel to the railroad tracks will thus be limited to approximately 2 cubic feet per second. The calculations for the size of the hole in the steel plate may be found in



SK-7

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ENGINEERING, P.C.**

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(716) 842-6900

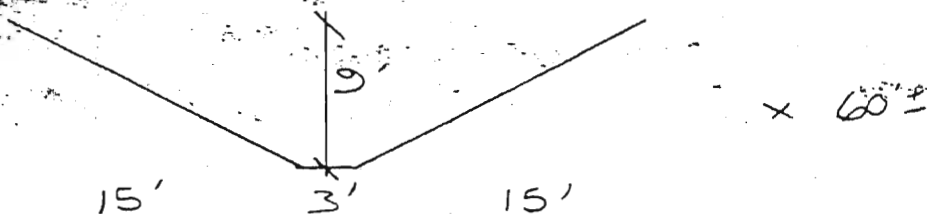
Appendix "C". By reducing the allowable discharge rate, we will be able to effectively detain the storm water runoff from this portion of the existing development.



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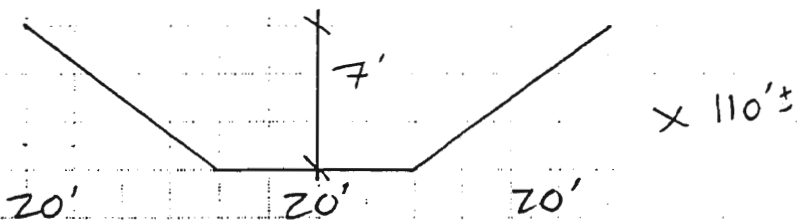
JOB: SANITARY (15025)
SHEET NO. 1 OF
CALCULATED BY: LT DATE: 12/27/93
CHECKED BY: DATE:
SCALE:

EXIST. DITCH.



$$VOL = (3(9) + \frac{1}{2}(15)(9)(2)) \times 60'$$

$$VOL = 2720 \text{ cf} \pm$$



$$VOL = (20(7) + \frac{1}{2}(20)(7)(2)) \times 110'$$

$$VOL = 30800 \text{ cf} \pm$$



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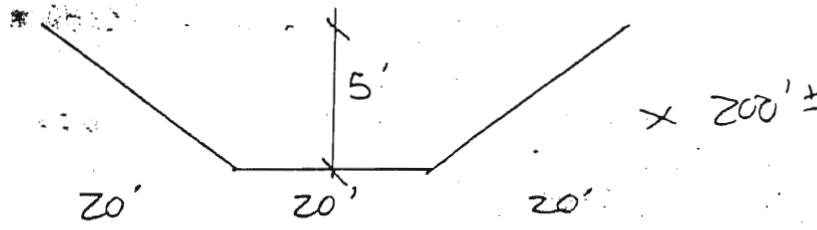
JOB: SONDWIN (# 3093)

SHEET NO. 2 OF _____

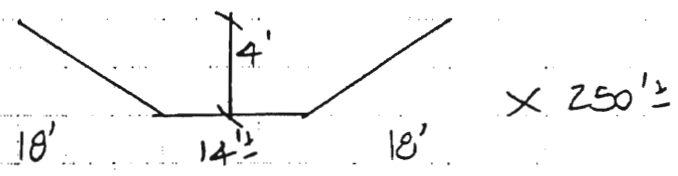
CALCULATED BY: LT DATE: 12/27/93

CHECKED BY: _____ DATE: _____

SCALE: _____



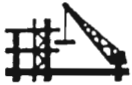
$$\text{VOL} = (20(5) + \frac{1}{2}(20)(5)(2)) \times 200'$$
$$\text{VOL} = 40,000 \text{ cf} \pm$$



$$\text{VOL} = (14(4) + \frac{1}{2}(18)(4)(2)) \times 250$$
$$\text{VOL} = 32000 \text{ cf} \pm$$

APPROX. VOL. IN SCALE: 112,500 cf ±

APPENDIX B



EXISTING DEVELOPMENT

<u>AREAS:</u>	SITE:	8.56 Act
	BUILDINGS:	4.32 Act (50.5%)
	ASPHALT & SIDEWALK:	4.01 Act (46.9%)
	LANDSCAPED:	0.23 Act (2.6%)

FRONT TWO BUILDINGS + ALL ASPHALT PIPED TO SWALE;
1/2 REAR BUILDING PIPED TO SWALE; OTHER HALF REAR
BUILDING DISCHARGES DIRECTLY INTO SWALE.

ESTIMATE T_c FOR EXIST. DEVELOPMENT:

$$T_c = \frac{1.8(1.1 - C) D^{\frac{1}{2}}}{S^{\frac{1}{2}}}$$

$C = 0.9$
 $D \approx 1200' \pm$
 $S \approx 0.5\%$

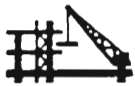
$T_c = 15.7 \text{ MIN.}$

USE $T_c = 15 \text{ MIN}$

$$T_p = T_c^{\frac{1}{2}} + 0.6 T_c$$

$T_p = 12.87 \text{ MIN (0.21 HRS)}$

$B = 2.67 T_p = 34.4 \text{ MIN (0.57 HRS)}$



SITE BREAKDOWN

BUILDING + ASPHALT + SIDEWALKS = 8.33Ac (97.4%) CN=98

LANDSCAPED = 0.23Ac (2.6%) CN=93

$$CN = 0.974(98) + 0.026(93)$$

$$CN = 97.87$$

$$S = \frac{1000}{CN} - 10 = 0.218$$

$$Q_d = \frac{(P - 0.25)^2}{(P + 0.85)}$$

$$q_p = \frac{0.75AQ}{T_p}$$

$$q_p = 30.57 Q$$

PREDEVELOPMENT

USE C=0.15

S=0.5%

D=1200'

$$T_c = \frac{1.8(1.1 - C)D^2}{S^3} = 75 \text{ MIN}$$

FOR 10 YR. STORM; $T_c = 75 \text{ MIN}$; $i = 1.6 \text{ in/HR.}$

$$\therefore Q_{PRE} = CiA = 0.15(1.6)(8.56)$$

$$\underline{Q_{PRE} = 2.05 \text{ cfs}}$$



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 BUFFALO, NEW YORK 14202
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JOB: CONVILL (#3033)

SHEET NO 3 OF _____

CALCULATED BY LT DATE 12/27/93

CHECKED BY _____ DATE _____

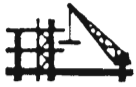
SCALE _____

LOOK AT STORAGE REQ'TS FOR 10 YR., 25 YR. & 100 YR.
 6HR. STORMS.

10 YR., 6HR. STORM

TIME INT. (HRS)	CUMUL. RAINFALL-P (in)	DIRECT RUNOFF-Qd (in)	INCREM. RUNOFF-Q	PEAK RATE DISCHARGE qp (cfs)
0.5	0.05	0.008	0.008	0.24
1.0	0.19	0.059	0.051	1.56
1.5	0.29	0.131	0.072	2.20
2.0	0.84	0.625	0.494	15.10
2.5	2.04	1.800	1.175	35.92
3.0	2.39	2.147	0.347	10.61
3.5	2.54	2.296	0.149	4.55
4.0	2.60	2.356	0.06	1.83
4.5	2.65	2.405	0.049	1.50
5.0	2.70	2.455	0.05	1.53
5.5	2.73	2.485	0.03	0.92
6.0	2.75	2.505	0.02	0.61

SEE GRAPH ON SHT. 6



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J.P. Sewell (E3093)

SHEET NO. 4 OF

CALCULATED BY LT DATE 12/27/93

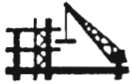
CHECKED BY DATE

SCALE

25 Yr., 6hr. Storm

TIME INT. (HRS)	CUMUL. RAINFALL - P (in)	DIRECT RUNOFF - Qd (in)	INCREM. RUNOFF - Q	PEAK RATE DISCHARGE - qp (cfs)
0.5	0.06	0.001	0.001	0.03
1.0	0.18	0.052	0.051	1.56
1.5	0.43	0.247	0.195	5.26
2.0	0.93	0.711	0.464	14.18
2.5	2.23	1.988	1.277	39.04
3.0	2.58	2.336	0.348	10.64
3.5	2.76	2.515	0.179	5.47
4.0	2.84	2.594	0.079	2.42
4.5	2.89	2.644	0.05	1.53
5.0	2.94	2.694	0.05	1.53
5.5	2.97	2.724	0.03	0.92
6.0	3.00	2.753	0.029	0.89

SEE GRAPH ON SHT. 7



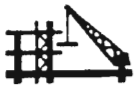
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1411 Statler Towers
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(716) 842-6900
FAX (716) 842-0729

PROJECT: 501001017-3005
SHEET NO. 5 OF _____
CALCULATED BY: LT DATE: 12/27/93
CHECKED BY: _____ DATE: _____
SCALE: _____

100 YR 6 hr. Storm

TIME INT. (HRS)	CUMUL. RAINFALL-P (in)	DIRECT RUNOFF-Qd (in)	INCREM. RUNOFF-Q (in)	PEAK RATE DISCHARGE- qp (cfs)
0.5	0.05	0	0	0
1.0	0.20	0.065	0.065	1.99
1.5	0.55	0.354	0.289	8.83
2.0	1.40	1.169	0.815	24.91
2.5	3.20	2.952	1.783	54.51
3.0	3.70	3.451	0.499	15.25
3.5	3.95	3.700	0.249	7.61
4.0	4.00	3.750	0.05	1.53
4.5	4.05	3.800	0.05	1.53
5.0	4.10	3.850	0.05	1.53
5.5	4.15	3.900	0.05	1.53
6.0	4.20	3.949	0.049	1.50

SEE GRAPH ON SHT. 8



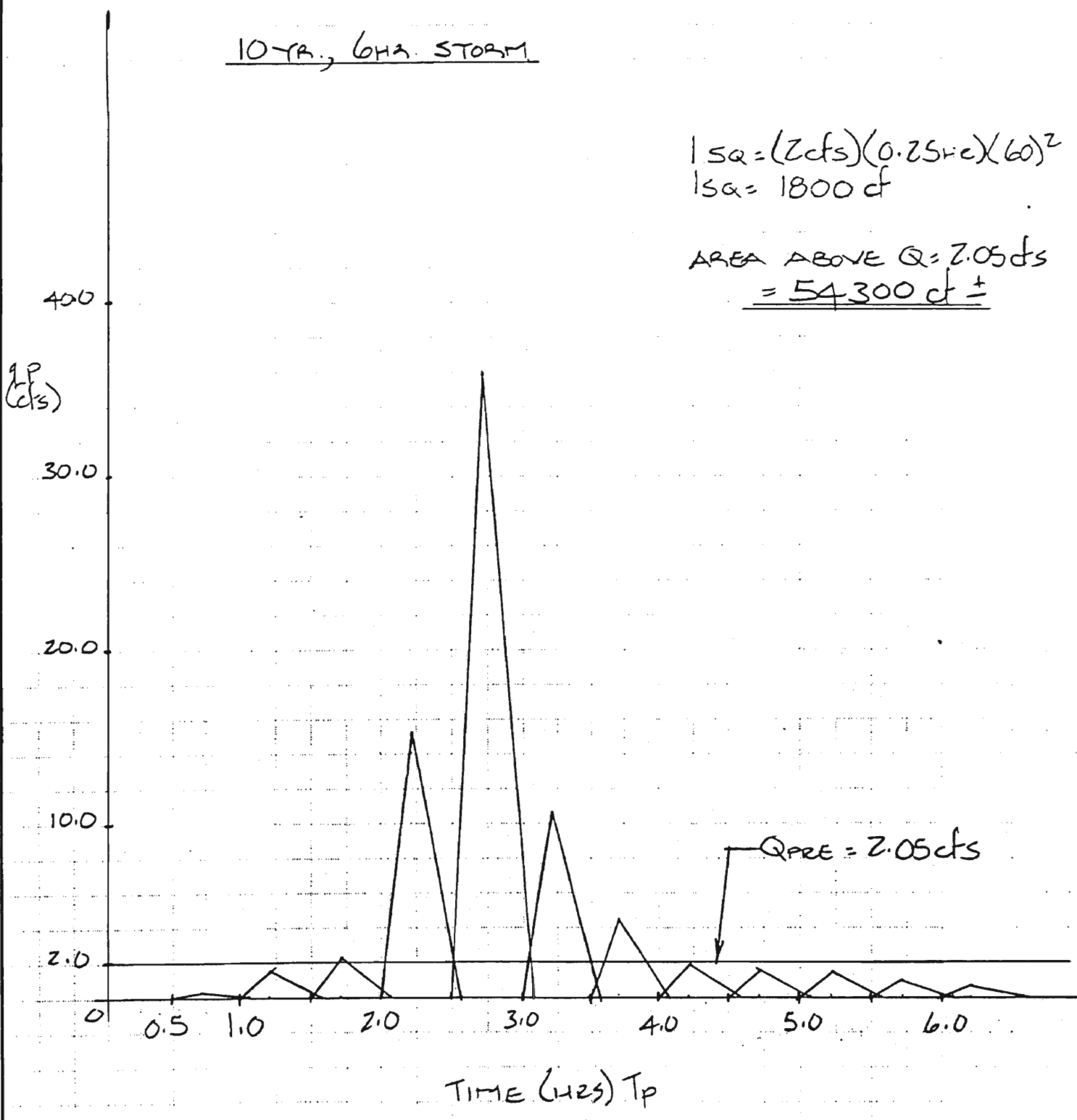
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FAX (716) 842-0729

JUL 500000 (500000)
SHEET NO 6 OF
CALCULATED BY LJT DATE 12/27/93
CHECKED BY DATE
SCALE

10-YR., 6HA. STORM

$$I_{SQ} = (Z_{dfs})(0.25fc)(60)^2$$
$$I_{SQ} = 1800 \text{ cf}$$

$$\text{AREA ABOVE } Q = 2.05 \text{ cfs}$$
$$= \underline{\underline{54300 \text{ cf} \pm}}$$



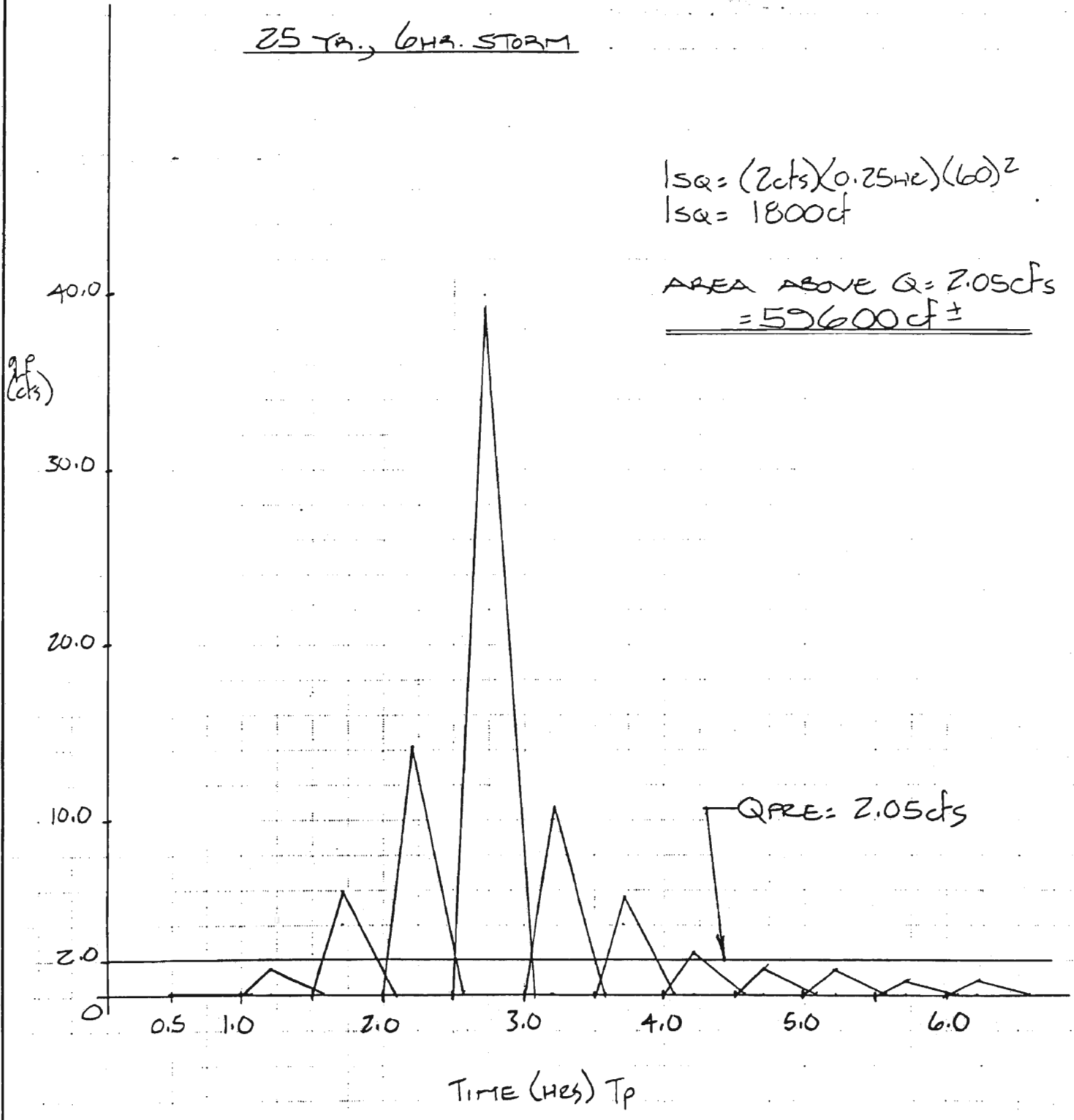


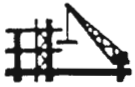
25 Yr., 6hr. STORM

$$I_{SQ} = (2 \text{ cfs}) (0.25 \text{ hr}) (60)^2$$

$$I_{SQ} = 1800 \text{ cf}$$

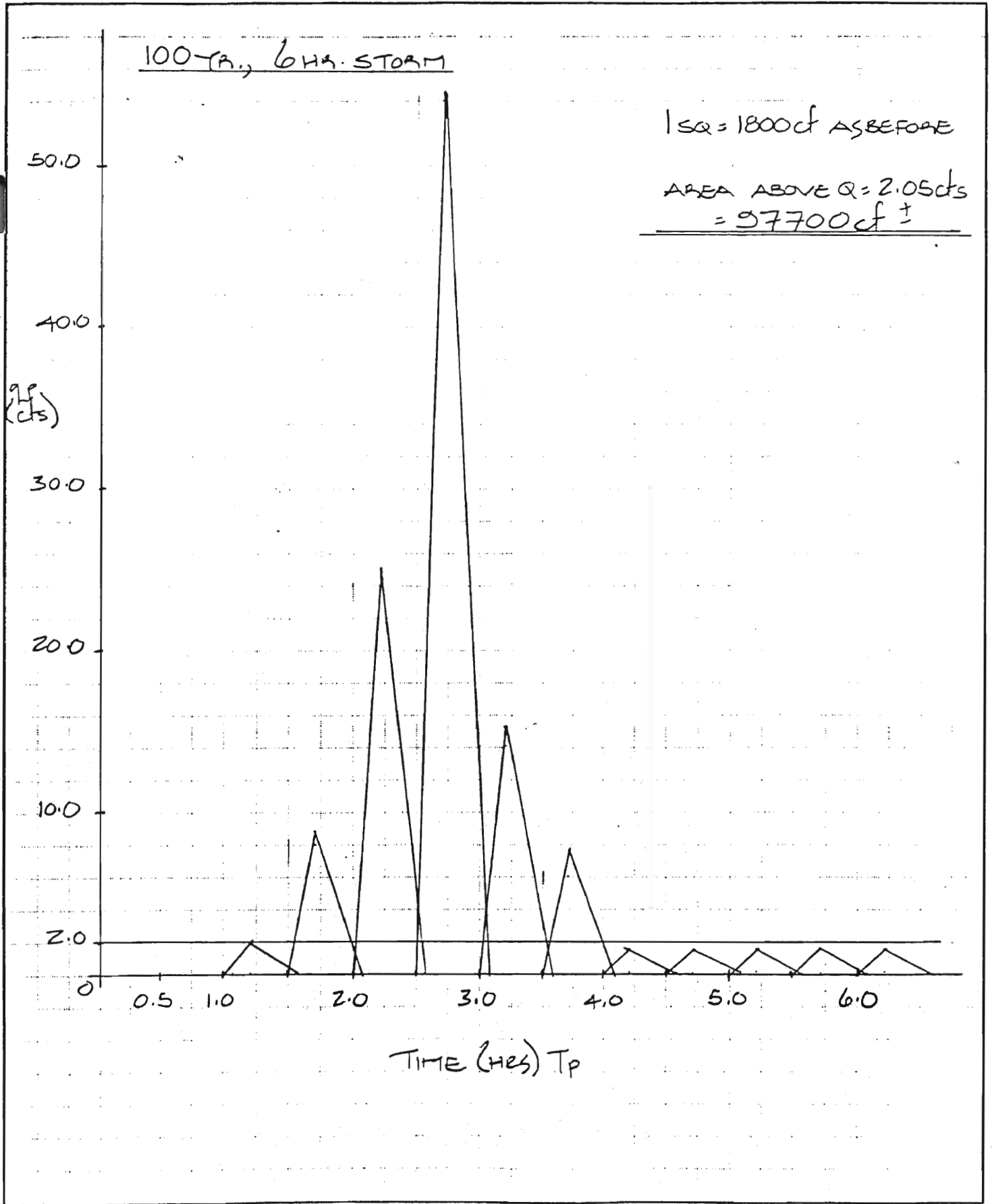
AREA ABOVE $Q = 2.05 \text{ cfs}$
 $= 59600 \text{ cf} \pm$



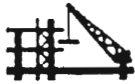


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BUFFALO, NEW YORK 14202
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FAX (716) 842-0729

SHEET NO. 8 OF _____
CALCULATED BY LT DATE 12/27/93
CHECKED BY _____ DATE _____
SCALE _____



APPENDIX C



DISCHARGE FROM EXIST. SWALE: 18" ϕ CMP

PROVIDE STEEL ϕ OVER END OF PIPE WITH ORIFICE TO ALLOW Q FLOW WHEN SWALE FULL

CALC. SIZE OF ORIFICE

$$Q = C_d A \sqrt{2gh}$$

C_d : COEF. OF DISCHARGE

A : AREA OF ORIFICE; ft^2

g : 32.2 ft/sec^2

h : HEAD; 9' MAX.

$$Q_{ALLOW} = 2.05 cfs$$

TRY 5" ϕ OPENING

$$C_d = 0.595 \quad P III \quad (\text{HYDRAULICS BY RUSSELL})$$

$$A = 0.136 ft^2$$

$$Q = 0.595 \times 0.136 \sqrt{2(32.2)(9')}$$

$$Q = 1.95 cfs < 2.05 cfs \quad OK$$

USE STEEL ϕ WITH 5" ϕ OPENING ATTACHED TO END OF EXIST. OUTLET PIPE.

$$V = C_v \sqrt{2gh}$$

$$C_v = 0.98 \quad (\text{HYDRAULICS BY RUSSELL})$$

$$V = 0.98 \sqrt{2(32.2)(9')} = 23.6 ft/sec.$$

WATER DISCHARGES INTO 18" ϕ CMP; OK.

SONWIL

DISTRIBUTION CENTER

DRAINAGE STUDY FOR PROPOSED EXPANSION & PHASE ONE DEVELOPMENT

**300 Sonwil Drive
Cheektowaga, New York**

**Caley+Company Architects
79 Windsor Avenue
Buffalo, New York**

**Parker Bay Engineering, P.C.
1411 Statler Towers
Buffalo, New York**

I. BACKGROUND

In November of 1993, Parker Bay Engineering was retained in order to develop a storm water drainage feasibility plan for a 23 acre parcel of land in Cheektowaga, N.Y.

According to information provided to us, this plan was requested by the Town of Cheektowaga in order to insure that any increase in storm water discharged from the site would not adversely impact down stream intersections and properties. Concern over these issues had been raised in

a report prepared by Ken W. Kloeber Consulting Engineers.

This report is known as the "Storm Water Management Plan for Cheektowaga Public Golf Course" and is dated December 1993.

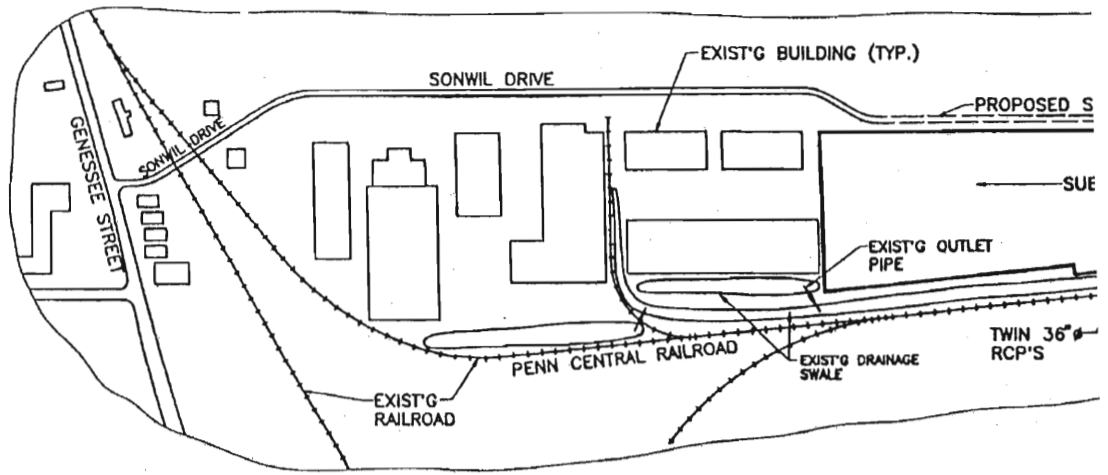
This report addresses storm water concerns and attempts to determine the cause of these problems as well as address the need for a comprehensive storm management plan.

As a direct result of this study, the Town of Cheektowaga has specifically requested the Owner to address the issue of storm water management for any future development of this particular property.

II. PROPERTY DESCRIPTION

The parcel under consideration is approximately 23 acres in size and is located immediately east of the Penn Central Railroad and is bounded on the north by the existing Sonwil Distribution facilities and on the south by the border between the Town of Cheektowaga and the Village of Depew. See Sketch SK-1 for additional information. The parcel is relatively flat, with a gradual decrease in elevation from north to south. Currently, there is a drainage swale that extends parallel to the railroad tracks for the full length of the property. It appears that this swale currently handles all the drainage for the existing development to the north as well as the proposed site. This swale carries the storm water to twin 36" diameter reinforced concrete pipes which pass beneath the railroad tracks into a swale and thence run southerly along the west side of the railroad. In addition, there is also an existing 30" diameter concrete pipe at the southwest corner of the property which drains stormwater beneath the railroad tracks to the swale on the the west side of the tracks. See sketch SK-1 for additional information.

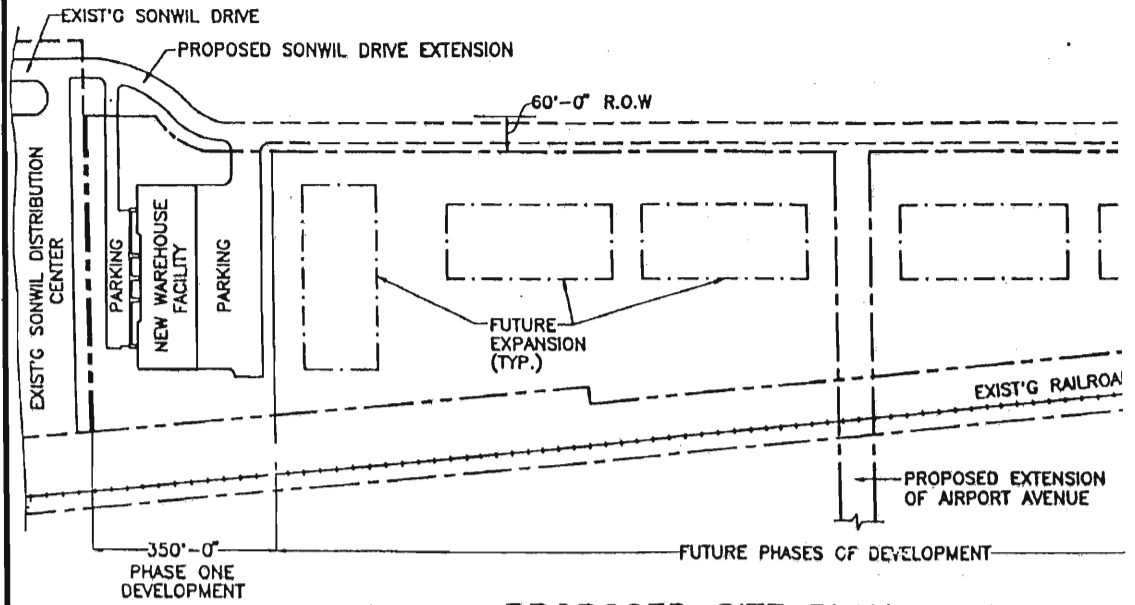
The entire parcel under consideration is currently vacant with several paths cut through scrub trees. There are no structures or developed areas in the parcel.



LOCATION PLAN
SCALE: 1" = 400'-0"

III. PROPOSED DEVELOPMENT

It is the intent of the Owner to construct several warehouse structures and the required appurtenant parking areas. It is our understanding that these structures will be similar in nature to those already built immediately north of the proposed development. For a schematic layout, see sketch SK-2. It is the Owners' intent to construct the buildings on an as needed basis, with each building being constructed after a tenant has been found. It is important to note that the information shown on sketch SK-2 is schematic only and should not be construed as being complete. Final building size and parking lot layout will be determined on a case by case basis.



PROPOSED SITE PLAN
SCALE: 1" = 200'-0"

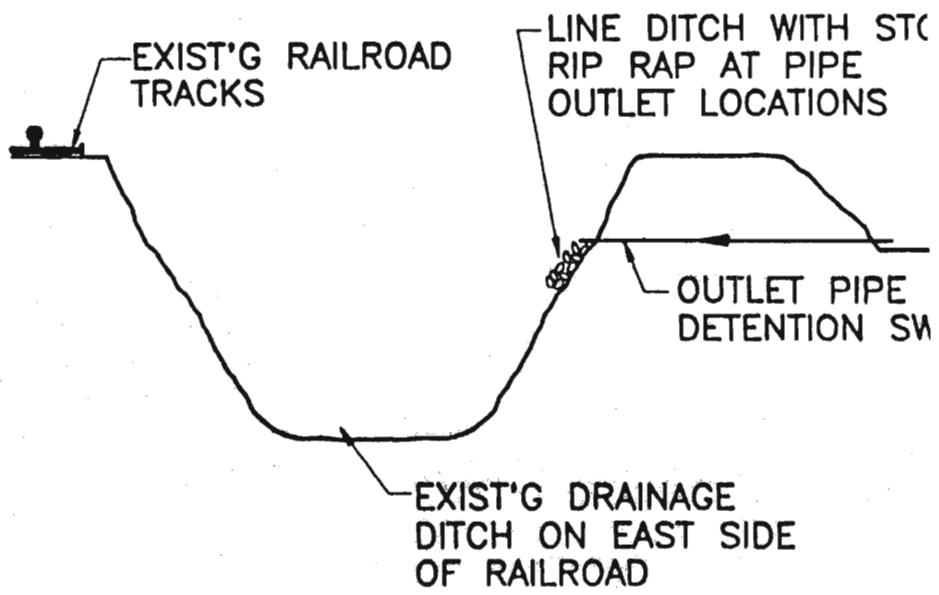
IV. RECOMMENDED DRAINAGE PLAN

According to information provided by the Town of Cheektowaga Engineering Department, there exists a serious drainage problem downstream from the proposed development. While the causes and corrective measures are discussed in other reports (see Kloeber), they are beyond the scope and intent of this report. However, it is essential that under no circumstances can these existing problems be exacerbated by this proposed expansion of the Sonwil Industrial Park. Our discussions with the Town Engineering Department have made it clear that we must satisfy the drainage criteria and runoff coefficients established on the "Official Drainage Systems Maps" prepared by Nussbaumer & Clarke. With this requirement in mind, Parker Bay Engineering recommends the following drainage plan be implemented for this development:

1. all drainage from the new site developments be detained on site. Individual detention ponds will be constructed for each building during construction with each pond sized such that it is capable of detaining the storm runoff resulting from a 25 year 6 hour storm.
2. the individual detention ponds shall discharge into the drainage swale along the east side of the Penn Central Railroad tracks. The discharge pipes will be

sized so that the post development runoff will not exceed the pre-development runoff as determined using the runoff coefficients on the drawings prepared by Nussbaumer & Clarke. For a schematic detail of a typical detention pond in this area, see sketch SK-3.

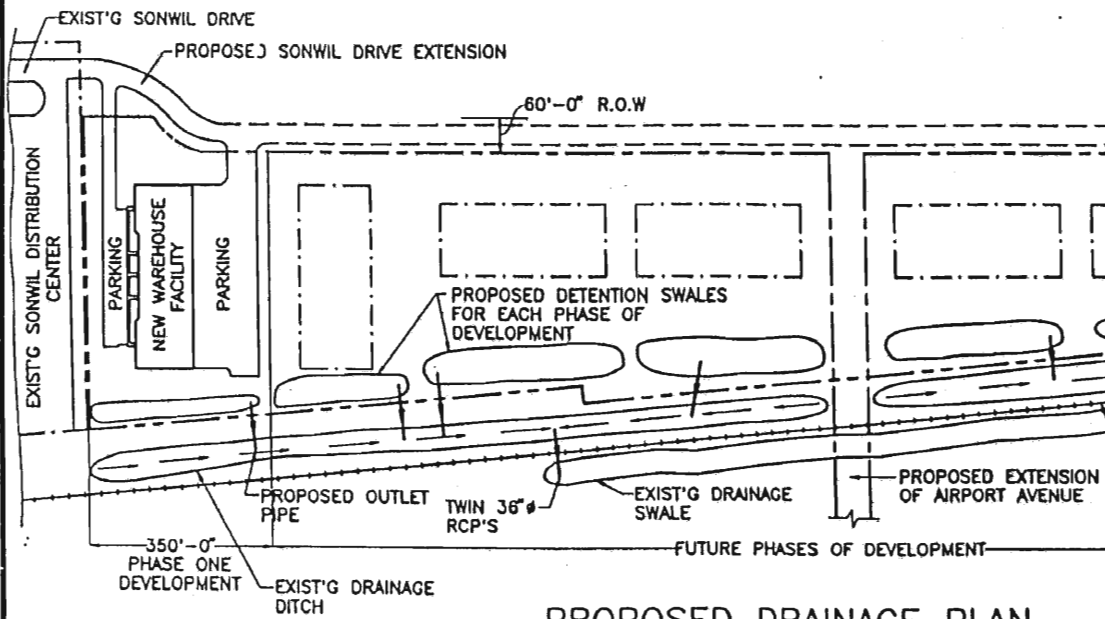
3. all sites north of the proposed Airport Avenue extension will drain to the twin 36" diameter concrete pipes; all sites south of the proposed Airport Avenue extension will drain to the single 30" diameter concrete pipe at the southwest corner of the property. In this manner, any potential downstream effects from storm water runoff will be mitigated. See sketch SK-4 for additional details.



TYPICAL SECTION

SCALE: 1" = 20'-0" HORIZ.

SCALE: 1" = 10'-0" VERT.



NOTE: ARROWS INDICATE DIRECTION OF FLOW

PROPOSED DRAINAGE PLAN

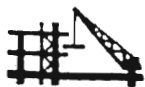
SCALE: 1" = 200'-0"

PHASE ONE STORMWATER CALCULATIONS

Phase One of the proposed expansion of the Sonwil Industrial Park includes the construction of a 40,000 square foot warehouse facility immediately south of the existing Industrial Park. This building will also have a parking lot and a large paved area for truck docks and truck turn-arounds.

The storm drainage and detention facilities for Phase One have been designed in accordance with the recommendations contained within this report. In addition, the detention pond has been designed and sized to detain a twenty five (25) year six (6) hour duration storm, in accordance with the Town of Cheektowaga requirements and as directed by the Town Engineers' department. Furthermore, additional calculations detailing the effect of a one hundred (100) year storm have also been performed in accordance with the Town Engineers' request. Copies of all calculations for Phase One are included within this report.

In conclusion, all storm water facilities for Phase One have been designed in conformance with all known Town of Cheektowaga requirements and as requested by the Town Engineers' office.



AREAS: SITE: 4.2 AC[±]
 BLDG: 0.94 AC[±] (22.4%)
 ASPHALT + SIDEWALK: 1.4 AC[±] (33.3%)
 LANDSCAPED: 1.86 AC[±] (44.3%)

LIMIT POST DEVELOPMENT FLOW USING C=0.15

$$D = 550'$$

$$S = 0.5\%$$

$$A = 4.2 \text{ AC}$$

$$T_c = \frac{1.8(1.1 - C)D^2}{S^3}$$

$$T_c = 50.5 \text{ MIN.}$$

FOR 10 YR. STORM; $T_c = 50 \text{ MIN}$; $i = 1.9 \text{ in/HR.}$

$$Q_{PRE} = 0.15(1.9)(4.2) = 1.2 \text{ cfs} \quad \underline{8" \text{ PIPE @ } 0.9\%}$$

POST DEVELOPMENT

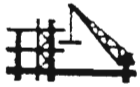
DESIGN STORM SEWERS

SIZE STORM SEWERS FOR 10 YR. STORM; $T_c = 5 \text{ MIN}$

$$i = 5.4 \text{ "/HR.}$$

CB #1 $A_c = 0.00 \text{ AC.}$

$$Q = 0.9(5.4)(0.00) = 0.33 \text{ cfs}$$



USE 8" ϕ PIPE @ 0.7% ; $V = 3 \text{ ft/sec.}$

CB #2

$$A = 0.11 \text{ ac}$$

$$Q = (0.9)(5.4)(0.11) + 0.39$$

$$Q = 0.92 \text{ cfs}$$

USE 8" ϕ PIPE @ 0.7% ; $V = 3 \text{ ft/sec.}$

CB #3

$$A = 0.12 \text{ ac}$$

$$Q = (0.9)(5.4)(0.12) + 0.92$$

$$Q = 1.5 \text{ cfs}$$

USE 10" ϕ PIPE @ 0.45% ; $V = 2.7 \text{ ft/sec.}$

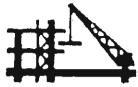
CB #4

$$A = 0.1 \text{ ac}$$

$$Q = (0.9)(5.4)(0.1) + 1.5$$

$$Q = 2 \text{ cfs}$$

USE 10" ϕ PIPE @ 0.8% ; $V = 3.5 \text{ ft/sec.}$



CB #5

$$A = 0.26Ac (\text{ASP}) + 0.235Ac (\text{BLDG})$$

$$Q = 0.9(5.4)(0.26) + (1)(5.4)(0.235)$$

$$Q = 2.53 \text{ cfs.}$$

USE 12" ϕ PIPE @ 0.570 ; V = 3.1 ft/sec.

CB #6

$$A = 0.2Ac (\text{ASP}) + 0.235Ac (\text{BLDG})$$

$$Q = 0.9(5.4)(0.2) + (1)(5.4)(0.235) + 2.53$$

$$Q = 4.77 \text{ cfs}$$

USE 15" ϕ PIPE @ 0.570 ; V = 3.0 ft/sec.

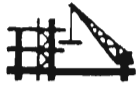
CB #7

SAME AREA AS CB #6

$$Q = (0.9)(5.4)(0.2) + (1)(5.4)(0.235) + 4.77$$

$$Q = 7 \text{ cfs.}$$

USE 10" ϕ PIPE @ 0.4570 ; V = 3.9 ft/sec.



CB #8

$$A = \text{AREA CB\#7} + 550\phi \text{ ASD.}$$

$$A = 0.21Ac (\text{ASD.}) + 0.235Ac (\text{BLDG.})$$

$$Q = (0.9)(5.4)(0.21) + (1)(5.4)(0.235) + 7$$

$$Q = 9.29 \text{ cfs}$$

USE 18" d @ 0.75% ; V = 5.2 ft/sec.

CALC. Tc

CHECK AT FRONT OF BLDG:

CB #1

$$D \approx 75'$$

$$S = 1\%$$

$$C = 0.9$$

$$T_c = \frac{1.8(1.1 - C)D^2}{S^3}$$

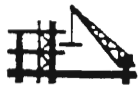
$$T_c = 3.12 \text{ MIN.}$$

8" d PIPE @ 0.7% ; V = 3 ft/sec.

$$L \approx 135'$$

$$\therefore \text{TIME IN PIPE} = 135/3 = 45 \text{ sec (0.75 MIN.)}$$

$$\therefore 3.12 + 0.75 = \underline{3.87 \text{ MIN.}}$$



CB #2

$$D \approx 75'$$

$$S = 170$$

$$C = 0.9$$

$$\therefore T_c = 3.12 \text{ MIN.}$$

$$8" \phi \text{ PIPE @ } 0.7\% ; V = 3 \text{ ft/sec.}$$

$$L \approx 115'$$

$$\therefore \text{TIME IN PIPE} = 115/3 = 38.3 \text{ sec (0.64 MIN.)}$$

CB #3

$$D \approx 75'$$

$$\therefore T_c = 3.12 \text{ MIN. AS BEFORE.}$$

$$10" \phi \text{ PIPE @ } 0.45\% ; V = 2.7 \text{ ft/sec.}$$

$$L \approx 80'$$

$$\therefore \text{TIME IN PIPE} = 80/2.7 = 29.6 \text{ sec (0.49 MIN.)}$$

CB #4

$$D = 60' < 75'$$

$$10" \phi \text{ PIPE @ } 0.89\% ; V = 3.5 \text{ ft/sec.}$$

$$L \approx 150'$$

$$\therefore \text{TIME IN PIPE} = 150/3.5 = 42.9 \text{ sec (0.71 MIN.)}$$

$$\therefore \text{FRONT OF BLDG: } T_c = 3.12 + 0.75 + 0.64 + 0.49 + 0.71$$

$$T_c = 5.71 \text{ MIN.}$$



CALC. TC AT BACK OF BLDG:

CB #5

$$D \approx 120'$$
$$S = 1\%$$
$$C = 0.9$$

$$T_c = 3.94 \text{ MIN}$$

$$12" \phi \text{ PIPE @ } 0.57\% ; V = 3.1 \text{ ft/sec}$$

$$L \approx 80'$$

$$\text{TIME IN PIPE} = 80/3.1 = 25.8 \text{ sec (0.43 MIN)}$$

CB #6

$$D \approx 110' < 120'$$

$$15" \phi \text{ PIPE @ } 0.57\% ; V = 3.8 \text{ ft/sec}$$

$$L \approx 80'$$

$$\text{TIME IN PIPE} = 80/3.8 = 21 \text{ sec (0.35 MIN)}$$

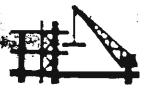
CB #7

$$D \approx 110' < 120'$$

$$18" \phi \text{ PIPE @ } 0.45\% ; V = 3.9 \text{ ft/sec}$$

$$L \approx 80'$$

$$\text{TIME IN PIPE} = 80/3.9 = 20.5 \text{ sec (0.34 MIN)}$$



CB #8

$$D = 120'$$

$$T_c = 3.94 \text{ MIN.}$$

$$18" \phi \text{ PIPE } @ 0.75\%; V = 5.2 \text{ ft/sec}$$

$$L = 100' \pm$$

$$\therefore \text{TIME IN PIPE} = 100/5.2 = 19.2 \text{ sec } (0.32 \text{ MIN.})$$

$$\therefore \text{FOR BACK OF BUILDING: } T_c = 3.94 + 0.43 + 0.35 + 0.34 + 0.32$$

$$\underline{T_c = 5.38 \text{ MIN.}}$$

USE $T_c = 6 \text{ MIN.}$

$$T_p = T_c + 0.6 T_c$$

$$\underline{T_p = 6.05 \text{ MIN.}} \quad (0.1 \text{ hrs})$$

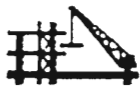
$$\underline{B = 2.67 T_p = 16.15 \text{ MIN.}} \quad (0.27 \text{ hrs})$$

SITE BREAKDOWN

$$\text{BLDG. + ASPHALT + SIDEWALK} = 2.34 \text{ AC } (55.7\%) \text{ CN} = 98$$

$$\text{LANDSCAPED} = 1.86 \text{ AC } (44.3\%) \text{ CN} = 93$$

$$\text{CN} = 0.557(98) + 0.443(93) = 95.75$$



$$S = \frac{1000}{CN} - 10 = 0.44$$

$$Q_d = \frac{(P - 0.25)^2}{(P + 0.85)}$$

$$q_p = \frac{0.75 A Q}{T_p}$$

$$q_p = \frac{(0.75)(4.2) Q}{0.1} = 31.5 Q$$

25 Yr., 6hr. storm

TIME INT. (HRS)	CUMUL. RAINFALL - P (in)	DIRECT RUNOFF - Q _d (in)	INCREM. RUNOFF - Q	PEAK RATE DISCHARGE - q _p (cfs)
--------------------	--------------------------------	---	-----------------------	--

0.5	0.06	0	0	0
1.0	0.18	0.016	0.016	0.50
1.5	0.43	0.150	0.134	4.22
2.0	0.93	0.553	0.403	12.69
2.5	2.23	1.777	1.224	38.56
3.0	2.58	2.118	0.341	10.74
3.5	2.76	2.294	0.176	5.54
4.0	2.84	2.373	0.079	2.49
4.5	2.89	2.422	0.049	1.54
5.0	2.94	2.471	0.049	1.54
5.5	2.97	2.500	0.029	0.91
6.0	3.00	2.530	0.030	0.95



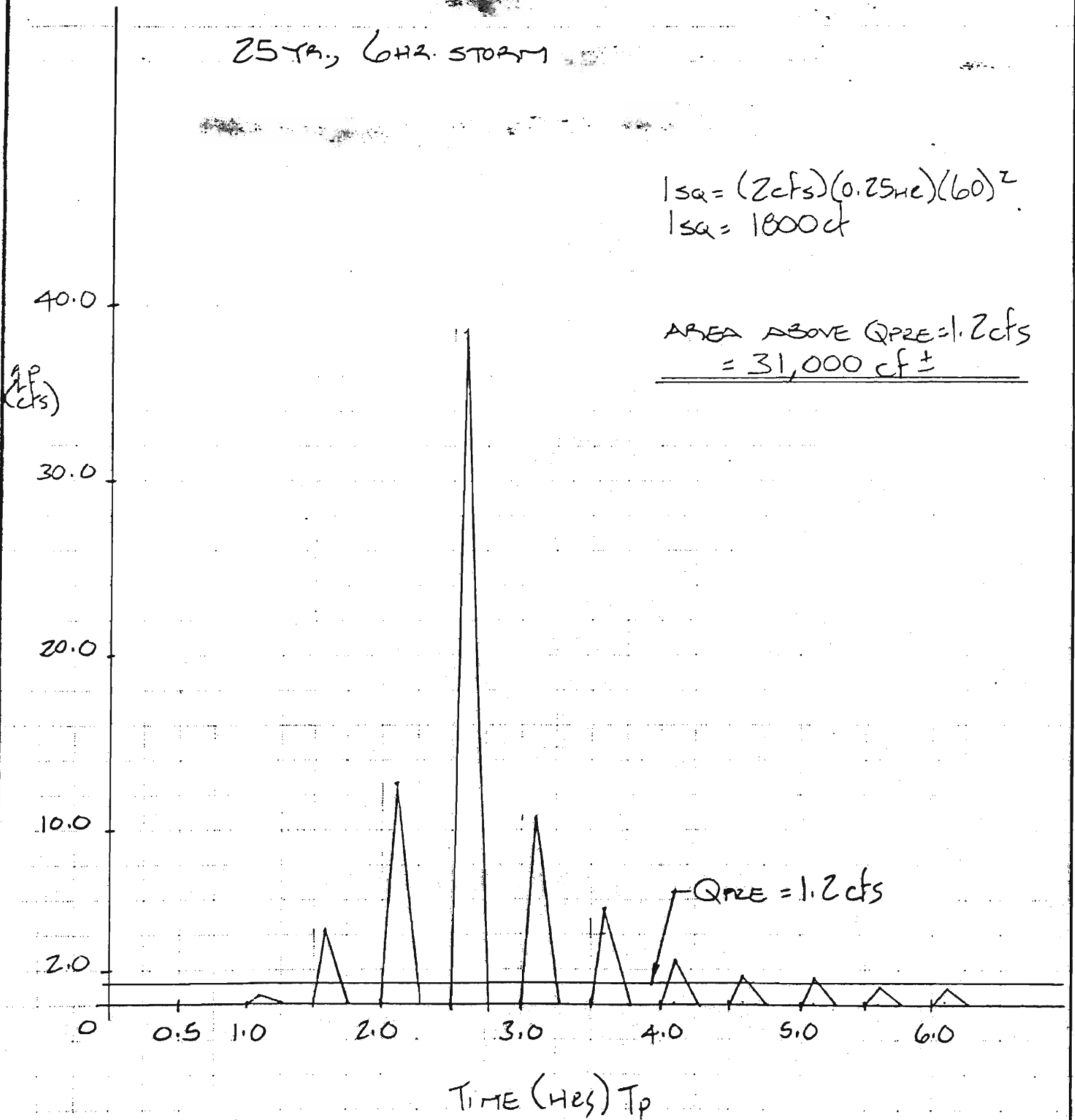
PARKER BAY ENGINEERING
1411 Statler Towers
BUFFALO, NEW YORK 14202
(716) 842-6900
FAX (716) 842-0729

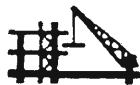
JOB: P 3053
SHEET NO. 9 OF _____
CALCULATED BY: LT DATE: 12/20/93
CHECKED BY: _____ DATE: _____
SCALE: _____

25 Yr., 6hr. storm

$$I_{SQ} = (2 \text{ cfs})(0.25 \text{ hr})(60)^2$$
$$I_{SQ} = 1800 \text{ cf}$$

$$\text{AREA ABOVE } Q_{PRE} = 1.2 \text{ cfs}$$
$$= 31,000 \text{ cf} \pm$$

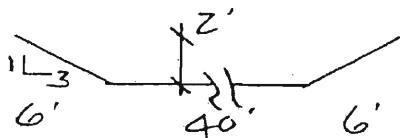




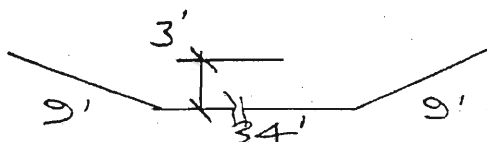
REQUIRE STORAGE FOR 31,000 cf ±

STORAGE PROVIDED

SWALE:



x 2' DP ± x 230' LONG ±



x 3' DP ± x 100' LONG ±

VOLUME IN SWALE ≈ 34000 cf ±

VOLUME IN PIPES:

$$\begin{aligned}
 V &= (\pi(0.67)^2/4)(135' + 115') \\
 &+ (\pi(0.83)^2/4)(80' + 150') \\
 &+ (\pi(1)^2/4)(80') \\
 &+ (\pi(1.25)^2/4)(80') \\
 &+ (\pi(1.5)^2/4)(80' + 100')
 \end{aligned}$$

$$V = 690 \text{ cf} \pm$$

VOLUME AT C/S

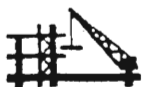
CB#1 $V = \frac{1}{3}(0.24)(24)(48) = 92 \text{ cf} \pm$

CB#2 $V = \frac{1}{3}(0.60)(24)(120) = 576 \text{ cf} \pm$

CB#3 $V = \frac{1}{3}(0.5)(40)(50) = 600 \text{ cf} \pm$

CB#4 $V = \frac{1}{3}(0.5)(40)(80) = 533 \text{ cf} \pm$

CB#5-CB#6 $V = \frac{1}{2}(1' \times 100')(280') = 14000 \text{ cf} \pm$



TOTAL VOLUME IN PIPES, PARKING AREAS & LOADING AREAS:

$$V = 16500 \text{ cf}^{\pm}$$

TOTAL STORAGE AVAILABLE:

$$V = 34,000 \text{ cf} + 16500 \text{ cf}$$

$$V = 50,500 \text{ cf} \quad \text{AVAILABLE STORAGE}$$

LOOK AT STORAGE REQ'TS FOR 100 YR. 6 HR. STORM

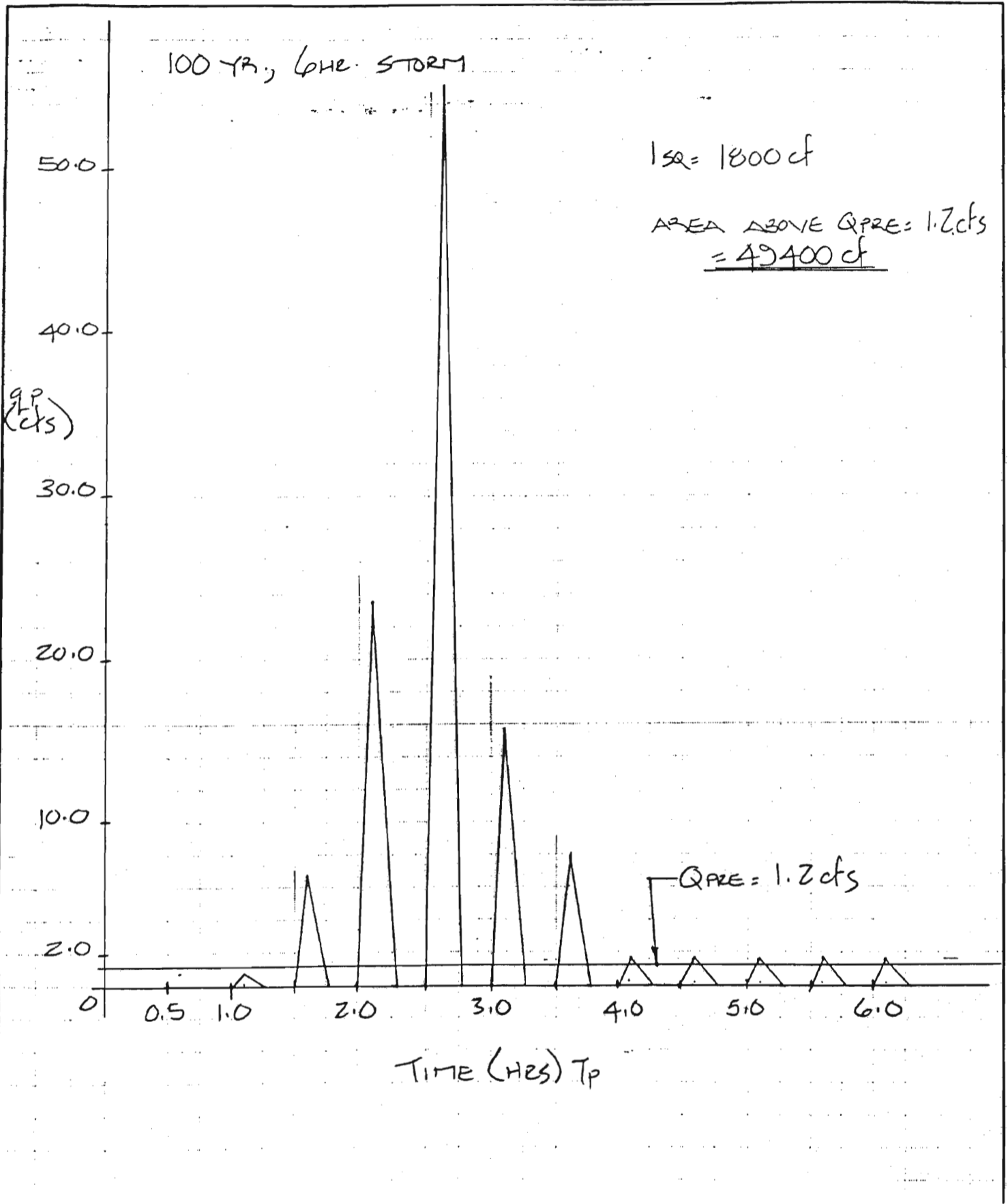
TIME INT. (HRS)	CUMUL. RAINFALL-P (in)	DIRECT RUNOFF-Qd (in)	INCREM. RUNOFF-Q	PEAK RATE DISCHARGE - qp (cfs)
0.5	0.05	0	0	0
1.0	0.20	0.023	0.023	0.72
1.5	0.55	0.237	0.214	6.74
2.0	1.40	0.983	0.746	23.50
2.5	3.20	2.727	1.744	54.94
3.0	3.70	3.220	0.493	15.53
3.5	3.95	3.467	0.247	7.78
4.0	4.00	3.516	0.049	1.54
4.5	4.05	3.566	0.05	1.58
5.0	4.10	3.615	0.049	1.54
5.5	4.15	3.665	0.05	1.58
6.0	4.20	3.715	0.05	1.58

SEE VALUES FOR Qd, qp ETC ON SH. B



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1411 Statler Towers
BUFFALO, NEW YORK 14202
(716) 842-6900
FAX (716) 842-0729

J.P.S. #3093
SHEET NO. 12 OF _____
CALCULATED BY: L.T. DATE: 12/20/93
CHECKED BY: _____ DATE: _____
SCALE: _____

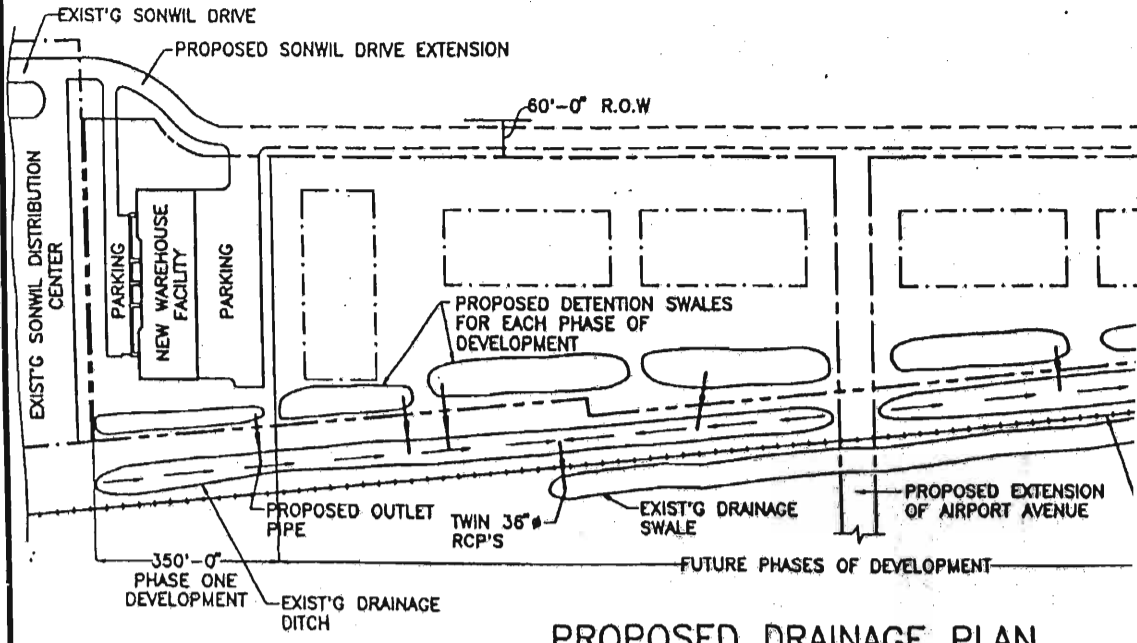


SCHEDULE "J"

SCHEDULE OF LANDSCAPE AND TREE PRESERVATION PLAN

1. Caley & Company Architects/Parker Bay Engineering, P.C. drawings dated 12/1/93 (Revised 12/3/93 and 1/10/94), pages SP1 and A1 which are incorporated herein by reference.

Sonwil agrees to follow the same concept with respect to each of the buildings to be constructed on the Rezoned Parcel. Annexed hereto is a drawing of the overall planned project.



PROPOSED DRAINAGE PLAN
SCALE: 1" = 200'-0"

NOTE: ARROWS INDICATE DIRECTION OF FLOW

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

WHEREAS, in order to provide for the provisions of emergency medical services on a uniform basis, this Town Board, on May 7, 1984, adopted an Ambulance Services Ordinance ("Ordinance"), and

WHEREAS, said Ordinance provides for the establishment of an Emergency Medical Services Board ("EMS Board") which will act as agent of the Town in the implementation of the Ordinance, and

WHEREAS, the composition of the EMS Board is set forth in Section 4A-7 of the Ordinance, and

WHEREAS, the terms of the present individuals who were appointed to the EMS Board expired, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals shall be designated to serve as members of the EMS Board for 1994 for a term of one year:

<u>DESIGNATE</u>	<u>ALTERNATE</u>	<u>REPRESENTING</u>
1. Vince Piasecki	Robert Niedermayer	Fork's Fire District
2. Douglas Egloff	Ronald Passmore	Cleveland Hill Fire Dist. No. 6
3. Ralph Collins	All Commissioners	South Line Fire Dist. No. 10
4. Stanley Pinski		U-Crest Fire District No. 4
5. Shawn McGee	Dennis Rydzynski	Sloan Fire District
6. Robert Schmitt	Roman Gawronski	Hy-View Fire District No. 8
7. Richard Ralecki		Doyle Fire District
8. Ordell Reitz	Jack McFarland	Bellevue Fire Dist
9. Captain John Howlett		Chief of Police
10. SPSD Kenneth Paa		Police & Fire Communication
11. Dr. Steven Lakomy	Dr. Ellman	St. Joseph's Hospital

and, BE IT FURTHER

RESOLVED, that Vince Piasecki shall be appointed to serve as Chairman of the EMS Board and Robert Schmitt, Alternate.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Roqowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following Part-Time and/or Seasonal employees be and hereby are terminated as follows:

	<u>EFFECTIVE</u>
<u>YOUTH AND RECREATIONAL SERVICES</u>	
Jeffrey Bakowski	Immediately
Eric Bojarski	"
Todd Burkhard	"
Francis Byrnes	"
Craig Cwiklinski	"
Norbert Rzeski	"
<u>JUSTICE COURT</u>	
Rose Majerowicz	Immediately

Item No. 11 continued

SEWER MAINTENANCE DEPARTMENT

Jerel Bogdan

01/01/94

MAIN PUMP STATION

John Johnson
Leroy Linkner

12/31/93
"

Upon Roll Call....

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

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

BE IT RESOLVED, that ten (10) positions of Public Safety Dispatcher be and hereby are created in the Police Department, effective immediately.

Upon Roll Call....

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

Item No. 13a Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the below listed individuals be hired as indicated: (part-time)

Recreation Instructor - 7140.1611 - \$10.00 per hour
(Retroactive to January 24, 1994)

Dawn Lesser

14225

Recreation Leader VII - 7140.1612 - \$6.75 per hour

Barbara Walters

14227

Upon Roll Call....

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

Item No. 13b Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individual be hired as a part-time substitute van driver in the Department of Senior Services at \$5.50 per hour.
Robert H. Brands, Cheektowaga, New York 14225.

FUNDING SOURCE: 0100-7620-1639

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be and hereby are hired as PART-TIME EMPLOYEES, in the various departments listed, not to exceed 19 hours on

Item No. 13c continued

a weekly basis, in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

<u>JUSTICE COURT - \$6.00 per hour (Clerical)</u>	<u>EFFECTIVE</u>
Gail Augustyn Linda Tatta	02/08/94 "
<u>SEWER MAINTENANCE DEPARTMENT - \$4.65 per hour (Laborer)</u>	
Jerel Bogdan	Immediately
<u>ASSESSOR'S OFFICE - \$5.00 per hour (Clerical)</u>	
Mary Morris	02/08/94

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

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

BE IT RESOLVED, that Lisa DeMont of Cheektowaga, New York, be and hereby is hired as a Seasonal Clerk in the Town Clerk's Office, 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, AND, BE IT FURTHER

RESOLVED, that said appointment is made effective February 7, 1994 and the salary of \$7.00 per hour is to be invoiced through the S.A.R.A. Grant.

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

Item No. 14b Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES, not to exceed 24 weeks in a calendar year, 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:

<u>TAX OFFICE (Night Shift) - \$4.75 per hour</u>	<u>EFFECTIVE</u>
Virginia Helinski	01/24/94

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

Item No. 15 Motion by Councilman Rogowski, Seconded by Councilman Johnson

WHEREAS, the Cheektowaga Planning Board holds meetings each month and considers various applications for rezonings, site plans, landscape plans, etc., and

Item No. 15 continued

WHEREAS, the Planning Board is in need of clerical assistance to prepare minutes of its meetings, type letters, etc., and

WHEREAS, Kathleen Butsch has provided clerical assistance to the Planning Board and is familiar with Planning Board matters and procedures, and

WHEREAS, moneys have been appropriated in the Planning Board's budget for clerical assistance, NOW, THEREFORE, BE IT

RESOLVED, that Kathleen Butsch, Cheektowaga, New York 14227 be and hereby is retained as clerical assistant for the Planning Board at the rate of \$750.00 per year, payable monthly in the sum of \$62.50 retroactive to January 1, 1994, and BE IT FURTHER

RESOLVED, that such moneys shall be appropriated from budget line item number 0800-8020-1394.

Upon Roll Call....

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

Item No. 16 Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the Cheektowaga Action Partnership (CAP) is desirous of implementing a Strategic Planning process, AND

WHEREAS, funds are available through the Center for Substance Abuse Prevention Community Partnership Grant to begin implementation of said process (0100-7320-4000), AND

WHEREAS, a subcommittee of Partnership members has reviewed Strategic Planning proposals and has made its recommendation, NOW, THEREFORE, BE IT

RESOLVED, that Transformation Systems of Camillus, New York be hired as the Strategic Planning consultant to the Partnership, subject to the terms of the attached agreement with the total cost of the 18 month process not to exceed \$28,000.00.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

OBJECTIVE

The objective of this planning activity is to develop a five year strategic plan characterized by:

- A vision for the next ten years
- A common core of values
- Concentration of effort through a focused mission and measurable objectives
- Consensus and support of employees and community served
- Specific plans of action
- Implementation of the plans through individualized accountabilities
- An opportunity to annually evaluate and renew the plan.

THE PROCESS & DISCIPLINE

The process and discipline described here is divided into four major components: (1) Awareness and first planning session; (2) Action plan development; (3) Second planning session and final draft; (4) Implementation training.

1. FIRST PLANNING SESSION (3 days)

This session involves the strategic planning team consisting of approximately 25 members. The vital statistics of your community and organization will be available for planning team member consideration prior to the first planning session. During this first session, the team will develop the following components of the draft plan by consensus:

Beliefs - Statements that are the formal expression of the organizations fundamental values, its ethical code, and its overriding convictions.

Mission - A statement which describes a preferred future for your organization with a clear and concise expression of the your long term purpose and function.

Strategic Delimiters - Limitations the organization places upon itself for good reason. Parameters are things the organization either will never do or always do.

Objectives - The planning organization's commitment to achieve specific, measurable end results.

Strategies - The most important part of the planning discipline and, in particular, the articulation of commitments to deploy the organization's resources toward the stated objectives.

In addition, the team conducts extensive analysis of :

Internal factors - a thorough, unbiased examination of the organization: strengths; weaknesses; and a critique of the organizational structure.

External factors - an examination of those forces over which an organization has little or no control but will likely influence its capacity to achieve its mission.

Competition - any other organization attempting to achieve the same or similar purpose in the same market area.

Critical Issues - the key threats and opportunities to be overcome or seized.

2. ACTION PLAN DEVELOPMENT (2-4 months):

After the draft plan is thoroughly reviewed with all internal and appropriate external publics, an action team will be formed for each strategy. These teams will consist of people who are involved in and affected by the strategy-both staff and community residents. Their task is to develop specific plans of action (for implementation) necessary to accomplish their respective strategy as well as a cost-benefit analysis for each plan.

During this time the planning facilitator meets with the the

leaders of the action teams periodically to train them in their role and to provide guidance and assistance.

3. Second Planning Session (2-3 days):

This session again involves the original planning team along with the action team leaders. Typically, it consists of a two day session, followed about one month later with a one day session. At the two day session the action plans are presented to the planning team to select those which best accomplish the strategic plan. After the one day session, which is for refinement and modifications, the plan is put into final draft and presented to your governing body for approval.

4. Implementation Training (1-2 days):

This training consists of thoroughly infusing all of the action plans into the job accountabilities of the staff in the organization and establishing formal processes for reviewing their progress in the coming year.

BUDGET

PHASE 1	First Planning Session and Awareness Session	\$10,000
PHASE 2	Action Plan Development	(included in Phase 3)
PHASE 3	Second Planning Session	\$10,000
PHASE 4	Implementation	<u>\$ 5,000</u>
Fee TOTAL*		\$25,000

Payment of fees and expenses are due at the completion of Phases 1,3, and 4.

* Travel and lodging expenses are additional

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

WHEREAS, the Youth and Recreation Department has determined that a needs exists for a Waterslide at Cheektowaga Town Park Pool, AND

WHEREAS, Darryl L. Jones, RLA has submitted a proposal for Professional Services associated with the project, AND

WHEREAS, said Professional Services shall consist of Preliminary Design, Plans and Project Specifications, Review of Bid Proposals, Construction Coordination and On Site Inspection, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby retains the firm of Darryl L. Jones, RLA, 55 Marsdale Road, Cheektowaga, New York 14215 at a fee not to exceed \$5,650.00 to furnish Professional Services related to installation of a Waterslide at the Cheektowaga Town Park Pool, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5907-7140-1201.

MOTION BY COUNCILMAN SOLECKI, SECONDED BY COUNCILMAN WIELINSKI TO TABLE THE ABOVE RESOLUTION, ITEM 17, 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. 18 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:	0100-7320-1400	Administrative Assistant-CAP	\$21,938.00
	0100-1910-4711	Contingency	6,000.00
TO:	0100-7320-1500	Public Relations Assistant	21,938.00
	0100-1910-4082	Government Business Travel	6,000.00

CAPITAL FUND

FROM:	5312-1910-9399	Administrative Expenses Town-Wide Studies	20,000.00
TO:	5312-1440-9382	Stiglmeier Park Wetland Study	20,000.00

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

Upon Roll Call....

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

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

Item No. 18 continued

GENERAL FUND

FROM:	0100-7320-1400	Administrative Assistant-CAP	\$21,938.00
	0100-1910-4711	Contingency	6,000.00
TO:	0100-7320-1500	Public Relations Assistant	21,938.00
	0100-1910-4082	Government Business Travel	6,000.00

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 Vouchers and Warrants are submitted to the Town of Cheektowaga prior to February 4, 1994 are hereby approved and made a part hereof:

GENERAL FUND	\$ 459,827.29
HIGHWAY FUND	659,380.33
TRUST & AGENCY FUND	18,244.66
CDBG HUD FUND	77,354.86
PART TOWN FUND	11,059.49
HUD RENTAL REHABILITATION FUND	41,600.00
RISK RETENTION FUND	79,925.66
HUD HOUSING REHABILITATION FUND	14,603.48
SPECIAL DISTRICTS FUND	386,617.18
CAPITAL FUND	9,306.50
	<u>\$1,757,919.45</u>

Upon Roll Call....

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Building Permits
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 21a Summons and Complaint: Pauline L. Koslicki vs the Town of Cheektowaga and Theodore Demblewski
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 21b Summons and Complaint: Christy C. Donovan and Denis Donovan vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 21c Donna J. Prior vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22a Notice of Claim: Scott Steger vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Highway Department and Allied Claims Insurance
Carrier.
Received and Filed.

Item No. 22b Notice of Claim: David Roberts vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Highway Department and Allied Claims Insurance
Carrier.
Received and Filed.

Item No. 22c Notice of Claim: Edward P. Osuch, Individually and as Father and
Natural Guardian of Erik P. Osuch, an Infant, vs. the Town of
Cheektowaga; the Village of Depew; Lancaster Central School District
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Department of Youth and Recreational Services,
Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22d Notice of Claim: Jeffrey Litterio, an infant, by his parent and
natural guardian, Tina M. Litterio, Individually vs the Town of
Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Police Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22e Notice of Claim: Charlene M. Orwat vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Sewer Maintenance and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22f Notice of Claim: Jun Wang vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Highway Department and Allied Claims Insurance
Carrier.
Received and Filed.

Item No. 22g Notice of Claim: Allstate-Joseph W. Fuchs vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Highway Department and Allied Claims Insurance
Carrier.
Received and Filed.

Item No. 23 Request to Speak: Taxpayers of Unionvale Road
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, Roodowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

IV. SUSPENSION OF RULES

Item No. 24 Motion by Councilman Jaworowicz, Seconded by Councilman Solecki

WHEREAS, Vice President Albert Gore and Attorney General Janet Reno will be conducting a White House Session on Crime in Washinton, D.C. on Thursday, February 10, 1994, and

WHEREAS, Supervisor Dennis H. Gabryszak has been invited to attend this session on crime, and

WHEREAS, crime is a major concern in this country and in the Town of Cheektowaga, and it would be useful to the Town for the Supervisor to attend this session, NOW, THEREFORE, BE IT

RESOLVED, that Supervisor Dennis H. Gabryszak be and hereby is authorized to attend the aforementioned White House Session on Crime, and BE IT FURTHER

RESOLVED, that reasonable and necessary expenses incurred in attending this session shall be paid from budget line item number 0100-1910-4082.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 25 Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz to adjourn this meeting.

Richard M. Moleski
Town Clerk

PUBLIC HEARINGS
(held prior to Town Board meetings)

NO.

ITEM

Meeting No. 6 March 21, 1994

- 1 Town's 1994-95 Community Development Block Grant Program
- 2 Rezoning - 1434-1442 Losson Road from C-Retail Business to R-Residential
- 3 Rezoning - 1735, 1745, 1753 Walden Ave. from M2-General Manufacturing Dist. to C-Retail Business Dist.

Meeting No. 7 April 4, 1994

- 1 Rezoning of Property Located at Harlem Rd., corner of Cleveland Dr. from NS-Neighborhood Services District to MS-Motor Services District
- 2 Rezoning of Property Located at 1030 Losson Road from R-Residential District to CF-Community Facilities District

PUBLIC HEARINGS

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2	Amendment to Traffic Ordinance - Art. VIII, "Stop & Yield Intersections - Art. X, - "Parking, Standing, Stopping" - Bison Pkwy.	1-2
3	Proposed Local Law #1 - "A Local Law amending Board of Ethics Law"	2
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2	Amendment to Traffic Ordinance - Art. XIV, "Parking of Commercial Vehicles" - Felber Lane	2

PUBLIC HEARINGS

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<u>Meeting No. 6 March 21, 1994</u>		
2	Amendment to Traffic Ordinance - Art. VIII, "Stop & Yield Intersections - Art. X, - "Parking, Standing, Stopping" - Bison Pkwy.	1-2
3	Proposed Local Law #1 - "A Local Law amending Board of Ethics Law"	2
<u>Meeting No. 7 April 4, 1994</u>		
2	Amendment to Traffic Ordinance - Art. XIV, "Parking of Commercial Vehicles" - Felber Lane	2

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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 28th day of February, 1994 at 7:00 o'clock P.M., Eastern Standard 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; James Kirisits, Town Attorney; Bill Pugh, Engineering Department; Ronald Marten, Supervising Building & Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; Salvatore LaGreca, Chairman of Planning Board; John Schaller, Assistant Chief of Police; James Matecki, Director of Facilities Department; Leonard Szymanski, Foreman-Facilities Department.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 76.80. Stop intersections designated, shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Barbados	East west	Woodgate	Northbound	S.E. Corner
Barbados	East west	Woodgate	Southbound	N.W. Corner

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>
Woodgate Dr.	North south	LeHavre	Northbound	S.E. Corner
Woodgate Dr.	North south	LeHavre	Southbound	N.W. Corner

Item No. 2 cont'd

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 Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Youth and Recreation Department has determined that a needs exists for a Waterslide at Cheektowaga Town Park Pool, AND

WHEREAS, Darryl L. Jones, RLA has submitted a proposal for Professional Services associated with the project, AND

WHEREAS, said Professional Services shall consist of Preliminary Design, Plans and Project Specifications, Review of Bid Proposals, Construction Coordination and On Site Inspection, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby retains the firm of Darryl L. Jones, RLA, 55 Marsdale Road, Cheektowaga, New York 14215 at a fee not to exceed \$5,650.00 to furnish Professional Services related to installation of a Waterslide at the Cheektowaga Town Park Pool, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5907-7140-1201.

Upon Roll Call....

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

III. RESOLUTIONS

Item No. 4 Bond Resolution - General Park Improvements

*SEE NEXT PAGE(S) FOR ATTACHMENT

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York
February 28, 1994

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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 February 28, 1994 at 7:00 o'clock P.M. (Prevailing Time).

There were present: Hon. Dennis H. Gabryszak,
Supervisor; and

Councilmen: Patricia A. Jaworowicz
Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Thomas M. Johnson, Jr.
William L. Wielinski

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 FEBRUARY 28, 1994,
AUTHORIZING THE IMPROVEMENT AND EMBELLISHMENT
OF VARIOUS RECREATIONAL FACILITIES IN THE
TOWN, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$878,000.00, APPROPRIATING SAID
AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF
\$878,000.00 SERIAL BONDS OF SAID TOWN TO
FINANCE SAID APPROPRIATION; AND AUTHORIZING
ANY FUNDS TO BE RECEIVED FROM THE UNITED
STATES OF AMERICA OR THE STATE OF NEW YORK TO
BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR
PURPOSE OR REDEMPTION OF SAID BONDS ISSUED
THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE
TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND
INTEREST ON SAID BONDS.

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
improve and embellish various recreational facilities in the Town.
The estimated maximum cost thereof, including preliminary costs and
costs incidental thereto and to the financing thereof, is

\$878,000.00 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$878,000.00 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. Any grant funds received from the United States of America or the State of New York in connection with the above object or purpose shall be applied towards the cost of said object or purpose or redemption of the bonds issued therefor, or shall be budgeted as an offset to the taxes for the payment of the principal and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of \$878,000.00, 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 \$_____ serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19. (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 1.150-2 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 Supervisor Gabryszak 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 February 28, 1994, 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 February 28, 1994, authorizing the improvement and embellishment of various recreational facilities in the Town, stating the estimated maximum cost thereof is \$878,000.00, appropriating said amount therefor, authorizing the issuance of \$878,000.00 serial bonds of said Town to finance said appropriation; and authorizing any funds to be received from the United States of America or the State of New York to be expended towards the cost of said object or purpose or redemption of said bonds issued therefor or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,"

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

FIRST: AUTHORIZING said Town to improve and embellish various recreational facilities in the Town; and STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$878,000.00; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$878,000.00 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; and any grant funds received from the United States of America or the State of New York shall be applied towards the cost of said object or purpose or redemption of said bonds issued therefor or shall be budgeted as an offset to the taxes for the payment of the principal and interest on said bonds;

SECOND: AUTHORIZING the issuance of \$878,000.00 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 \$ 878,000.00 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: February 28, 1994

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.

*

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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: 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 February 28, 1994, 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 28th day of February, 1994.

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 MARCH 1, 1994, 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 February 28, 1994, 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 2nd day of MARCH, 1994.

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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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 \$ 878,000.00 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: February 28, 1994

Richard Moleski
Town Clerk

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

LEGAL NOTICE

TOWN OF CHEEKTOWAGA,
 NEW YORK

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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: February 28, 1994

Richard M. Moleski
 Town Clerk

PUBLISH: March 3, 1994

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..... March 3, 1994.....; last publication..... March 3, 1994.....; and that no more than six days intervened between publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this^{3rd}.....

day of March....., 19⁹⁴.....

.....*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 12/11/95

LEGAL NOTICE

**TOWN OF CHEEKTOWAGA,
NEW YORK**

PLEASE TAKE NOTICE that on February 28, 1994, 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 February 28, 1994, authorizing the improvement and embellishment of various recreational facilities in the Town, stating the estimated maximum cost thereof is \$878,000.00, appropriating said amount therefor, authorizing the issuance of \$878,000.00 serial bonds of said Town to finance said appropriation; and authorizing any funds to be received from the United States of America or the State of New York to be expended towards the cost of said object or purpose or redemption of said bonds issued therefor or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds."

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

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SECOND: AUTHORIZING the issuance of \$878,000.00 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 \$878,000.00 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: February 28, 1994

Richard M. Moleski
Town Clerk

PUBLISH: March 3, 1994

1/4
41.04

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 26, 1994.....;
last publication.....May 26, 1994.....;
and that no more than six days intervened be-
tween publications.

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

Sworn to before me this26th.....

day ofMay....., 19.....94.....

.....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 12/11/95

LEGAL NOTICE
NOTICE

The resolution published herewith has been adopted on the 28th day of February, 1994, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as to the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this Notice or such obligations were authorized in violation of the provisions of the constitution.

RICHARD MOLESKI,
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED FEBRUARY 28, 1994, AUTHORIZING THE IMPROVEMENT AND EMBELLISHMENT OF VARIOUS RECREATIONAL FACILITIES IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$878,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$878,000.00 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION; AND AUTHORIZING ANY FUNDS TO BE RECEIVED FROM THE UNITED STATES OF AMERICA OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF SAID BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

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 improve and embellish various recreational facilities in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$878,000.00 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$878,000.00 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. Any grant funds received from the United States of America or the State of New York in connection with the above object or purpose shall be applied towards the cost of said object or purpose or redemption of the bonds issued therefor, or shall be budgeted as an offset to the taxes for the payment of the principal and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of \$878,000.00, 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 \$878,000.00 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19. (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 1.150-2 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.

PUBLISH: May 26, 1994

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 26, 1994.....;
last publication.....May 26, 1994.....;
and that no more than six days intervened be-
tween publications.

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

Sworn to before me this26th.....

day ofMay....., 1994.

.....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 12/11/95

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

WHEREAS, this Town Board held a public hearing on February 28, 1994 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE VIII

Stop and Yield Intersections

Section 76.80. Stop intersections designated, shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Barbados	East west	Woodgate	Northbound	S.E. Corner
Barbados	East west	Woodgate	Southbound	N.W. Corner

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>
Woodgate Dr.	North south	LeHavre	Northbound	S.E. Corner
Woodgate Dr.	North south	LeHavre	Southbound	N.W. Corner

Section 2. Time to take effect.

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

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

Section 3. Territorial Application

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

Item No. 5 cont'd

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 affidavit 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

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 Unin Roads, in said Town on the 28th day of February, 1994 at 7:00 o'clock p.m. Eastern Standard 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 Supervisor Gabryszak. WHEREAS, this Town Board held a public hearing on February 28, 1994 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, THEREFOR, 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 deleting therefrom the following:

Street: Barbados; Direction: East west; Entrance Street: Woodgate; Traffic Stops: Northbound; Sign Location: S.E. Corner

Street: Barbados; Direction: East west; Entrance Street: Woodgate; Traffic Stops: Southbound; Sign Location: N.W. Corner

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: Woodgate Dr.; Direction: North south; Entrance Street: LeHavre; Traffic Stops: Northbound; Sign Location: S.E. Corner

Street: Woodgate Dr.; Direction: North south; Entrance Street: LeHavre; Traffic Stops: Southbound; Sign Location: N.W. Corner

Section 2. Time to take effect.

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

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

Section 3. Territorial Application

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

Section 4. Publication.

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

Upon roll call...

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 February 28, 1994, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 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 28th day of February, 1994.

Richard M. Moleski Town Clerk

PUBLISH: March 3, 1994

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 1 weeks; first publication March 3, 1994; last publication March 3, 1994; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this 3rd day of March, 1994

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 12/11/95

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..... March 3, 1994..... ;
last publication..... March 3, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza.....

Sworn to before me this3rd.....

day of March....., 19⁹⁴.....

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 12/11/95

LEGAL NOTICE

**EXTRACTS FROM MINUTES
OF CHEEKTOWAGA TOWN
BOARD**

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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 Supervisor Gabryszak.

WHEREAS, this Town Board held a public hearing on February 28, 1994 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, THEREFOR, 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 deleting therefrom the following:

Street: Barbados; **Direction:** East west; **Entrance Street:** Woodgate; **Traffic Stops:** Northbound; **Sign Location:** S.E. Corner

Street: Barbados; **Direction:** East west; **Entrance Street:** Woodgate; **Traffic Stops:** Southbound; **Sign Location:** N.W. Corner

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: Woodgate Dr.; **Direction:** North south; **Entrance Street:** LeHavre; **Traffic Stops:** Northbound; **Sign Location:** S.E. Corner

Street: Woodgate Dr.; **Direction:** North south; **Entrance Street:** LeHavre; **Traffic Stops:** Southbound; **Sign Location:** N.W. Corner

Section 2. Time to take effect.

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

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

Section 3. Territorial Application

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

Section 4. Publication.

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

Upon roll call...

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 February 28, 1994, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 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 28th day of February, 1994.

Richard M. Moleski
Town Clerk

PUBLISH: March 3, 1994

Item No. 6a Call for public hearing - Rezoning and special Use Permit - Harlem and Cleveland Drive
This item was withdrawn prior to the meeting.

Item No.6b Call for public hearing - Rezoning - 1434-1442 Losson Road
This item was withdrawn prior to the meeting.

Item No. 7 Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga is the owner of property having a frontage of 300 feet on the north side of Losson Road near Wedgewood Drive (S.B.L. #114.19-3-1), and

WHEREAS, the Town is presently contemplating the construction of a public library building on this property, and

WHEREAS, such property is presently zoned R-Residential District and, in order for a public library to be constructed thereon, the property will have to be rezoned to CF-Community Facilities District, and

WHEREAS, this Town Board desires to initiate the process to rezone this property from R-Residential District to CF-Community Facilities District, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby makes application for the rezoning of the property described on the attached deed, and directs the Town Engineer to complete the Full Environmental Assessment Form for such rezoning, and that the Town Clerk notify property owners in the area of this rezoning application in accordance with general Town practice.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

This Indenture

Made the

8th

day of December

Nineteen Hundred and Seventy-six

Between

VICTOR REINSTEIN, residing at _____ in the Town of Cheektowaga, County of Erie and State of New York,

party of the first part, and

The TOWN OF CHEEKTOWAGA, a municipal corporation with its principal office at Broadway and Union Road in the Town of Cheektowaga, County of Erie and State of New York,

party of the second part.

Witnesseth that the said party of the first part, in consideration of

--- ONE AND NO MORE --- Dollars,

(\$ 1.00 and no more) lawful money of the United States.

paid by the party of the second part, does hereby remise, release and forever Quit-Claim unto the said party of the second part, its transferees and assigns forever, all

THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga,

County of Erie and State of New York, being part of Lot 47, Township 10, Range

7, Buffalo Creek Indian Reservation;

BEGINNING at a point in the center line of William Street or Losson Road at the intersection of the east line of the Bellevue Land and Improvement Company tract and William Street (Losson Road), said point being two thousand five hundred four and sixty-one one hundredths (2,504.61) feet west of the center line of Borden Road measured along the center line of William Street (Losson Road); from this point of beginning northerly along the east line of the Bellevue Land and Improvement Company tract parallel to the east line of Lot 47 four hundred (400) feet; thence westerly parallel to William Street (Losson Road) three hundred (300) feet; thence southerly parallel to the east line of Lot 47 for four hundred (400) feet, more or less, to the center line of William Street (Losson Road); thence east along the center line of William Street (Losson Road) to the point or place of beginning.

THIS CONVEYANCE is made and accepted subject to the following restrictions which shall be covenants running with the land herein conveyed:

1. Any building or structure erected on the said premises shall be used for cultural purposes only; cultural purposes shall be deemed to include a library;
2. That any building or structure erected on the said premises shall be named after "JULIA BOYER REINSTEIN".

RECEIVED
Fidelity...
REAL ESTATE

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

WHEREAS, Tops Markets, Inc. (Lessee) for itself and as agent-in-fact for Benenson Capital Corp. (Owner), 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 years 1992-93, 1993-94 for property located on French Road, Cheektowaga, New York and identified as SBL# 125.12-10-3, and

WHEREAS, Tops Markets, Inc. (Lessee) for itself and as agent-in-fact for Benenson Capital Corp. (Owner) and the Town of Cheektowaga have had extensive settlement negotiations and after due consideration of all material facts, Tops Markets, Inc. (Lessee) for itself and as agent-in-fact for Benenson Capital Corp. (Owner) and the Town have agreed to resolve their differences without further litigation and to settle and terminate the proceedings, and

WHEREAS, the attorneys for Tops Markets, Inc. (Lessee) for itself and as agent-in-fact for Benenson Capital Corp. (Owner) and the Town have prepared the attached Settlement Agreement, and

WHEREAS, the Town Assessor has recommended the attached Settlement Agreement be approved by this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby approve the attached Settlement Agreement between Tops Markets, Inc. (Lessee) for itself and as agent-in-fact for Benenson Capital Corp. (owner) 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 settlement, and BE IT FURTHER

RESOLVED, that this Town Board does direct that the Settlement Agreement be submitted to the Supreme Court of the State of New York for an Order approving said Settlement Agreement between Tops Markets, Inc. (Lessee) for itself and as agent-in-fact for Benenson Capital Corp. (Owner) 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

At a Special Term of the Supreme
Court of the State of New York,
held in and for the County of Erie
at the Erie County Courthouse,
Buffalo, New York on the
____ day of February, 1994.

PRESENT: _____
Justice Presiding

14 1994

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

IN THE MATTER OF THE APPLICATION FOR
REVIEW UNDER ARTICLE 7 OF THE REAL
PROPERTY TAX LAW OF A TAX ASSESSMENT BY
TOPS MARKETS, INC. (Lessee) for itself and as agent-in-
fact for Benenson Capital Corp. (Owner)

Petitioner

-vs-

THE BOARD OF ASSESSMENT REVIEW FOR THE
TOWN OF CHEEKTOWAGA; THE ASSESSOR OF
THE TOWN OF CHEEKTOWAGA; AND THE TOWN
OF CHEEKTOWAGA, NEW YORK

ORDER

Index No: 10001/92

Respondents

For Review of the Assessment of Certain Real Property
known as 1231-1235 French Road in the said Town of
Cheektowaga For the Tax Year 1992-93

PETITIONER having heretofore commenced the within proceeding under
Article 7 of the Real Property Tax Law to review the assessment of a certain parcel of real
property located at and known as 1231-1235 French Road in the Town of Cheektowaga,
County of Erie and State of New York (SBL #125.12-10-3) for the tax year 1992-93 and
it now being proposed that the within proceeding be settled upon the terms and conditions
set forth in the annexed Settlement Agreement entered into between the parties, and it

appearing that the proposed settlement is in the best interests of the parties hereto and upon reading and filing said Settlement Agreement,

NOW, on joint motion of Kavinoky & Cook, Wayne D. Wisbaum, Esq., of counsel, attorneys for the petitioner, and David L. Jones, Esq., attorney for the respondents, it is hereby

ORDERED AND ADJUDGED, that the proposed settlement as set forth in the Settlement Agreement annexed hereto be, and the same hereby is, determined to be reasonable, just and in the best interests of the parties and that the same be, and hereby is, approved, and it is also

ORDERED AND ADJUDGED, that the appropriate financial officers are hereby directed and authorized to calculate and disburse any refunds of taxes as specified in the annexed Settlement Agreement.

Justice of the Supreme Court

SETTLEMENT AGREEMENT

WHEREAS, petitioner has instituted a proceeding under Article 7 of the Real Property Tax Law by which petitioner seeks to obtain judicial review and reduction of the assessment of certain real property in the Town of Cheektowaga, Erie County, New York, known as 1231-1235 French Road, (SBL #125.12-10-3) on the tax assessment rolls for the tax years 1992-93 and 1993-94, and

WHEREAS, petitioner and respondents have had extensive settlement negotiations, and after due consideration of all material facts, petitioner and respondents have agreed to resolve their differences without further litigation and terminate said proceedings.

It is now stipulated and agreed:

1. The assessment of SBL #125.12-10-3 on the tax assessment roll for the 1992-93 tax year has been and shall remain as follows:

Value of Land:	\$157,000
Total:	\$915,900

2. The assessment of SBL #125.12-10-3 on the tax assessment roll for the 1993-94 tax year shall be adjusted as follows:

Value of Land:	\$157,000
Total:	\$650,000

3. The assessment of SBL #125.12-10-3 on the tax assessment roll shall be \$650,000 for the tax years 1994-95 and 1995-96, unless new leases are executed which affect the premises, at which time the Assessor may assess at a higher level of assessment, subject to the right of Petitioner to grieve against same.

4. The parties acknowledge that this assessment as adjusted is fair, equitable and proper for the purposes of this settlement.

5. The parties acknowledge that petitioner need not pay the January 1994 town/county tax bill until a corrected bill is issued reflecting the assessment as adjusted

TAXES PAID 2-12-91

pursuant to paragraph 2 hereof, provided that service of a court order confirming this settlement is made on or before the last day that such bill may be paid by petitioner without penalty. Petitioner shall make such payment within 30 days of the date such corrected bill is issued. In the alternative, petitioner shall be entitled to a refund of a portion of any taxes paid with respect to the January 1994 town/county tax bill, such portion to be the difference in taxes bases upon the unadjusted 1993-94 assessment and the 1993-94 assessment as adjusted pursuant to paragraph 2 hereof. Such refund shall be paid without interest, provided that said refund is paid within 30 days after the service of a court order confirming the settlement. Statutory interest at the rate of 9% per annum will accrue on any unpaid refund commencing 30 days after service.

6. Petitioner shall be entitled to a refund together with statutory interest of the school taxes paid for the 1993-94 tax year to the Depew Union Free School District.

7. Petitioner covenants that it will not seek relief for the assessment of SBL #125.12-10-3 for the tax years 1994-95 and 1995-96, provided that such assessment for those tax years is as set forth in paragraph 3 above.

8. Petitioner further covenants that it will not seek relief for the assessment of a certain parcel of real property located at and known as 3825-3875 Union Road in the Town of Cheektowaga, County of Erie and State of New York (SBL #102.08-3-1) (currently assessed at land \$610,000 and total \$5,058,400) for the tax years 1994-95 and 1995-96, provided that said assessment remains at \$5,058,400 for said tax years.

9. In the event that the assessor of the Town of Cheektowaga assesses the property for any stated year at a level higher than the assessments as stated herein when there has been no assessable addition or improvement to the property, petitioner hereby reserves the right to reinstate and reinstitute all of its Article 7 proceedings herein settled

and the respondent hereby agrees to waive any objection based upon statute of limitations grounds.

10. The attorneys for the parties hereby stipulate to a discontinuance of the within proceeding.

11. Petitioner shall have the right to seek specific enforcement of the terms of this Settlement Agreement, and of any order entered thereupon, and to otherwise enforce such terms by whatever means provided by law.

12. This agreement constitutes the entire understanding and agreement among the parties. Nothing herein contained shall be deemed to bind either party beyond the tax assessment rolls established for the 1995-96 tax year.

13. The parties authorize their attorneys to seek an order of the Supreme Court approving the terms of this Settlement Agreement, and this Settlement Agreement is conditioned upon such approval.

Dated: Buffalo, New York

February 9th, 1994

KAVINOKY & COOK

By: Wayne D. Wisbaum

Wayne D. Wisbaum, Esq.
Attorneys for Petitioner
120 Delaware Avenue
Buffalo, New York 14202

Dated: Kenmore, New York

February , 1994

TOWN OF CHEEKTOWAGA

By: _____

David L. Jones, Esq.
Attorney for Respondents
22 Victoria Boulevard
Kenmore, New York 14217

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

WHEREAS, Leica, Inc., (Owner), 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 years 1991-92, 1992-93 and 1993-94 for property located on 203 Eggert Road, Cheektowaga, New York and identified as SBL# 91.00-1-26.1, and

WHEREAS, Leica, Inc. (Owner) and the Town of Cheektowaga have had extensive settlement negotiations and after due consideration of all material facts, Leica, Inc. (Owner) and the Town have agreed to resolve their differences without further litigation and to settle and terminate the proceedings, and

WHEREAS, the attorneys for Leica, Inc., (Owner) and the Town have prepared the attached Settlement Agreement, and

WHEREAS, the Town Assessor has recommended the attached Settlement Agreement be approved by this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby approve the attached Settlement Agreement between Leica, Inc., (Owner) 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 settlement, and BE IT FURTHER

RESOLVED, that this Town Board does direct that the Settlement Agreement be submitted to the Supreme Court of the State of New York for an Order approving said Settlement Agreement between Leica, Inc., (Owner) 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

At a Special Term of the Supreme Court, Part 21, held in and for the County of Erie at 50 Delaware Avenue, Buffalo, New York on the _____ day of _____, 1993.

PRESENT: HON. NORMAN J. WOLF, JR., J.S.C.
Justice Presiding

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

IN THE MATTER OF THE APPLICATION UNDER
ARTICLE 7 OF THE REAL PROPERTY TAX LAW

BY

LEICA INC.,

Petitioner,

vs.

ORDER

WILLIAM CONWAY, ASSESSOR

Index No.: 9704/93

AND

THE BOARD OF ASSESSMENT REVIEW OF
THE TOWN OF CHEEKTOWAGA, COUNTY OF
ERIE AND STATE OF NEW YORK,

Respondents.

FOR REVIEW OF THE 1993-94 TAX ASSESSMENT
OF CERTAIN REAL PROPERTY IN THE SAID
TOWN OF CHEEKTOWAGA, NEW YORK

The above-entitled proceedings involving tax assessment review for the premises at 203 Eggert Road, Cheektowaga, New York, and bearing S.B.L. No. 91.00-1-26.1 for the assessment year 1993-94 having progressed for trial, and negotiations for settlement having been conducted and said settlement having been approved and recommended by the Town Attorney for the Town of Cheektowaga and the Attorney for Petitioner, and it further

appearing that the assessment of premises in the Town of Cheektowaga provide for the basis for the imposition of taxes assessed by the County of Erie and the Cheektowaga Central School District, it is hereby

ORDERED, that the above-entitled action for Tax Assessment Review for the fiscal year 1993-94 be settled, and it is further

ORDERED, that the above-entitled action on tax review proceedings for the year 1993-94 be settled; that the assessment of 203 Eggert Road, Cheektowaga, New York, bearing S.B.L. No. 91.00-1-26.1 be reduced from Three Million (\$3,000,000.00) Dollars to One Million Four Hundred Forty Thousand (\$1,440,000.00) Dollars, and it is further

ORDERED, that the Finance Commissioner of the County of Erie and the Treasurer of the Cheektowaga Central School District apply such adjusted assessment and determine any overpayment of taxes, and, in the event of such overpayment, refund the overpayment, with interest, to the Petitioner, and it is further

ORDERED, that, if any County tax has not been paid when due, the Finance Commissioner of the County of Erie shall issue corrected tax bills reflecting the new assessment to be paid by Petitioner without interest or penalty if paid within thirty (30) days of receipt of said corrected County tax bills.

ENTER:

HON. NORMAN J. WOLF, JR., J.S.C.

GRANTED:

Signature of Server

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

IN THE MATTER OF THE APPLICATION UNDER
ARTICLE 7 OF THE REAL PROPERTY TAX LAW

BY

LEICA INC.,

Petitioner,

vs.

**STIPULATION AND
AGREEMENT**

WILLIAM CONWAY, ASSESSOR

Index No.: 9704/93

AND

THE BOARD OF ASSESSMENT REVIEW OF
THE TOWN OF CHEEKTOWAGA, COUNTY OF
ERIE AND STATE OF NEW YORK,

Respondents.

FOR REVIEW OF THE 1993-94 TAX ASSESSMENT
OF CERTAIN REAL PROPERTY IN THE SAID
TOWN OF CHEEKTOWAGA, NEW YORK

The above-referenced proceeding having been progressed for trial, negotiations for settlement having been conducted and said assessment having been approved and recommended by the Town Attorney of Cheektowaga, and such reduction of assessment being, in all respect, binding on the County of Erie and the Cheektowaga Central School District, which relies upon the assessment rolls of the Town of Cheektowaga for the imposition of County and school taxes, it is

STIPULATED AND AGREED by and between the attorneys for the respective parties that said proceedings be, and they are hereby settled on the following terms:

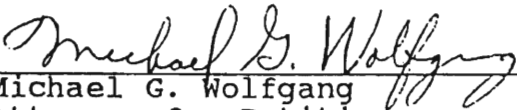
Signature of Server

1. That the real property assessment for said premises for the fiscal year 1993-94 be reduced and adjusted from \$3,000,000.00 to \$1,440,000.00.

2. An Order may be entered directing the Finance Commissioner of the County of Erie and the Treasurer of the Cheektowaga Central School District to compute and pay the appropriate refunds, if any, with interest, of overpayment of taxes for the above assessment period.


3. That said Order direct the Finance Commissioner of the County of Erie to issue corrected tax bills reciting the proper amount of taxes owed, if the taxes have not been paid, to Petitioner; said corrected Erie County tax bills to be paid without interest or penalty if paid within thirty (30) days of receipt.

Dated: Buffalo, New York
February 17, 1994



Michael G. Wolfgang
Attorney for Petitioner

David L. Jones
Attorney for Respondent

X 

Arthur J. Alix, Vice President
of Leica, Inc.

SUPREME
COUNTY OF ERIE

COURT

FEB 22 1994

Calendar No.

In the Matter of
LEICA, INC.,

~~XXXXXXXXXX~~
Petitioner,

STIPULATION
DISCONTINUING ACTION

against

THE ASSESSOR AND THE BOARD OF ASSESSMENT REVIEW
OF THE TOWN OF CHEEKTOWAGA, AND THE TOWN OF
CHEEKTOWAGA, COUNTY OF ERIE, NEW YORK,

Year: 1991-92

~~XXXXXXXXXX~~
Respondents.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: February _____, 1994

.....
The name signed must be printed beneath.
David L. Jones, Esq.

.....
The name signed must be printed beneath.
Arthur J. Alix, Vice President
of Leica, Inc.

Respondents
Attorney(s) for ~~XXXXXXXXXX~~

~~XXXXXXXXXX~~
Petitioner
~~XXXXXXXXXX~~

Office and Post Office Address
22 Victoria Boulevard
Kenmore, NY 14217

Office and Post Office Address
P.O. Box 123
Buffalo, NY 14240

Index No.

SUPREME COURT

COUNTY OF ERIE

In the Matter of

LEICA, INC.,

Petitioner,
~~XXXXXXXX~~

against

THE ASSESSOR AND THE BOARD OF
ASSESSMENT REVIEW OF THE TOWN
OF CHEEKTOWAGA, AND THE TOWN OF
CHEEKTOWAGA, COUNTY OF ERIE,
NEW YORK,

~~XXXXXXXX~~
Respondents.

STIPULATION
Discontinuing Action

~~XXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

SUPREME
COUNTY OF ERIE

COURT

Calendar No.

In the Matter of

LEICA, INC.,

~~XXXXXXXXXX~~

Petitioner,

STIPULATION
DISCONTINUING ACTION

against

THE ASSESSOR AND THE BOARD OF ASSESSMENT REVIEW
OF THE TOWN OF CHEEKTOWAGA, AND THE TOWN OF
CHEEKTOWAGA, COUNTY OF ERIE, NEW YORK,

Year: 1992-93

~~XXXXXXXXXX~~

Respondents.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: February ____, 1994

.....
The name signed must be printed beneath.

David L. Jones, Esq.

.....
The name signed must be printed beneath.

Arthur J. Alix, Vice President
Leica, Inc.

Respondents
Attorney(s) for ~~XXXXXXXXXX~~

Office and Post Office Address
22 Victoria Boulevard
Kenmore, NY 12417

Petitioner
~~XXXXXXXXXX~~

Office and Post Office Address
P.O. Box 123
Buffalo, NY 14240

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

WHEREAS, in the 1950's, New York State reconstructed Genesee Street where it passes over the New York State Thruway and constructed a temporary Detour Road while such reconstruction was taking place, and

WHEREAS, on the Genesee Street Detour Plan and Profile map dated June 20, 1949 filed for this project by New York State, it was written "The portion of the 'Detour Road' to be constructed north of Genesee St. and left in place as a Service Road will be turned over to the Town of Cheektowaga, for maintenance upon acceptance of this Contract", and

WHEREAS, inadvertently, New York State did not turn over this Detour Road to the Town, yet New York State has informed the Town recently that they do not maintain same and desire for the Town to do so, and

WHEREAS, the Town Superintendent of Highways has executed the attached affidavit verifying that this Detour Road, a/k/a Old Genesee Street, is a Town highway pursuant to section 189 of the Highway Law, NOW, THEREFORE, BE IT

RESOLVED, that Old Genesee Street, as a described on the attached affidavit of the Town Highway Superintendent be and is accepted and dedicated as a Town highway, and BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file a copy of this resolution and attached affidavit in the Erie County Clerk's Office.

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)
COUNTY OF ERIE) SS.:
TOWN OF CHEEKTOWAGA)

RE: Premises commonly known as Old Genesee Street
Cheektowaga, New York

The undersigned, being duly sworn, deposes and says as follows:

1. Affiant is the Superintendent of Highways of the Town of Cheektowaga, Erie County, New York and has his office and principal place of business at 3145 Union Road, Cheektowaga, New York.

2. That, as Superintendent of Highways of the Town of Cheektowaga, affiant has the care and superintendence of town highways within the Town of Cheektowaga.

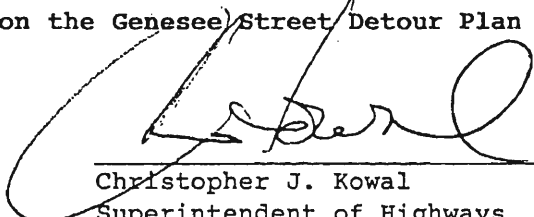
3. That affiant is also the custodian of Town records relating to the use and maintenance of all lands within the Town of Cheektowaga used as Town highways.

4. That, according to the records maintained by the Office of the Superintendent of Highways of the Town of Cheektowaga, lands known as Old Genesee Street and further described in the Legal Description for Old Genesee Street, as shown below, have been used by the public and maintained and repaired by the Office of the Superintendent of Highways of the Town of Cheektowaga as a Town highway for a period of ten years or more, and, as such, such lands are a Town highway pursuant to Section 189 of the Highway Law of the State of New York.

Legal Description for Old Genesee Street

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 84 Township 10, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the north line of Genesee Street (a 66 foot wide highway), said point being 530± feet east from the east line of Beryl Road (a 66 foot wide highway); thence easterly along the north line of Genesee Street to its intersection with the west line of the New York State Thruway, Ontario Section; thence northerly along the west line of the New York State Thruway, Ontario Section to a point being on the north line of Old Genesee Street; thence westerly along the north line of Old Genesee Street to the north line of Genesee Street, said point being the point or place of beginning. This legal description is intended to describe those lands referred to as the "Detour Road to be constructed north of Genesee Street and left in place as a Service Road" on the Genesee Street Detour Plan and Profile dated June 20, 1949.



Christopher J. Kowal
Superintendent of Highways
for the Town of Cheektowaga

Sworn to before me this 4th
day of February, 1994.



KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 1995

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

WHEREAS, Drysdale Enterprises, an authorized tower for the Town of Cheektowaga, has gone out of business, therefore creating a vacancy in towing Zone #6 (see attached map), and

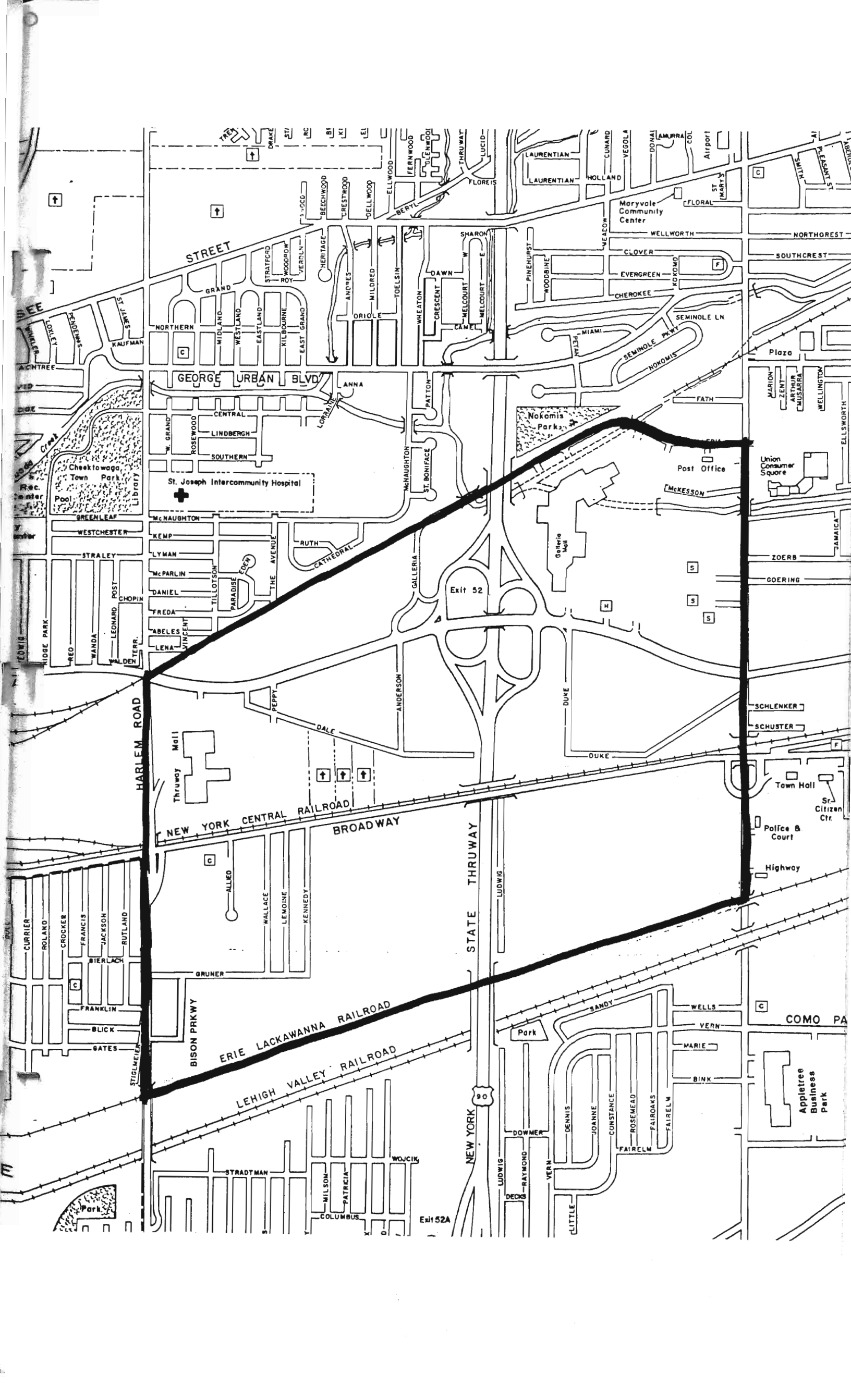
WHEREAS, Davron Auto Repair & Collision, Inc., 2425 Broadway, has an application on file with the Cheektowaga Police Department, and is located in the geographical area where the vacancy has occurred, meets all the requirements for becoming an authorized tower as per Town Ordinance Chapter 78-7 and has passed an inspection of the property and equipment by the Cheektowaga Police and Building Inspector's Office, NOW, THEREFORE, BE IT

RESOLVED, that Davron Auto Repair & Collision, Inc., be authorized as a tower for the Town of Cheektowaga and be assigned to the zone that the vacancy occurred.

Upon Roll Call.....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT



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

BE IT RESOLVED that the following recreational fees be established effective March 31, 1994 for the 1994 summer season:

TEAM FRANCHISE FEES

SOFTBALL

Team	\$ 200.
Fast Pitch	200.
*Business	275.
*Church	150.
Over 40	250.
Friday Men's Classic	275.

All team managers and league organizers must ensure that all non-resident players pay a \$15 participation fee. Maximum number for Town leagues is five (5). Town Business Teams may enter into any division (all of its players must be employed by a company that is located within Cheektowaga.) *This fee does not apply to individuals in this category.

DIAMOND RENTAL FEES

	RESIDENT	NON-RESIDENT
<u>DIAMONDS - (per game)</u>	\$ 25.	\$ 30.
<u>DIAMONDS - (lights)</u>	\$ 50.	\$ 60.
<u>DIAMONDS - (13 weeks)</u>	\$ 225.	\$ 300.
<u>DIAMONDS - (13 weeks- Lights)</u>	\$ 350.	\$ 425.
<u>DIAMONDS BEYOND 13 WEEKS</u>	\$ 20.	\$ 25.

Upon Roll Call....

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

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

WHEREAS, the Town Facilities Department issues permits for the use of picnic shelters in Cheektowaga Town Park, John C. Stiglmeier Park and Volunteer Firemen's Park, and

WHEREAS, the Town Board wishes to establish fees and a policy for the use of these picnic shelters, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts the fees and policy shown on the attached "Shelter Permit Policy", effective immediately.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

SHELTER PERMIT POLICY

A. Fees.

1. Shelters without electrical power - \$25.00 each
Shelters with electrical power - \$35.00 each
2. Exemptions from Fees. No fees shall be charged for groups involved with the following events:
 - a. Volunteer Firemen's Recognition Day (11 free shelters)
 - b. Polish-American Arts Festival (3 shelters for each of 3 days)
 - c. Fourth of July (11 shelters for Cheektowaga Patriotic Commission)
 - d. Parks & Recreation Committee's Country Jamboree (2 shelters)
 - e. Cultural Weekend (4 shelters for each of 3 days)
 - f. Picnics for Senior Citizen Groups which are sponsored by the Town Senior Services Department (Mondays through Fridays only; no holidays)
 - g. Cheektowaga Volunteer Firemen Company Picnics at Cheektowaga Volunteer Firemen's Park
 - h. Annual Picnic for Town of Cheektowaga Retirees (2 shelters; weekdays only; no holidays)
 - i. Parks & Recreation Committee's '50's Concert

B. Advance Permits Allowed Only for the Following:

1. Chartered Taxpayer Associations' Annual Picnics.
2. Chartered Athletic Associations' Annual Picnics.
3. Volunteer Firemen's Recognition Day.
4. Polish-American Arts Festival.
5. Fourth of July Celebration.
6. Parks & Recreation Committee's Country Jamboree
7. Cultural Weekend
8. Picnics for Senior Citizen Groups which are sponsored by the Town's Senior Services Department.
9. Cheektowaga Volunteer Firemen Company Picnics at Cheektowaga Volunteer Firemen's Park.
10. Annual Picnic for Town of Cheektowaga Retirees.
11. Parks & Recreations Committee's '50's Concert.

C. Prohibited Uses of Picnic Shelters. The following uses shall not be allowed in picnic shelters:

1. Weddings and Wedding Receptions.
2. Bands and Sound Systems.
3. Erection of Tents and Canopies.
4. Use of Generators.
5. Conducting Animal Rides.
6. Use of Carriages.
7. Utilization of Caterers.

D. Shelter Occupancy Limits.

Maximum of 75 people per shelter allowed.

E. Alcoholic Beverages and Beverage Containers.

1. Only beer, wine and wine coolers are allowed in picnic shelters; no other alcohol or liquor is permitted.
2. Keg Beer is permitted.
3. No glass containers are allowed.

F. Parking.

1. Picnic shelter patrons must park in designated parking areas.
2. Parking is prohibited on lawn areas.

G. Fundraising Ventures.

1. Political parties and candidates for public office are prohibited from using picnic shelters and buildings for the purpose of raising funds for political purposes, campaigns or expenses.
2. Subject to prior approval via Town Board resolution, not-for-profit/charitable organizations may conduct fundraising in a picnic shelter. Such not-for-profit/charitable organization must assure the Town that all labor, material and utility expenses will be borne by such organization. Such organization shall provide the Town with:
 - a. A list of its officers.
 - b. A financial statement.
 - c. A statement as to the percentage of funds to be directed to the organization.
 - d. A statement as to the purpose of the event.

H. Business Picnics.

Only businesses which have a permanent base of operations in the Town of Cheektowaga and employ 50 or more people in its Town facilities may apply for a picnic shelter permit. An employee of such business who is a Town residents must obtain the permit.

Item No. 13 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,

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, Rogowski,
Blachowski, Johnson and Wielinski
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>
Bernard Brown	Cheektowaga, NY 14227	Town's	1/31/97

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

WHEREAS, this Town Board, by resolution dated November 23, 1992 and May 17, 1993, engaged the engineering consulting firm of Pratt & Huth Associates to conduct a flood study for that portion of Scajaquada Creek located between the New York State Thruway and Dick Road, and

WHEREAS, the completed technical analysis and Flood Study Report indicate that channel improvement projects in this particular reach of Scajaquada Creek have resulted in a decrease in flood elevations and a reduction in the floodplain and floodway boundaries, and

WHEREAS, the Town Engineer recommends that the Flood Study Report and all accompanying exhibits be submitted to the Federal Emergency Management Agency in support of a request for map revision to our community's Flood Insurance Rate Map, and

WHEREAS, the Federal Emergency Management Agency requires that public notice of the community's intent to request revisions to the floodplain and floodway be provided to affected property owners, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby directed to publish the attached legal notice relative to the Town's intent to submit a formal map amendment request to the Federal Emergency Management Agency, said notice to be published in THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that the Town Engineer is hereby directed to submit to the Federal Emergency Management Agency all necessary documentation and technical data supporting the Town's request for revisions to the Flood Insurance Rate Map and Flood Boundary and Floodway Map.

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

LEGAL NOTICE

PLEASE TAKE NOTICE that the Scajaquada Creek Flood Study for that portion of Scajaquada Creek located between the New York State Thruway and Dick Road, commissioned by the Town of Cheektowaga and performed by the engineering consulting firm of Pratt & Huth Associates, has recently been completed. The findings of this technical analysis indicate that channel improvement projects completed over a period of several years have resulted in a decrease in flood elevations as well as a decrease in the floodplain and floodway boundaries for this reach of Scajaquada Creek.

It is the intent of the Town of Cheektowaga to submit the Scajaquada Creek Flood Study Report and accompanying technical data to the Federal Emergency Management Agency in support of a formal request for map revisions affecting the community's Flood Insurance Rate Map 360231 0005E and Flood Boundary and Floodway Map.

For further information contact:

Chester L. Bryan, P.E.
Town Engineer
275 Alexander Avenue
Cheektowaga, New York 14211

(716) 896-0788

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

Richard M. Moleski
Town Clerk

DATED: February 28, 1994

PUBLISHED: March 3, 1994

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..... March 3, 1994..... ;
last publication..... March 3, 1994..... ;
and that no more than six days intervened be-
tween publications.

LEGAL NOTICE

PLEASE TAKE NOTICE that the Scajaquada Creek Flood Study for that portion of Scajaquada Creek located between the New York State Thruway and Dick Road, commissioned by the Town of Cheektowaga and performed by the engineering consulting firm of Pratt & Huth Associates, has recently been completed. The findings of this technical analysis indicate that channel improvement projects completed over a period of several years have resulted in a decrease in flood elevations as well as a decrease in the floodplain and floodway boundaries for this reach of Scajaquada Creek.

It is the intent of the Town of Cheektowaga to submit the Scajaquada Creek Flood Study Report and accompanying technical data to the Federal Emergency Management Agency in support of a formal request for map revisions affecting the community's Flood Insurance Rate Map 360231 0005E and Flood Boundary and Floodway Map.

For further information contact:
Chester L. Bryan, P.E.
Town Engineer
275 Alexander Avenue
Cheektowaga, New York 14211

(716)896-0788

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

Richard M. Moleski
Town Clerk

Dated: February 28, 1994

PUBLISH: March 3, 1994

.....*Melissa Gugliuzza*.....

Sworn to before me this3rd.....

day of March, 19⁹⁴.....

.....*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 5

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..... March 3, 1994..... ;
last publication..... March 3, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza
.....

Sworn to before me this3rd.....

day of March....., 19⁹⁴.....

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 5

LEGAL NOTICE

PLEASE TAKE NOTICE that the Scajaquada Creek Flood Study for that portion of Scajaquada Creek located between the New York State Thruway and Dick Road, commissioned by the Town of Cheektowaga and performed by the engineering consulting firm of Pratt & Huth Associates, has recently been completed. The findings of this technical analysis indicate that channel improvement projects completed over a period of several years have resulted in a decrease in flood elevations as well as a decrease in the floodplain and floodway boundaries for this reach of Scajaquada Creek.

45
17.78

It is the intent of the Town of Cheektowaga to submit the Scajaquada Creek Flood Study Report and accompanying technical data to the Federal Emergency Management Agency in support of a formal request for map revisions affecting the community's Flood Insurance Rate Map 360231 0005E and Flood Boundary and Floodway Map.

For further information contact:
Chester L. Bryan, P.E.
Town Engineer
275 Alexander Avenue
Cheektowaga, New York 14211

(716)896-0788

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

Richard M. Moleski
Town Clerk

Dated: February 28, 1994

PUBLISH: March 3, 1994

Item No. 15a Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, bid proposals for Heat, Ventilation, Air Conditioning and Energy Management and Conservation System Expansion at Various Town Buildings were received and opened by the Town Clerk at a public meeting held for said purpose on 2/18/94 at Cheektowaga Town Hall, and

WHEREAS, Babinsky, Klein Engineering, P.C. and the Facilities Director have reviewed the bid proposals for compliance with the terms set forth in the published plans and specifications, and

WHEREAS, the Frank C. Kellner Company, Inc. has submitted the low bid of \$160,285.00 and is in compliance with the terms set forth in the project manual, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby award said contract for HVAC Renovations and EMCS Expansion at Various Town Buildings to Frank C. Kellner Company, Inc., 7000 Seneca Street, Elma, New York, 14059 at a bid cost of \$160,285.00, and BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5301-1625-9307 and Account #5301-1625-9309.

Upon Roll Call....

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

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

WHEREAS, as a result of advertisement, bids were received on February 23, 1994 for the furnishing of equipment and operators for public works projects during the calendar year of 1994 in the Town of Cheektowaga, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 24, 1994, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga be awarded to Kissell Excavating, Inc., 1026 Reilein Road, Cowlesville, New York 14037 for submission of the lowest bid meeting the specifications as per the unit prices of:

Item 1	Hydraulic Backhoe	\$635.00 per 8 hour day
Item 2	Tractor with Front End Loader	635.00 per 8 hour day
Item 3	Dozer	500.00 per 8 hour day
Item 4	Dozer	535.00 per 8 hour day
Item 5	Dozer	535.00 per 8 hour day
Item 6	Tandem Dump Truck	320.00 per 8 hour day
Item 7	Landscape Type Tractor	400.00 per 8 hour day
Item 8	Hydraulic Backhoe	520.00 per 8 hour day
Item 9	Laborers	266.00 per 8 hour day
Item 10	Hydraulic Backhoe	435.00 per 8 hour day
Item 11	Front End Loader	435.00 per 8 hour day

and BE IT FURTHER

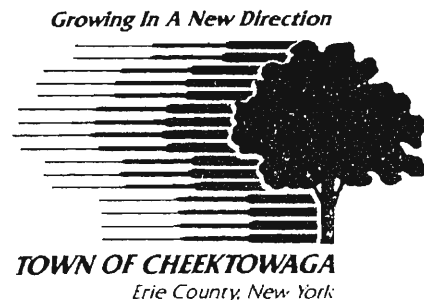
RESOLVED, that payment for said equipment and operators for public works projects is to be chargeable on an as-needed basis by any Town departments who wish to avail themselves of this service within their appropriated budget items.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

156
Chester L. Bryan, P.E.
Town Engineer



February 24, 1994

TO SUPERVISOR GABRYSZAK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing of Equipment
and Operators for Public
Works Projects - 1994

Gentlemen:

Bids were received and opened on February 23, 1994 for the furnishing of equipment and operators for public works projects. Six (6) bids were received and their totals are as follows:

<u>BIDDER</u>	<u>TOTAL BID</u>
Kissell Excavating, Inc.	\$5,421.00
Visone Construction, Inc.	5,992.00
Tom Greenauer Development, Inc.	6,232.00
Nichols, Long & Moore Constr. Corp.	6,415.00
American Paving & Excavating, Inc.	7,155.00
Custom Topsoil, Inc.	8,032.00

It is, therefore, recommended that the bid be awarded to Kissell Excavating, Inc., 1026 Reilein Road, Cowlesville, New York 14037 for their submission of the lowest bid meeting the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA



Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Item No. 15c Motion by Councilman Solecki, Seconded by Councilman Wielinski

WHEREAS, bids were duly received and opened at the January 31, 1994 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 24, 1994, NOW, THEREFORE, BE IT

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

ITEM I	Work Pants (sizes to 42)	\$12.90
ITEM II	Work Pants (sizes 44 and up)	14.80
ITEM III	Shirts (long sleeve, sizes up to 17½)	11.65
ITEM IV	Shirts (long sleeve, sizes 18 and up)	13.55
ITEM V	Chambray Shirts (long sleeve, sizes up to 17½)	10.40
ITEM VI	Chambray Shirts (long sleeve, sizes 18 and up)	12.30
ITEM VII	Shirts (short sleeve, sizes up to 17½)	10.75
ITEM VIII	Shirts (short sleeve, sizes 18 and up)	12.65
ITEM IX	Chambray Shirts (short sleeve, sizes up to 17½)	9.20
ITEM X	Chambray Shirts (short sleeve, sizes 18 and up)	10.85
ITEM XI	Coveralls (long sleeve, 36-52 regular)	17.90
ITEM XII	Coveralls (long sleeve, 36-52 long)	17.90
ITEM XIII	Denim Jeans (sizes up to 42)	11.50
ITEM XIV	Denim Jeans (sizes 44 and up)	13.25
ITEM XV	Bib Overalls	18.95
ITEM XVI	Tee Shirts	5.50

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

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



February 24, 1994

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Work Uniforms

Gentlemen:

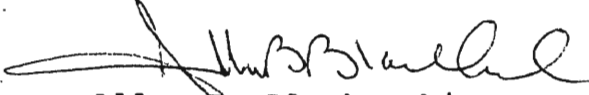
On January 31, 1994 bids were received and opened for the furnishing of work uniforms to Town employees as required through the Cheektowaga Employees Association Agreement. Three (3) bids were submitted on sixteen (16) items of the specifications. The total of that bid is as follows.

<u>BIDDER</u>	<u>BID AMOUNT</u>
Empire State Uniform Company	\$14,624.51
Kristen Uniforms & Linens	16,189.20
Flirt's	16,599.50

Empire State Uniform Company's bid did not meet the specifications for Items XIII and XIV for work jeans. Therefore, it is recommended that the bid be awarded to the next lowest bidder, Kristen Uniforms & Linens, 2010 Eggert Road, Amherst, New York 14226 for the furnishing of work uniforms, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA



Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

Item No. 16a Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga and the New York State Office of Parks and Recreation and Historic Preservation in accordance with the provisions set forth by the Land and Water Conservation Fund have previously entered into an agreement to fund Cheektowaga Town Park Site Improvements, and

WHEREAS, said improvements include hiking/bike trail, installation of shelters, volleyball courts, basketball courts, exercise stations, handicapped access to the Michael Kaczmarek Pool, handicapped play structure, signage and parking improvements, and

WHEREAS, Darryl L. Jones, RLA, 55 Marsdale Road, Cheektowaga, New York 14215-2033, has prepared plans and specifications for Cheektowaga Town Park Site Improvements, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Town Clerk to publish a Notice to Bidders for Cheektowaga Town Park Site Improvements.

* * * * *

NOTICE TO BIDDERS

Sealed bids for Cheektowaga Town Park Site Improvements are invited and will be received, publicly opened and read on behalf of the Town of Cheektowaga on March 16, 1994 at 11:00 A.M. in the Town Hall, Broadway and Union Road for various site improvements at Cheektowaga Town Park.

Specifications (including instructions to Bidders and Bid Form) and plans for each project may be examined at the Office of Darryl L. Jones, RLA, 55 Marsdale Road, Cheektowaga, New York 14215-2033, and a copy may be obtained upon payment of \$50.00 per set for each project as a deposit to guarantee the safe return thereof.

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

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

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

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

Bids shall remain open for acceptance for forty-five (45) days subsequent to the opening thereof.

RICHARD M. MOLESKI, Town Clerk

Dated: February 28, 1994

* * * * *

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.

2 LEGAL NOTICE
 NOTICE TO BIDDERS

Sealed bids for Cheektowaga Town Park Site Improvements are invited and will be received, publicly opened and read on behalf of the Town of Cheektowaga on March 16, 1994 at 11:00 am in the Town Hall, Broadway & Union Rd. for a various site improvements at Cheektowaga Town Park.

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

Bids shall remain open for acceptance for forty-five (45) days subsequent to the opening thereof.

Dated: February 28, 1994

PUBLISH: March 3, 1994

.....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..... March 3, 1994..... ;
 last publication..... March 3, 1994..... ;
 and that no more than six days intervened be-
 tween publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this3rd.....

day of March....., 19⁹⁴.....

.....*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 12/11/95

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..... March 3, 1994..... ;
last publication..... March 3, 1994..... ;
and that no more than six days intervened be-
tween publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this^{3rd}.....

day of March....., 19⁹⁴.....

.....*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 12/11/9⁵

LEGAL NOTICE

NOTICE TO BIDDERS

Sealed bids for Cheektowaga Town Park Site Improvements are invited and will be received, publicly opened and read on behalf of the Town of Cheektowaga on March 16, 1994 at 11:00 am in the Town Hall, Broadway & Union Rd. for a various site improvements at Cheektowaga Town Park.

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

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

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

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

Bids shall remain open for acceptance for forty-five (45) days subsequent to the opening thereof.

Dated: February 28, 1994

PUBLISH: March 3, 1994

61
2410

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

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 March 16, 1994 at 11:00 a.m., Eastern Standard Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1994 at 11:00 A.M. Eastern Standard 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 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 informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and 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 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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1994 at 11:00 a.m. Eastern Standard 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 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 informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the 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: March 3, 1994

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..... March 3, 1994.....; last publication..... March 3, 1994.....; and that no more than six days intervened between publications.

Melissa Gugliuzza.....

Sworn to before me this3rd.....

day of March....., 19⁹⁴.....

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 12/11/9⁵

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

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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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first publication..... March 3, 1994..... ;
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tween publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this^{3rd}.....

day of March....., 19⁹⁴.....

.....*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 12/11/9⁵

LEGAL NOTICE

NOTICE TO BIDDERS

Scaled proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1994 at 11:00 a.m. Eastern Standard 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 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.

53
260

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 informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the 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: March 3, 1994

Item No. 16c Motion by Councilman Wielinski, Seconded by Councilman Solecki

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting in spring, 1994. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York. 14227., NOW, THEREFORE, BE IT

BE IT RESOLVED, that the Town Clerk be designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, March 16, 1994 at 11:00 a.m., in the Council Chambers of the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Cheektowaga Town Board on Wednesday March 16, 1994 at a public bid opening at 11:00 A.M. at the Town Hall, located on Broadway and Union Roads, Town of Cheektowaga, New York, for the purpose of furnishing new trees for spring, 1994, tree planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways located at 3145 Union Road, Town of Cheektowaga, New York, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Dated: February 28, 1994

* * * * *

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.

.....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..... March 3, 1994..... ;
 last publication..... March 3, 1994..... ;
 and that no more than six days intervened be-
 tween publications.

LEGAL NOTICE
 NOTICE TO BIDDERS
 TOWN OF CHEEKTOWAGA,
 NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Wednesday, March 16, 1994, at a public bid opening at 11:00 A.M. at the Town Hall located on Broadway & Union Roads, Town of Cheektowaga, New York, for the purpose of furnishing new trees for spring, 1994, tree planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways located at 3145 Union Road, Town of Cheektowaga, New York, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

Richard M. Moleski
 Town Clerk
 Town of Cheektowaga

PUBLISH: March 3, 1994

.....*Melissa Gugliuzza*.....

Sworn to before me this3rd.....

day of March....., 19 94

.....*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 12/11/9J

LEGAL NOTICE

NOTICE TO BIDDERS

**TOWN OF CHEEKTOWAGA,
NEW YORK**

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1225

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Wednesday, March 16, 1994, at a public bid opening at 11:00 A.M. at the Town Hall located on Broadway & Union Roads, Town of Cheektowaga, New York, for the purpose of furnishing new trees for spring, 1994, tree planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways located at 3145 Union Road, Town of Cheektowaga, New York, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

**NON-COLLUSION FORMS
MUST BE SIGNED AND SUBMITTED WITH EACH BID.**

Richard M. Moleski
Town Clerk
Town of Cheektowaga

PUBLISH: March 3, 1994

Item No. 16d Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

WHEREAS, the Town is the recipient of a U.S. Small Business Administration Grant for New York's National Small Business Tree Planting Program, and

WHEREAS, to implement this tree planting program, it is in order that bids be advertised for the Furnishing and Installation of Trees at Various Sites within the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing and installation of trees, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on the 16th day of March, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

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 16th, day of March, 1994 at 11:00 A.M. Local Time, in the Town Hall, in the Town of Cheektowaga, New York, for Furnishing and Installation of Trees at Various Sites within the Town of Cheektowaga.

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

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 Furnishing and Installation of Trees (1994)".

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.

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

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

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

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

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

Item No. 16d cont'd

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the state on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 30 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

DATED: February 28, 1994

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 16th day of March, 1994 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for Furnishing and Installation of Trees at Various Sites Within the Town of Cheektowaga.

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

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 Furnishing and Installation of Trees (1994)".

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.

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

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

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

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

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

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 30 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

Richard M. Moleski
Town Clerk
Town of Cheektowaga

DATED: February 28, 1994

PUBLISH: March 3, 1994

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

.....Melissa Cugliuzza....., 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..... March 3, 1994 ;
last publication..... March 3, 1994 ;
and that no more than six days intervened be-
tween publications.

.....Melissa Cugliuzza.....

Sworn to before me this3rd.....

day of March, 19..94..

.....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.

.....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..... March 3, 1994..... ;
last publication..... March 3, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza.....

Sworn to before me this3rd.....

day of March....., 19⁹⁴.....

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 12/11/95

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 16th day of March, 1994 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for Furnishing and Installation of Trees at Various Sites Within the Town of Cheektowaga.

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

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 Furnishing and Installation of Trees (1994)".

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.

90
75
The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with the law, are herewith reserved.

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

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

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

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

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 30 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

Richard M. Moleski
Town Clerk
Town of Cheektowaga

DATED: February 28, 1994

PUBLISH: March 3, 1994

Item No. 16e Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Alexander Community Center requires various improvements to include Roof Replacement, Masonry Work, General Construction and Site Work

WHEREAS, Scaffidi & Moore Architects, has prepared bid plans and specifications for General Construction Work, Roof Replacement, Masonry Work and Site Work at the Alexander Community Center, 175 Alexander Avenue, Cheektowaga, New York, 14225, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby direct the Town Clerk to publish a Notice to Bidders for General Construction, Roof Replacement, Masonry Work and Site Work at the Alexander Community Center, and BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5301-1625-9313 and Account #5301-1625-9308

* * * * *

NOTICE TO BIDDERS

Sealed bids for General Construction, Roof Replacement, Masonry Work and Site Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on Wednesday, March 16, 1994 at 11:00 A.M. in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for construction projects at the Alexander Community Center, Alexander Avenue, Cheektowaga, New York.

Specifications (including instructions to Bidders and Form of Bid) and Plans for each project may be examined at the Office of Scaffidi & Moore Architects, 4535 Bailey Avenue, Buffalo, New York 14226 and a copy may be obtained upon payment of \$50.00 per set for each project as a deposit to guarantee the safe return thereof.

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

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

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

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

Bids shall remain open for acceptance for forty-five (45) days subsequent to the opening thereof.

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

RICHARD M. MOLESKI, Town Clerk

Dated: February 28, 1994

* * * * *

Item No. 16e cont'd

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

NOTICE TO BIDDERS

Sealed bids for General Construction, Roof Replacement, Masonry Work and Site Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on Wednesday, March 16, 1994 at 11:00 A.M. in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for a reconstruction projects at the Alexander Community Center, Alexander Avenue, Cheektowaga, New York.

Specifications (including Information for Bidders and Form of Bid) and Plans for each project may be examined at the office of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226, and a copy may be obtained upon payment of \$50.00 per set for each project as a deposit to guarantee the safe return thereof.

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

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

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

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

BY ORDER OF THE
CHEEKTOWAGA
TOWN BOARD
RICHARD M. MOLESKI
TOWN CLERK

Dated: February 28, 1994

PUBLISH: March 3, 1994

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 1 weeks: first publication March 3, 1994; last publication March 3, 1994; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this 3rd

day of March, 1994

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 12/11/95

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
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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..... March 3, 1994..... ;
last publication..... March 3, 1994..... ;
and that no more than six days intervened be-
tween publications.

.....*Melissa Gugliuzza*.....

Sworn to before me this^{3rd}.....

day of March....., 19⁹⁴.....

.....*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 12/11/9⁵

LEGAL NOTICE

NOTICE TO BIDDERS

Sealed bids for General Construction, Roof Replacement, Masonry Work and Site Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on Wednesday, March 16, 1994 at 11:00 A.M. in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for a reconstruction projects at the Alexander Community Center, Alexander Avenue, Cheektowaga, New York.

Specifications (including Information for Bidders and Form of Bid) and Plans for each project may be examined at the office of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226, and a copy may be obtained upon payment of \$50.00 per set for each project as a deposit to guarantee the safe return thereof.

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

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

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

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

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

BY ORDER OF THE
CHEEKTOWAGA
TOWN BOARD
RICHARD M. MOLESKI
TOWN CLERK

Dated: February 28, 1994

PUBLISH: March 3, 1994

70
2765

NO. 5

NO. 6

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

WHEREAS, Williams Trucking Company has submitted a requisition for final payment for work performed relative to Reconstruction for Community Economic Development Offices at the Alexander Community Center, and

WHEREAS, Williams Trucking Company has submitted for review Chappell Wood Door Warranty, Underwriter's Certificate, Recommended Carpet Maintenance, Record Drawings, Wage and Supplement Affidavit, Consent of Surety Company to Final Payment, Contractor's Affidavit of Payment of Debts & Claims and Contractor's Affidavit or Release of Liens, and

WHEREAS, Scaffidi & Moore Architects and the Facilities Department Director have reviewed and approved submittals furnished by Williams Trucking Company as being in compliance with the terms of the contract specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves final payment to Williams Trucking Company, 31 Prospect Place, Buffalo, New York 14201 in the amount of \$1,862.18 for work related to Reconstruction for Community Economic Development Offices at the Alexander Community Center.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT C

TO (OWNER): Town of Cheektowaga PROJECT: Reconst. for
 Broadway & Union Roads Comm/Ec. Dev.
 Cheektowaga, New York Alex. Comm. Ctr/

FROM (CONTRACTOR): Williams Trucking Co. VIA (ARCHITECT): Scaffidi & Moo

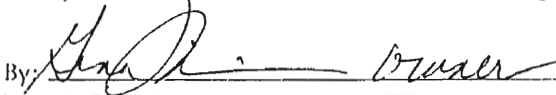
CONTRACT FOR: General Construction

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		
Change Orders approved in previous months by Owner	ADDITIONS	DEDUCTIONS
TOTAL	653.62	
Approved this Month		
Number	Date Approved	
TOTALS	653.62	
Net change by Change Orders		
	653.62	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Williams Trucking Co.


By:  Date: _____


ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

Application is made for Continuation Sheet, A

1. ORIGINAL CONTRACT
2. Net change by Change Orders
3. CONTRACT SUM TOTAL
4. TOTAL COMPLETED (Column G on Continuation Sheet)
5. RETAINAGE:
 - a. ___ % of Completed Work (Column D + E on Continuation Sheet)
 - b. ___ % of Stored Materials (Column F on Continuation Sheet)
 Total Retainage (Line 5a + 5b) Total in Column 5
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 4 less Line 6)
8. CURRENT PAYMENT DUE (Line 7)
9. BALANCE TO FINISH (Line 8 less Line 9)

State of: *New York*
 Subscribed and sworn to before me on _____
 Notary Public: 
 My Commission expires on _____

AMOUNT CERTIFIED: _____
 (Attach explanation if a check is used)
 ARCHITECT: 
 By: _____
 This Certificate is not valid unless signed by the Contractor named herein and the Architect named herein, and it is subject to the prejudice to any rights reserved by the Contractor.

SCAFFIDI & MOORE ARCHITECTS

February 8, 1994

Re: Reconstruction for
Community Economic Development
Alexander Community Center

File No. 9310

Mr. James Matecki, Fac. Dir.
Town of Cheektowaga
500 Lossen Road
Cheektowaga, New York 14227

Dear Mr. Matecki:

Per contract requirements, enclosed find the following documents:

- Chappell Wood Door Warranty
- Underwriter's Certificate
- Recommended Carpet Maintenance
- Record Drawing
- Wage and Supplement Affidavit
- Consent of Surety Company to Final Payment
- Contractor's Affidavit of Payment of Debts & Claims
- Contractor's Affidavit of Release of Liens

Work is complete within the intent of the Contract Documents. We suggest that the Board accept the work as complete based on the Architect's statement.

Enclosed find Application FINAL and Town Voucher in the amount of \$1,862.18. We have reviewed this application and recommend payment in the amount of \$1,862.18.

Please contact this office if you have any questions in connection with this matter.

Very truly yours,

SCAFFIDI & MOORE, ARCHITECTS


Charles J. Moore, A.I.A.

CJM/djl

enc.

cc: K. Schenk, Atty.
Surety Co.
Williams Trucking





P.O. Box 577
WASHINGTON COURT HOUSE, OHIO 43160-0577

TELEPHONE: (614) 335-2727
TOLL FREE: 1-800-800-3225

EXTENSION TO STANDARD FLUSH DOOR LIMITED WARRANTY

Chappell Doors are warranted for TWO YEARS in accordance with the provisions of the Limited Warranty, a copy of which is reprinted on the reverse side of this Limited Warranty. In addition Chappell Door Company, Inc. extends the time period of this limited warranty on the order listed below for: Five Years

(INTERIOR USE ONLY)

Upon inspection by our representative any door found defective within the meaning of this limited warranty will be replaced IN KIND to the original destination at no cost, with no hanging or other job site allowances.

Because Chappell Door Company, Inc. cannot control the storage and handling of doors after they have left its plant this limited warranty does not cover damage to the finish of any door or any damage resulting from improper storage or handling of any door. This limited warranty is in lieu of all other warranties express or implied, including warranties of merchantability and fitness for particular use.

*EXTERIOR USE - ONE YEAR MAXIMUM

SUBJECT TO EXTERIOR CONDITIONS LISTED ON REVERSE SIDE

Purchaser Principale Door & Hdwe.

Address 2392 Genesee St. City Buffalo State NY 14225

Building in which installed Town of Cheektowaga Community Development
Cheektowaga NY 14227

Order No. 7911 Cust. No. PRINCI CDC No. 37043

Types & Numbers of Doors R.C. Red Oak - Oak Edge on PC Maple Edge on C3
Profit and Premachined
8 Doors Particleboard Core
4 Doors C Label 3/4 Hr.

Date April 6, 1993

By Topper
Topper Black

RECEIVED JUL 26 1993

LIMITED WARRANTY FOR WOOD DOORS

The manufacturer warrants all doors sold under this warranty (except those doors expressly excluded from this warranty), for one year from the date of shipment by the manufacturer and at the time of shipment, to be of good material and workmanship and to be free of defects which would render said doors unserviceable or unfit for their ordinary, recommended use.

This warranty extends only to the first purchaser at retail of said door(s) and may not be enforced by any person to whom the said door(s) are transferred. ANY IMPLIED WARRANTIES WHICH THE PURCHASER MAY HAVE ARE LIMITED IN DURATION TO ONE YEAR FROM DATE OF SHIPMENT BY THE MANUFACTURER. SOME STATES DO NOT ALLOW LIMITATIONS ON HOW LONG AN IMPLIED WARRANTY LASTS, SO THE ABOVE LIMITATION MAY NOT APPLY TO YOU.

PHOTOGRAPHING AND WARP TOLERANCES

1. Stile, rail and core show-through (photographing) on flush doors shall not be considered a defect unless the faces of the door vary from a true plane in excess of 1/1000 inch in any three-inch span.

2. Warp shall not be considered a defect unless it exceeds 1/4 inch in the plane of the door itself. The following warp allowances are for 1 3/4 inch or thicker doors. Doors wider than 3'6" and less than 7' in height, the warp shall not exceed 1/4" in a section 3'6" by the height of door. Doors wider than 3'6" and higher than 7', the warp shall not exceed 1/4" in any 3'6" by 7' section. Doors up to and including 3'6" wide and over 7' in height, the warp shall not exceed 1/4" in any 7' by width of door section.

Doors which are 1 1/4 inch or 1 3/4 inch thick, the warp shall not exceed 1/4", other than excluded below:

"Warp" is any distortion in the door itself and does not refer to the relationship of the door to the frame or jamb in which it is hung. The term "warp" shall include bow, cup, and twist. Measuring the amount of warp present in a door, the following method shall be used: bow, cup, and twist shall be measured by placing a straight-edge, taut wire or string on the suspected concave face of the door at any angle (i.e., horizontally, vertically, diagonally), with the door in its installed position. The measurement of the bow, cup and twist shall be made at the point of maximum distance between the bottom of the straight-edge, taut wire or string and the face of the door.

MATTERS EXCLUDED FROM THIS WARRANTY

1. Unsatisfactory service or appearance caused by failure to follow recommended "Handling, Job Finishing and Installation Instructions," appearing below this warranty, is not covered by this warranty.

2. The appearance of field finished doors is not warranted in any event.

3. The appearance of a birch faced door which has been painted is not warranted in any event. (Latex or oil based paints do not always cover splices on the face of birch doors. Therefore, the birch surface should be prepared for paint.)

4. Natural variations in the color or texture of wood are not to be considered as defects.

5. The warranty against warp does not apply to the following:

- All 1 1/4 inch thick doors which are wider than 3'0" or higher than 7'0".
- All 1 3/4 inch thick stile and rail doors wider than 3'0" and higher than 7'0".
- Doors with face veneers of different species.
- Doors that are improperly hung or do not swing freely.

6. This warranty does not cover:

- Flush doors with cutouts for lights and/or louvers, any edge of which is nearer than 5 inches to any edge of the door.
 - Flush doors with cutout areas exceeding 40% of the area of the face of the door.
 - Flush doors with cutouts exceeding one-half the height of the door.
 - All doors having less than 5 inches between cutouts for lights (flush doors), unit locks, closures and/or other hardware cutouts.
- Any delamination caused by failure to protect and seal all exposed surfaces of the door.

Normal wear and tear including wear-through of the finish, or doors deteriorating for reasons other than material and workmanship of the door itself.

Warranted doors are found to contain defects as stated above, the manufacturer may, at its option, either: (1) repair the door(s) without charge; (2) replace the door(s) without charge, in the same stage of fitting and/or finishing as was originally supplied; or (3) refund the price paid to it for the door(s). The manufacturer will perform its obligations under the warranty within 30 days after an appropriate notice is given by the purchaser to it.

The procedure which the purchaser should follow in order to obtain performance of any warranty obligation is as follows:

- If at the time a door shipment is received, said door(s) is found to have a defect(s) which can be reasonably discovered by inspection of each door(s), the purchaser must, prior to hanging or fitting, and within 30 days, send written notice of said discovered defect(s) to the manufacturer.
- If a defect is discovered or occurs after a door is fitted and hung, written notice of said defect(s) must be sent to the manufacturer within one year from the date of shipment by the Manufacturer.

The manufacturer will not be liable for any door(s) repaired or replaced without its prior written consent.

Action on any claim for warp or for photographing defects may be deferred, at the option of the manufacturer for a period not to exceed 12 months from the date of claim. If a door has been installed prior to such claim being made, the door must remain hung in the original installation during the period of deferment to permit conditioning to humidity and temperature.

THE MANUFACTURER'S SOLE RESPONSIBILITY UNDER THIS WARRANTY IS AS STATED HEREIN, AND IT SHALL NOT BE LIABLE FOR ANY CONSEQUENTIAL, INDIRECT, OR INCIDENTAL DAMAGES INCLUDING, BUT NOT LIMITED TO, ANY COSTS INVOLVED OR ASSOCIATED WITH REHANGING, REPAINTING, REFINISHING, OR REFINISHING ANY DOOR, REGARDLESS OF WHETHER THE CLAIM IS FOR BREACH OF WARRANTY OR NEGLIGENCE. SOME STATES DO NOT ALLOW THE EXCLUSION OR LIMITATION OF INCIDENTAL OR CONSEQUENTIAL DAMAGES SO THE ABOVE LIMITATION OR EXCLUSION MAY NOT APPLY TO YOU.

This warranty gives the purchaser specific legal rights. The purchaser also has implied warranty rights. This warranty gives you specific legal rights, and you may also have other rights which vary from state to state.

PLEASE NOTE FOR EXTERIOR DOOR WARRANTY—When exterior doors are cut into for concealed closers, light or louver openings, and even for hardware, it permits opportunity for moisture penetration into the core which will eventually cause rotting.

Therefore the warranty is void for exterior installations when the following conditions exist:

- If concealed closers are used.
- Unless edges exposed by openings and hardware cutouts are double sealed with exterior sealer.
- Unless exterior lip moldings are used around openings and the top and bottom of doors and the bottom of openings are sealed and aluminum flashing is installed.
- Unless adequate overhang protection is provided to prevent direct exposure to the elements.

CHAPPELL DOOR COMPANY, INC.

WASHINGTON C.H., OHIO

Manufacturer

City, State

HANDLING, JOB FINISHING AND INSTALLATION INSTRUCTIONS

- Deliver door(s) to building site after plaster or cement is dry. If doors are stored at job site for more than one week, all edges should be sealed.
- Handle with clean gloves and do not drag doors across one another or across other surfaces.
- Store flat on a level surface in a dry, well ventilated building. Cover to keep clean, but allow air circulation.
- Doors should not be subjected to abnormal heat, extreme dryness, humid conditions or sudden changes therein. This should be conditioned to average prevailing relative humidity of the locality before hanging.
- The utility or structural strength of the door must not be impaired in the fitting of the door, the application of hardware, or cutting and altering the door for lights, louvers, panels or any other special details.
- For exterior doors, use three hinges on doors 7' in height or less, and four hinges on doors over 7' in height.
- For all interior doors use three hinges, except two hinges may be used for hollow core doors weighing less than 50 pounds or 6 1/2" or less in height. All doors 7'6" or higher require four hinges. Allow a fitting clearance of 1/8" inch on the hinge side and 1/16" inch on the lock side.
- When light or louver cutouts are made in exterior doors, they shall be properly protected to prevent moisture from leaking into the core. Where installed for inward swing with no protection from the elements, doors must be properly protected by flashing or other suitable means.
- Before finishing, remove handling marks or effects of exposure to moisture with a thorough, final sanding over all surfaces of the door using 30 and 50 sandpaper and clean before applying sealer or finish. Some species of wood contain a chemical leak (particularly) which reacts unfavorably with certain finishes. Where possible, the surface should be tested for such unfavorable reactions. Application of a sealer before finishing will usually prevent this difficulty. The full beauty of wood is best emphasized by the use of a satin or semi-gloss finish.
- Immediately after fitting or cutting for closers, weatherstrip and/or threshold, and before hanging any interior or exterior door on the job, the entire door, including the top and bottom edges, must receive an application of a primer and two coats of a good grade of paint, varnish or lacquer. Adequate drying time must be allowed between coats. For job site finishing, doors use a water-thinned paint unless an oil base primer coat is first applied. Exterior finishes shall be used on the exterior face and all edges of exterior doors.
- Dark colored finishes should be avoided on exterior surfaces of exterior doors.
- Latex or oil based paints do not always cover splices on the face of birch doors. Therefore, the birch surface should be prepared for paint.

THE NEW YORK BOARD OF FIRE UNDERWRITERS

PAGE 1

BUREAU OF ELECTRICITY

570 DELAWARE AVENUE, BUFFALO, NEW YORK 14202

Date

APRIL 19, 1993

Application No. on file 00185993/93

H 523154

THIS CERTIFIES THAT

only the electrical equipment as described below and introduced by the applicant named on the above application number in the premises of

ALEXANDER COMM. CENTER, 275 ALEXANDER STREET, CHEEKTOWAGA, N.Y.

in the following location; Basement 1st Fl. 2nd Fl.

Section Block Lot

was examined on APRIL 14, 1993

and found to be in compliance with the requirements of this Board.

FIXTURE OUTLETS	RECEPTACLES	SWITCHES	FIXTURES			RANGES		COOKING DECKS		OVENS		DISH WASHERS		EXHAUST FANS					
			INCANDESCENT	FLUORESCENT	OTHER	AMT.	K. W.	AMT.	K. W.	AMT.	K. W.	AMT.	K. W.	AMT.	H. P.				
5	21	13																	
DRYERS		FURNACE MOTORS			FUTURE APPLIANCE FEEDERS			SPECIAL REC'PT.		TIME CLOCKS		BELL TRANS.	UNIT HEATERS		MULTI-OUTLET SYSTEMS NO. OF FEET	DIMMERS			
AMT.	K. W.	OIL	H. P.	GAS	H. P.	AMT.	NO.	A. W. G.	AMT.	AMP.	AMT.	AMPS.		AMT.	H. P.	NO. OF FEET	AMT.	WATTS	
SERVICE DISCONNECT			NO. OF METER EQUIP.	S E R V I C E				NO. OF CC. COND. PER #	A. W. G. OF CC. COND.	NO. OF HI-LEG	A. W. G. OF HI-LEG	NO. OF NEUTRALS	A. W. G. OF NEUTRAL						
AMT.	AMP.	TYPE		1 # 2W	1 # 3W	3 # 3W	3 # 4W												

OTHER APPARATUS:

ACTION ELECTRIC
138 HEATHENHILL DRIVE
WEST SENECA, NY. 14224

FEE PAID

JUL 19 19 39 AM '93
 RECEIVED
 1000

AMOUNT
PLEASE REMIT BY CHECK OR MONEY
ORDER TO THE ORDER OF THE NEW
YORK BOARD OF FIRE UNDERWRITERS
AS CASH SENT BY MAIL WILL BE AT
RISK OF SENDER.

536
Per _____

M.M.M.

DEVELOPING A MAINTENANCE PLAN

The time carpet is being specified is the time a maintenance plan should be developed. The plan should include vacuuming, spot removal, and cleaning. Unless in-house expertise is available, outside professional assistance is recommended. Many carpet manufacturers, carpet cleaning franchisers, or equipment suppliers have experts on their staff who can produce a maintenance plan to keep the appearance of the carpet at a continued high level. Each facility must have its own unique maintenance plan. This plan can be implemented either by in-house personnel or outside cleaning contractors. Provisions should be made to include the cost of the maintenance plan in the budget. The goal of a maintenance plan is to keep the carpet at a high acceptance level and not have its useful life shortened by excessive soil, or improper maintenance procedures.

The following are some areas to consider in developing a maintenance plan.

PLAN A MAINTENANCE SCHEDULE

Identify the soil localizing areas (wipe-off regions, congested channels and principle passage routes) on a floor plan. These areas are where vacuuming and periodic cleaning should be concentrated. Observation of these areas will determine the frequency of vacuuming and cleaning. Implement the plan as soon as the carpet is installed, even if the building is not yet ready for occupancy.

IDENTIFY KEY TRAFFIC AREAS

High traffic areas such as wipe-off regions, congested channels and principle passage routes tend to control overall maintenance duties and determine cleaning frequency. They also present the most difficult problems.

MINIMIZE SOIL

Removing soil from shoe soles at entrances will reduce soil accumulation on carpet in the interior of the building. Scraper type mats at building entrances will scrape off larger particles of soil. Carpet faced

mats used at both sides of the entrance will wipe soil from shoes. Several inserts of the carpet can be made for use at the entrances. These can be changed for cleaning as they become soiled.

Walk-off mats will further reduce soiling at severe internal wipe-off regions (freight elevator lobbies, factory entrances, and entrances from kitchens to restaurant dining areas, etc.). These mats should be vacuumed frequently and cleaned on a regular basis.

VACUUMING

Aggressively vacuum wipe-off regions and congested channels daily even if soil is not visible. Severe soiling locations may require vacuuming two or more times daily. During periods of construction, remodeling, inclement weather, etc., more frequent vacuuming may be required.

Areas of moderate traffic will require less vacuuming. Time and effort should be invested where soil is "localizing," seen or unseen.

Working with the maintenance expert, schedules can be developed to determine the frequency with which areas can be vacuumed and the methods to use to maintain the level of cleaning desired. If in-house personnel are to be utilized, steps should be taken to see that they receive proper training in the use of the equipment and supplies. If an outside firm is used, reliability and expertise should be substantiated.

The correct preventative maintenance plan will increase the useful life of the carpet.

REMOVE SPILLS AND SPOTS PROMPTLY

Food, beverage, and many other spills, if unattended, will retain soil. If "sticky," the spilled substances will cling to shoes and be tracked elsewhere. Removal of many spills and spots is relatively easy with proper techniques. Allowing spots to accumulate will only make removal more difficult. Prompt removal is essential and cannot be over-emphasized. (See section on spot and stain removal procedures.)

PROPER VACUUMING PROCEDURE

VACUUMING SCHEDULE

Carpet areas should be categorized by low, medium, and high traffic exposure. Generally, by following this simple schedule, you will be adequately vacuuming your carpet.

VACUUMING

Effective routine vacuuming is a must for good carpet performance. It is the most essential of all cleaning procedures. It is simple and effective in keeping the carpet looking good. A regular vacuuming schedule must be established before the time that the carpet installation is ready for traffic. If soiling or traffic patterns change, the vacuuming schedule should be adjusted accordingly.

Laboratory tests indicate that vacuum cleaners with brush or beater action are the most effective in

removing soil. The action of the brush shakes and agitates the pile surface, loosening soil particles from the fiber. The strong suction of the vacuum motor then removes the particles from the carpet. Frequent vacuuming and the type of vacuum used are of the utmost importance. Thorough vacuuming involves three to five slow passes over an area.

Before vacuuming, large pieces of paper and other large objects should be picked up so that they will not become lodged in the vacuum air passages. The vacuum should be checked periodically to make certain that it is in proper working order and has no broken belts or clogged air passages.

The efficiency of vacuuming can be told by a visual examination of the carpet pile. Spread the pile apart with the fingers and inspect the carpet yarns and the back. If loose soil is observed along the yarns and on the back, then more vacuuming is needed. A routine can be established by making several passes over the carpet and then examining the carpet pile for loose soil. If all the soil is not removed, then more vacuuming is required. It is important to remove as much loose soil as possible before the sharp edge of the gritty soil can produce a dulling and abrading of the fibers, thus shortening the useful life of the carpet.

HIGH TRAFFIC AREAS (*Wipe-off regions, congested channels and principle passage routes*)

Daily (or more frequently as indicated by inspection)

MEDIUM TRAFFIC AREAS

Twice weekly (more if needed)

LIGHT TRAFFIC AREAS

Once or twice weekly (as determined by inspection)

Note: Because every area differs in traffic and soiling rates, the chart above is a broad guide only. Common sense, experience, and good judgement will help you decide on the best program.

PILE BRUSHING

Periodic pile lifting is useful to pre-condition the carpet before cleaning and to remove dry, deeply imbedded soil from high traffic areas. A pile lifter vacuum loosens caked solids and opens crushed pile.

SPOT REMOVAL PROCEDURES

Carpets are subject to a variety of spills which can produce spots or permanent stain. A spot normally refers to those accidents which require special agents to remove them. A stain is more difficult, or perhaps impossible, to remove; it is that which remains after all spot removal procedures have been attempted. When certain chemicals come in contact with a carpet, permanent damage to the yarn or dye may take place. This damage may be minimized by prompt action.

As soon as a spill occurs, the liquid should be absorbed into white tissue or paper towels. The liquid can be absorbed quickly by placing several layers over the spill and stepping on them. This should be repeated until the absorbent material no longer picks up the liquid. Then the spill should be reported by telephone or note to those in charge of the carpet maintenance. The information should state what was spilled and where.

Semi-solids should be scraped up gently with a smooth, round object, such as a spoon. Solids or powders respond better to vacuuming. Even though it may appear that all of the spilled material has been removed, it should be reported.

It will depend upon what was spilled as to when and what additional action may be required. The additional action may be no greater than flushing the area to make certain any remaining spilled material is removed. Other spills will require special agents and techniques. In a few remote cases, the spilled material may damage the carpet to the point where the area will have to be cut out and replaced.

A good, professional spot removal kit should be obtained. These are available from carpet cleaning, dry cleaning, and janitorial supply houses. Spot removal kits contain agents for the removal of most spots, equipment for using the agents, and spot removal instructions. Reading the instructions or consulting with a professional or the kit supplier can determine whether or not any special agents should be added to the kit.

Once the removal kit is obtained, the instructions should be read and studied. Practice in the use of the removal agents will build confidence when it becomes necessary to remove spots from the carpet. This practice can be obtained by spilling some likely encountered liquids on a piece of scrap carpet.

To obtain a realistic situation, allow the spills to set for several days. Follow the directions on the kit. During spot removal, mechanical action should be kept to a minimum. Vigorously rubbing with a brush may fuzz or distort the carpet pile. Blotting action will normally accomplish as much spot removal, and will produce little or no change on the carpet pile.

A carpet can be kept free of unsightly spots if:

- Cooperation can be obtained from those using the carpet.
- A professional spot removal kit is obtained.
- Proficiency is gained in the use of the kit.
- Spills are worked on soon after they occur.

SPOT REMOVAL KITS

A variety of spot removal agents are contained in professional kits. Some or all of the following may be included:

- dry cleaning fluid - volatile type
- paint remover - non-oily
- amyl acetate or nail polish remover (the type that has an odor similar to bananas)
- alcohol - denatured or isopropyl (rubbing)
- 3% ammonia solution
- 5% acetic acid (or white vinegar)
- digester or enzyme detergent (made fresh each time)
- 1% hydrogen peroxide (made fresh each time)
- rust remover - oxalic or hydrofluoric acid solution (note warnings)
- chemical freezing compound
- detergent solution
- water
- dry extraction cleaning compound
- wet/dry spotter

PRECAUTIONS

Spot removal agents must be used with the proper precautions. Care should be taken to use in well ventilated areas and not to inhale the fumes or allow the agents to come in contact with the skin. Those which are flammable should not be used near open flames or in areas where sparks are generated. Always read the instructions on the containers and in the instruction booklets and follow them carefully.

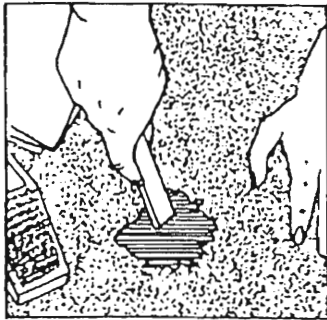
SPOT REMOVAL PROCEDURE

Many spots can be removed by dissolving them with small amounts of water or dry cleaning fluid followed by blotting. If this does not completely remove the spot, proceed with other agents depending upon the type of spot. (See chart.)

Note: Always apply cleaning agent to the towel and NEVER directly onto the carpet.

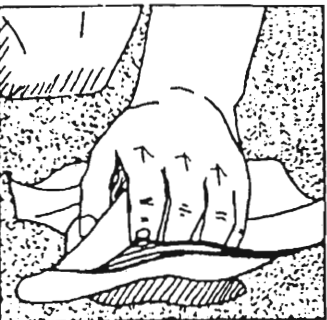
IF YOU KNOW WHAT CAUSED THE SPOT, use the following procedure:

1. Identify the general category utilizing the chart on pages 12 & 13. Apply agent(s) in the order listed. If the first agent does not remove all of the spot, proceed to the next. Always rinse treated area with water before applying the next agent.

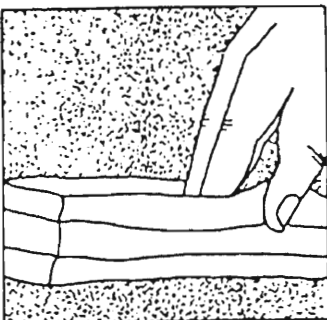


2. Scrape up all solid material. Use a spoon or dull spatula.

3. Blot up all liquid using a clean white cloth or paper towel.

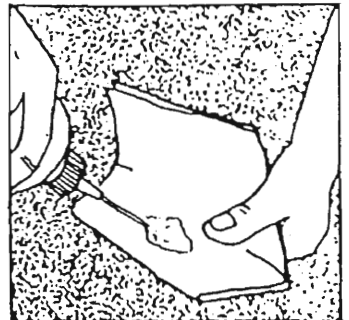


4. Pretest any spot removal agent in an inconspicuous area to make certain that it will not damage the dye or fiber.

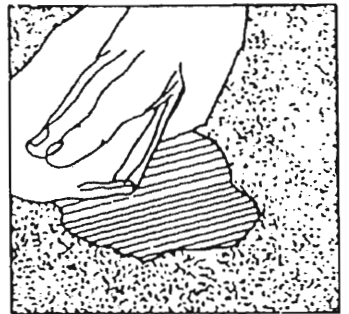


5. Patience is a key factor in spot removal. Be careful not to use too much of a cleaning agent - it may result in overwetting the carpet. If a dry cleaning fluid is used, overwetting could result in degradation of the latex back.

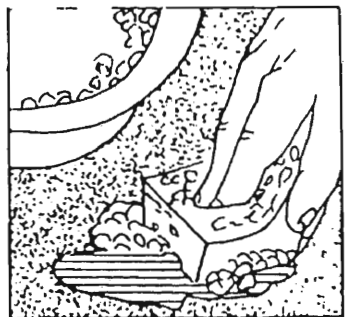
6. Use a dry extraction cleaning compound or apply a small amount of dry cleaning fluid to a towel and blot the carpet, gently working from the edges of the spot toward the center. Use a blotting action; do not rub as this may destroy the carpet's texture.



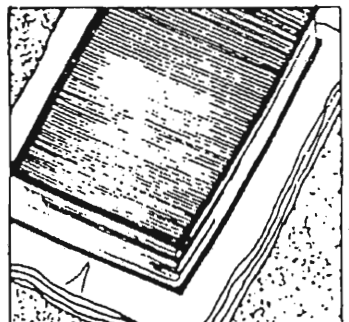
7. When the agent no longer removes any of the spot, blot up all excess liquid. Then apply a small amount of the agent. Use a clean cloth and blot gently from the edge of the problem area toward the center.



8. After the procedure has been completed, rinse treated area with water in order to remove all of the agent. Put several thicknesses of paper towels (1/2 inch) over the wet area and place a light weight, such as a book, over the area and allow to dry. Additional liquids will be picked up into the towel rather than dry on the tips of the carpet tufts.



9. After carpet is dry, repeat the procedure for stubborn spots.



SPOT REMOVAL PROCEDURES

TYPE OF SPOT		
GROUP NO. 1 Oil and Grease	GROUP NO. 2 Liquids	GROUP NO. 3 Food and Body Waste
Asphalt Copy Powder Cosmetics Crayon Duco Cement Grease India Ink Paints Oils Rubber Cements Shoe Polish Tar	Beer Cocktails Coffee Colas Fruit Juices Soft Drinks Tea Tobacco Urine	Animal Glues Blood Catsup Chocolate Cream Eggs Feces Gravy Ice Cream Starch Vomit
SPOT REMOVER		
1. Dry Cleaning Fluid 2. Non-oily Paint Remover 3. Amyl Acetate 4. Dry Cleaning Fluid 5. Wet/Dry Spotter 6. Detergent Solution 7. 5% Acetic Acid 8. 3% Ammonia 9. Detergent Solution 10. Water 11. Dry Extraction Cleaning Compound	1. Detergent Solution 2. Wet/Dry Spotter 3. 5% Acetic Acid 4. 3% Ammonia 5. 1% Hydrogen Peroxide 6. Detergent Solution 7. Water 8. Dry Extraction Cleaning Compound	1. Detergent Solution 2. 3% Ammonia 3. Wet/Dry Spotter 4. Detergent Solution 5. Digestor 6. Detergent Solution 7. Water 8. Dry Extraction Cleaning Compound

How to Use This Chart:

1. Identify the spot and locate it on the chart below.
2. Apply first solution suggested.
3. If it does not remove all of the spot, proceed to second suggested solution.
4. Proceed with solutions in the sequence outlined until all of the spot is removed.
5. Follow spot removal procedures outlined on pages 10 & 11.

TYPE OF SPOT

GROUP NO. 4 Dyes, Inks, Medicines:	GROUP NO. 5 Chewing Gum, Rust	GROUP NO. 6 Unknown Spots
<p>Colored Paper Food Furniture Inks Marking Pens Medicines Soft Drinks</p>	<p>Chewing Gum Rust</p>	<p>See instructions on page 11</p>

SPOT REMOVER

<ol style="list-style-type: none"> 1. Detergent Solution 2. Alcohol 3. 5% Acetic Acid 4. 3% Ammonia 5. Wet/Dry Spotter 6. 1% Hydrogen Peroxide 7. Detergent Solution 8. Water 9. Dry Extraction Cleaning Compound 	<p>Chewing Gum:</p> <ol style="list-style-type: none"> 1. Chemical Freezing Compound 2. Dry Cleaning Fluid <p>Rust:</p> <ol style="list-style-type: none"> 1. Rust Remover 2. Detergent Solution 3. Water 	<ol style="list-style-type: none"> 1. Dry Cleaning Fluid 2. Paint Remover 3. Amyl Acetate 4. Wet/Dry Spotter 5. Alcohol 6. Detergent Solution 7. 3% Ammonia 8. 5% Acetic Acid 9. Digestor 10. 1% Hydrogen Peroxide 11. Detergent Solution 12. Water 13. Dry Extraction Cleaning Compound
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CLEANING METHODS

Five major methods are used in the maintenance and cleaning of carpet. These are absorbent compound; absorbent pad or bonnet (dry); dry foam cleaning; shampoo cleaning; and steam cleaning (hot water extraction). Each of the methods may have different variations, combinations, and names, which are used to describe the processes and systems.

Operator training and experience are needed to use any of the methods successfully. During the development of a maintenance plan, both the cleaning method and the training of the operators should be considered.

After the maintenance plan has been in use for a period of time, the results should be evaluated, and adjustments made. The objective is for the carpet to retain its highest appearance level at the budgeted cost. Minimal maintenance may result in decreased use-life of the carpet and over the long term, an increased total cost.

Absorbent Compound is the lowest moisture method that can be used on carpet. In heavily soiled areas, a preconditioner may be applied prior to the application of the absorbent compound. The amount of absorbent compound should be applied according to the directions on the container. The compound is worked into the carpet pile with a machine incorporating two counter-rotating brushes, with a rotary brush machine equipped with the proper brush, or with a hand brush. The absorbent compound is then allowed to remain in the carpet for approximately one-half hour, or until it appears to be substantially dry. The absorbent compound, with the absorbed carpet soil, is then removed by vacuuming. It is possible to use the carpet during the cleaning and drying; however, it is normally better to keep traffic off the carpet until it has thoroughly dried, within one to three hours.

Absorbent Pad or Bonnet (Dry) method is another minimum moisture system, which can be used on nearly all carpet. Deeply soiled traffic areas are normally treated prior to cleaning with a preconditioner. A cleaning solution, diluted according to the cleaning producer's recommendation, is applied to the carpet, bonnet, or both by a hand pump or a pressurized or electric sprayer. The cleaning solu-

tion is then distributed over the carpet by placing a cotton, rayon, or combination bonnet under a mechanically driven rotary brush machine. The bonnet is worked over the surface of the carpet pile, reapplying the cleaning agent as needed, and changing the bonnet as it becomes saturated with soil. After both sides of the bonnet become saturated with soil, it is rinsed, and the excess moisture extracted before it is used again. The drying time is normally one to three hours, after which the carpet should be thoroughly vacuumed to further remove any cleaning agent and loosened soil.

Dry Foam Cleaning uses a detergent solution, which has been aerated before it is applied to the carpet. This method adds only a minimum amount of moisture to the carpet; and therefore, this method can be used on most carpets. Normally, in the heavily soiled traffic areas, a preconditioner is used to loosen the soil before cleaning with the dry foam method. A dry foam machine aerates and dispenses a high foaming detergent onto the carpet pile. The detergent is then worked into the carpet pile with the attached reel brush, and the vacuum picks up the detergent and loosened soil from the carpet pile. In those machines which are not equipped with a built-in vacuum, a separate, wet vacuum machine is used to remove the excess foam and suspended soil. Drying normally takes place within one to three hours, unless multiple passes have been made over the carpet.

Shampoo Cleaning can be employed on nearly all types of carpet, if properly used. Heavily soiled traffic areas are usually treated with a preconditioner prior to overall cleaning. If preconditioners are not used, multiple passes over the heavily soiled areas may be required. The shampoo solution is applied through specially designed brushes attached to a rotary brush machine. The detergent solution is fed through the brushes as the machine moves over the carpet. The detergent solution and loosened soil are then removed by the attached wet vacuum or by a separate wet vacuum machine designed for that purpose. The drying time will be determined by the amount of moisture allowed to remain in the carpet and may vary from one to twelve hours, and, in ex-

treme cases, as long as twenty-four hours.

Steam Cleaning (Hot Water Extraction) applies the largest amount of cleaning solution, and when operated by a skilled operator, can be used on most carpets. In heavily soiled areas, a preconditioner may be applied as a first step. The use of a preconditioner may eliminate the need for multiple passes later with the steam cleaning machine. The preconditioner is sprayed onto the carpet and is worked into the carpet pile by the use of hand brushes or a mechanically driven brush. The suspended soil is then flushed from the carpet with the steam cleaning equipment. After this has been flushed from the carpet, special, nonfoaming detergents, used at the concentration and rate recommended by the detergent producer, can be applied and removed in one step by the steam cleaning floor tool. Several passes over an area may be necessary. The more solution allowed to remain in the carpet, the longer the drying time. The maximum drying time should be no more than twenty-four hours.

WAGE & SUPPLEMENT AFFIDAVIT

I, Gina Williams. (Name) Owner (Title),
of the Williams Trucking Co. (Name of Co.), having a
contract with Town of Cheektowaga (Owner)
for the Reconstruction for Community-Economic Development - Alexander
Community Center (Contract) work,
do certify that we have received Prevailing Rate Schedule, Case
Number 9300751 certified by the State of New York, Department of
Labor.

The Williams Trucking Co. (Name of Co.), certifies on
his information and belief that all laborers of this company and of any
subcontractors under contract to this company have received wages or
supplements or both in compliance with the requirements of the
Prevailing Rate Schedule.

Company Williams Trucking Co.
Signed *Gina Williams*
Title Owner

State of: New York County of: Eric

Subscribed and sworn before me this 17
day of November 1993

Notary Public: *Mary E Vance*
My Commission expires:

MARY E. VANCE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Oct 12, 1994

**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

AIA DOCUMENT G707

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

PROJECT:
(name, address)

TO (Owner)

Town of Cheektowaga Community
Development, Town Hall,
Broadway and Union
Cheektowaga, NY 14227

ARCHITECT'S PROJECT NO:
CONTRACT FOR: Reconstruction for office
of Community Economic Development, Alexander
Community Center-Drywall/Frames and door knobs
CONTRACT DATE:

CONTRACTOR; Winogene Williams d/b/a Williams Trucking Co. March 5, 1993
31 Prospect Place
Buffalo, NY 14201

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(here insert name and address of Surety Company)

Westchester Fire Insurance Company
518 Stuyvesant Avenue
P.O. Box 615
Lyndhurst, N.J. 07071-9836

, SURETY COMPANY,

on bond of (here insert name and address of Contractor)

Winogene Williams d/b/a Williams Trucking Co.
31 Prospect Place
Buffalo, NY 14201

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not
relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

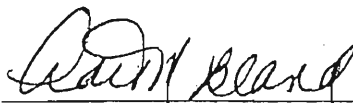
Town of Cheektowaga Community
Development, Town Hall
Broadway and Union, Cheektowaga, NY 14227

, OWNER,

as set forth in the said Surety Company's bond. B#MS00052459


IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this 10th day of November 19 93

Westchester Fire Insurance Company
Surety Company



Signature of Authorized Representative
ADEL M. BLAND, Attorney-in-Fact

Title

Attest: 
(Seal):

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND
CLAIMS, Current Edition

WESTCHESTER FIRE INSURANCE COMPANY
NEW YORK, NEW YORK

STATEMENT AS OF DECEMBER 31, 1992

ASSETS	LIABILITIES AND SURPLUS
Bonds	Losses and
\$1,300,639,750	Adjustment
Stocks:	Expenses
Preferred	\$1,018,219,968
Common	Taxes and
92,709,127 92,709,127	Expenses
Real Estate	22,362,777
6,391,385	Unearned
Cash and Bank	Premiums
Deposits	116,744,809
8,542	Other Liabilities
Short Term	151,742,949
Investments	Capital
153,603,678	\$2,500,000
Premium Balances	Paid in and
Receivable	Contributed
84,571,531	Surplus
Equities and Deposits	130,160,715
in Pools and	Other Surplus
Associations	253,171,396
9,011,644	Surplus to
Other Assets	Policyholders
47,966,957	385,832,111
Total Admitted Assets	Total Liabilities and Surplus
<u>\$1,694,902,614</u>	<u>\$1,694,902,614</u>

Bonds and Stocks are valued in accordance with the basis adopted by the National Association of Insurance Commissioners.

STATE OF NEW JERSEY }
 } SS:
COUNTY OF MORRIS }

GEORGE J. RACHMIEL, Senior Vice President & Treasurer and MICHAEL A. SANDRI, Vice President of the Westchester Fire Insurance Company being duly sworn, each for himself deposes and says that they are the above described officers of the said Company and that on the 31st day of December, 1992 the Company was actually possessed of the assets set forth in the foregoing statement and that such assets were available for the payment of losses and claims and held for the protection of its policyholders and creditors, except as hereinbefore indicated, and that the foregoing statement is a correct exhibit of such assets and liabilities of the said Company on the 31st day of December, 1992 according to the best of their information, knowledge and belief, respectively.



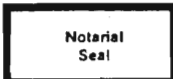
George J. Rachmiel
Senior Vice President & Treasurer

Michael A. Sandri
Assistant Vice President

Sworn to and Subscribed before me this
5th day of April, 1993.

Dawn M. Biamonte

DAWN M. BIAMONTE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 25, 1993



**POWER OF ATTORNEY
WESTCHESTER FIRE INSURANCE COMPANY
PRINCIPAL OFFICE, NEW YORK, N.Y.**

KNOW ALL MEN BY THESE PRESENTS: That the WESTCHESTER FIRE INSURANCE COMPANY a Corporation duly organized and existing under the laws of the State of New York, and having its administrative offices in the Township of Morris, New Jersey, has made, constituted and appointed, and does by these presents make, constitute and appoint **Robert A. Nicosia, Richard L. Quackenbush, Margaret A. Nicosia, Richard Ingram, Michelle Nicosia, and Adel M. Bland** of Lyndhurst, New Jersey, each

its true and lawful Agent(s) and Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver: Any and all bonds and undertakings.

and to bind the Corporation thereby as fully and to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Corporation at its offices in Morris Township, New Jersey, in their own proper persons.

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated.

This Power of Attorney revokes all previous powers issued in behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the Westchester Fire Insurance Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 7th day of September, 1993.

Attest:

WESTCHESTER FIRE INSURANCE COMPANY



Charles R. Van Buskirk
Assistant Secretary
Charles R. Van Buskirk

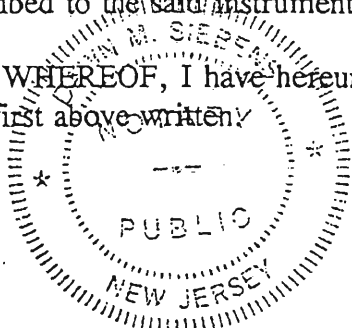
Richard A. Annese
Vice President
Richard A. Annese

STATE OF NEW JERSEY)
COUNTY OF MORRIS) ss.:

On this 7th day of September, 1993, before the subscriber, a duly qualified Notary Public of the State of New Jersey, came the above-mentioned Vice President and Assistant Secretary of the Westchester Fire Insurance Company, to me personally known to be the officers described in, and who executed the preceding instrument, and they acknowledged the execution of the same, and being by me duly sworn, deposed and said, that they are the officers of said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and their signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal at the Township of Morris, the day and year first above written.

(Signed)
(Seal)



Dawn M. Siebens
Notary Public

DAWN M. SIEBENS
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JULY 25, 1998

This Power of Attorney is granted pursuant to Article IV of the By-Laws of the WESTCHESTER FIRE INSURANCE COMPANY as now in full force and effect.

ARTICLE IV Execution of Instruments. "The Chairman of the Board, Vice-Chairman of the Board, President, or any Vice-President, in conjunction with the Secretary, or any Secretary, if more than one shall be appointed by the Board, or an Assistant Secretary, shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation."

This Power of Attorney is signed and sealed under and by the authority of Article III, Section 9 of the By-Laws of the WESTCHESTER FIRE INSURANCE COMPANY as now in full force and effect.

ARTICLE III Section 9 Facsimile Signatures. "The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed facsimile, lithographed, or otherwise produced . . . The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued."

CERTIFICATE

State of New Jersey
County of Morris

I, the undersigned, Assistant Secretary of the WESTCHESTER FIRE INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing POWER OF ATTORNEY remains in full force and effect and has not been revoked and furthermore that the above quoted abstracts of Article IV and Article III, Section 9 of the By-Laws of the Corporation are now in full force and effect.

Signed and sealed at the Township of Morris, New Jersey, dated 10th day of November, 1993.

By Herbert H. Linder
Assistant Secretary
Herbert H. Linder

**CONTRACTOR'S
AFFIDAVIT OF
PAYMENT OF
DEBTS AND CLAIMS**

AIA Document G706

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

TO (Owner)

Town of Cheektowaga
Broadway & Union Roads
Cheektowaga, New York

ARCHITECT'S PROJECT NO: 9310

CONTRACT FOR: General Const.

PROJECT:
(name, address)

Reconstruction for Community-Economic Development
Alexander Community Center

CONTRACT DATE: Feb. 16, 1993

State of: New York
County of: Erie

The undersigned, pursuant to Article 9 of the General Conditions of the Contract for Construction, AIA Document A201, hereby certifies that, except as listed below, he has paid in full or has otherwise satisfied all obligations for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or his property might in any way be held responsible.

EXCEPTIONS: (If none, write "None". If required by the Owner, the Contractor shall furnish bond satisfactory to the Owner for each exception.)

None

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. AIA DOCUMENT G707, CONSENT OF SURETY, may be used for this purpose. Indicate attachment: (yes) (no).

The following supporting documents should be attached hereto if required by the Owner:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.
3. Contractor's Affidavit of Release of Liens (AIA DOCUMENT G706A).

CONTRACTOR: Williams Trucking Co.

Address: 31 Prospect Place
Buffalo, N.Y. 14201

BY: *[Signature]* Owner

Subscribed and sworn to before me this
22nd day of Sept 19 93

Notary Public: *[Signature]*
Shirley M Washington
Notary Public, State of New York

My Commission Expires:

**CONTRACTOR'S
AFFIDAVIT OF
RELEASE OF LIENS**

AIA DOCUMENT G706A

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

TO (Owner)

Town of Cheektowaga
Broadway & Union Roads
Cheektowaga, New York

ARCHITECT'S PROJECT NO: 9310

CONTRACT FOR: General Const.

PROJECT:
(name, address)

Reconstruction for Community-Economic Development
Alexander Community Center

CONTRACT DATE: Feb. 16, 1993

State of: New York
County of: Erie

The undersigned, pursuant to Article 9 of the General Conditions of the Contract for Construction, AIA Document A201, hereby certifies that to the best of his knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS: (If none, write "None". If required by the Owner, the Contractor shall furnish bond satisfactory to the Owner for each exception.)

None

Williams Trucking Co.

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

CONTRACTOR:

31 Prospect Place
Buffalo, N.Y. 14201

Address:

BY: *[Signature]*

Subscribed and sworn to before me this

22nd day of Sept 19 93

Notary Public:

Blanche M Washington
BLANCHE M. WASHINGTON
Notary Public, State of New York

My Commission Expires:

My Commission Expires: 3 95

Item No. 18a Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign the attached agreement between the Town of Cheektowaga and the Chief and Assistant Chief of Police for the years 1993, 1994 and 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

14a

AGREEMENT
BETWEEN
THE TOWN OF CHEEKTOWAGA
AND
THE CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

THIS AGREEMENT, entered into the 28th day of February , 1994 , by and between the TOWN OF CHEEKTOWAGA, hereinafter referred to as the "Town" and the CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE, hereinafter referred to as the "Chief".

WHEREAS, the parties hereto have previously entered into agreement setting forth the various terms and conditions of employment for the positions of Chief of Police and Assistant Chief of Police, AND

WHEREAS, the last agreement between the parties expired by its terms on December 31, 1992, AND

WHEREAS, the parties are desirous of entering into a successor agreement setting forth terms and conditions of employment for the calendar years 1993, 1994 and 1995;

NOW, THEREFORE, IT IS AGREED as follows:

1.) The provisions of this Agreement shall be effective for the calendar years 1993, 1994 and 1995, commencing January 1, 1993.

2.) Both the Chief of Police and the Assistant Chief shall each receive the sum of \$925.00 in 1993, \$975.00 in 1994 and \$1,025.00 in 1995 for the purchase and maintenance of police clothing, uniforms and equipment. The Chief of Police and the Assistant Chief shall be responsible for the maintenance of their uniforms and equipment.

3.) The Chief of Police shall receive as salary for the years 1993 and 1994 the sum of \$61,732.44; and, for the year 1995, \$64,510.40.

4.) The Assistant Chief of Police shall receive as salary for the years 1993 and 1994, the sum of \$55,926.71; and, for the year 1995, \$58,443.41.

5.) That upon each person's anniversary date of hire, the Chief of Police and Assistant Chief of Police shall receive as a longevity payment the following:

	<u>1993</u>	<u>1994</u>	<u>1995</u>
Chief	\$1,375.00	\$1,750.00	\$2,075.00
Assistant Chief	\$1,675.00	\$2,075.00	\$2,075.00

6.) The work of both the Chief of Police and the Assistant Chief of Police shall consist of variable hours, dependent upon other things, his duties, meetings to be attended and the needs of the Department. Both the Chief of Police and the Assistant Chief of Police shall work an amount of hours at least equal to that of the Captain or Lieutenant working the most number of hours during the year. The hours worked shall be documented by a daily attendance record, signed and attested to by the Chief of Police. In recognition of the variable hours, both the Chief of Police and Assistant Chief of Police shall receive an additional sum of \$2,405.41 in 1993 and 1994 and \$2,513.65 in 1995 and shall be added to the salaries set forth above and pro-rated with his regular salary on a weekly basis.

7.) The Chief and the Assistant Chief of Police shall receive compensatory time off or be paid the value of the certain holidays granted to the members of the Cheektowaga Police Club, Inc., whether each works the holiday(s) or not.

8.) The Chief of Police and the Assistant Chief of Police shall be allowed, as annual vacation, with pay, the following number of days:

After fifteen (15) years of service.....27 working days
After twenty (20) years of service.....30 working days

In the event either the Chief or the Assistant Chief of Police shall have at least seventeen (17) years of service, he may elect to be paid the value of up to thirty (30) days of accumulated vacation in lieu of time off. In such an event, the individual shall notify the Town of such before November 15th and payment for such shall be made prior to December 31st.

9.) Upon the retirement of either the Chief of Police or Assistant Chief of Police, the individual shall be paid the monetary value of any accrued vacation time or compensatory time to his credit. In the event of the death of either the Chief of Police or the Assistant Chief of Police, the payment of such shall be made to his estate.

10.) Upon prior request, notification and approval, both the Chief and Assistant Chief of Police shall be entitled to paid bereavement leave days of up to five (5) per occurrence in the event of death of his: parents, spouse, child, grandchild, grandparent, brother, sister or in-law relative.

11.) The Chief of Police and Assistant Chief of Police shall each be entitled to five (5) personal leave days per calendar year, which days shall be non-cumulative. In the event such days are unused at the end of the calendar year, they shall be credited to the individual's accumulated vacation or sick leave, at the individual's option.

12.) Both the Chief of Police and the Assistant Chief of Police will earn and accumulate sick leave at the rate of one and one-half (1½) days per month, to a maximum of three hundred (300) days. In the event the maximum accumulation is reached, either individual may sell back to the Town any days in excess thereof, up to a maximum of nine (9) days, as long as the amount of accumulation remains at 300 days after such sell back.

13.) In the event of the use of sick leave in excess of six (6) consecutive working days, the Town may require a medical statement attesting to the individual's sickness or injury.

14.) In the event either the Chief of Police or the Assistant Chief of Police has exhausted all accumulated sick leave, the Town Board, in its sole discretion, may grant additional sick leave, not to exceed ninety (90) additional days, upon terms and conditions the Town Board may deem proper and necessary.

15.) In the event the Chief of Police or the Assistant Chief of Police is injured or is taken sick in the performance of his duties, he shall be entitled to the benefits as set forth in Section 207(c) of the General Municipal Law of the State.

16.) The Chief or the Assistant Chief of Police will be entitled to use sick leave in the event of his sickness or injury, or the sickness or injury of his spouse, if residing in the same household, or minor children or step-children.

17.) One (1) year prior to retirement, the Chief or the Assistant Chief of Police may convert any accumulated sick leave into cash by written application to the Town signifying his intention to retire. Such application shall be delivered to the Town Board. The conversion of accumulated sick leave into cash shall be at the rate of sixty-five (65%) percent.

18.) In the event the Chief of Police or the Assistant Chief of Police is required to leave the geographic limits of the Town as a result of either of their employment, he shall be

reimbursed for his actual, reasonable and necessary expenses, including and not limited to all meals while on official police business. The Town shall provide the Chief or the Assistant Chief of Police with transportation.

19.) The Town will continue to provide both the Chief and the Assistant Chief of Police with a \$25,000 group life insurance policy.

20.) The Town will continue to provide the Chief and the Assistant Chief of Police with medical, dental and vision insurance on a level at least equal to that provided to the Cheektowaga Police Club, Inc. In the event of the death of the Chief or the Assistant Chief of Police while employed by the Town, the Town will continue to provide such insurance coverage to his surviving spouse and dependents, if any, until such time as the surviving spouse should remarry, die or become eligible for insurance coverage through the spouse's employment. Upon retirement of either the chief or the Assistant Chief of Police, the Town will continue to provide such insurance to the individual until age 65, at which time it will provide the applicable insurance coverage as medicare supplemental coverage.

21.) The Town will continue to provide to the Chief and the Assistant Chief of Police a non-contributory retirement plan to include 384-e retirement option.

22.) In the event of disciplinary action or complaints against the Chief or the Assistant Chief of Police, the individual will be provided of any documents entered into his personal file and shall be afforded the opportunity to respond thereto.

23.) The Town will pay the full cost of tuition, fees and books for any previously authorized police science course or seminars attended.

24.) The Chief or the Assistant Chief of Police will be granted a leave of absence, with or without pay, as provided for pursuant to the Civil Service Law of the State of New York.

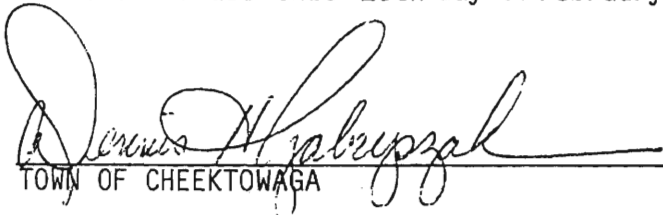
25.) The Town will continue to provide payroll savings plan and U.S. Savings Bond payroll deduction, as previously agreed to.

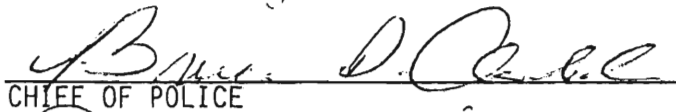
26.) The Chief and the Assistant Chief of Police shall be entitled to educational incentive as follows. For an Associate Art and Science Degree (two-year program) in a New York State Department of Education approved police science or justice program, the sum of \$200.00; for a Bachelor of Science or Bachelor of Arts Degree in a New York State Department of

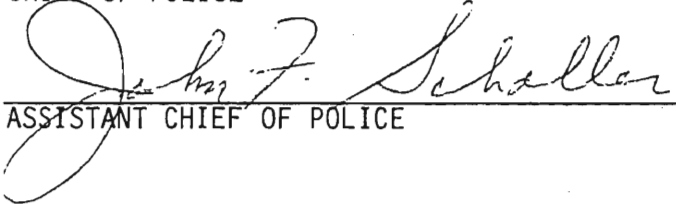
Education approved police science or criminal justice program, the sum of \$500.00; for a Master's Degree or better in a New York State Department of Education approved police science or criminal justice program, the sum of \$600.00.

27.) This agreement shall become effective January 1, 1993 and remain in full force and effect until December 31, 1995.

IN WITNESS WHEREOF, the parties have hereto set their hands and seals this 28th day of February, 1994.


TOWN OF CHEEKTOWAGA


CHIEF OF POLICE


ASSISTANT CHIEF OF POLICE

Item No. 18b Motion by Councilman Rogowski, Seconded by Councilman Wielinski

WHEREAS, the Town, in its 1994 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 1993 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board 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 Garden Club	\$ 390.00
Cheektowaga Community Chorus	\$5,900.00
Cheektowaga Art Guild	\$ 865.00

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 1994 Town budget.

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, dated 7.14, 1994, is made by and between the CHEEKTOWAGA GARDEN CLUB, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

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 Three hundred ninety Dollars (\$390.00) 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 1994 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 Three hundred ninety Dollars (\$390.00) on or before June 1, 1994.

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 1994.

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 GARDEN CLUB

By Lorraine A. Gurno Sec
Diane Koenig Secretary

TOWN OF CHEEKTOWAGA

By Dennis A. Gagnier
Supervisor

SCHEDULE A

ACTIVITIES TO BE PERFORMED

- 1-- Annual flower plantings;
 - (1) Cleveland Hill High School (our meeting place)
 - (2) War of 1812 cemetery
 - (3) Cheektowaga Historical Museum
 - (4) We would like to plant tubs or boxes of annuals under as many as possible Cheektowaga Welcome signs.
- 2-- Cultural Week-end
- 3-- ~~Fourth~~⁴ of July Parade
- 4-- Tray favors for Meals on Wheels and a nursing home in Cheektowaga for Easter and Mother's Day.
- 5-- Speakers and workshops for members.

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; Mrs. Lorraine Alfano
151 Cinarand Dr.
Williamsville, N.Y. 14221

1st. Vice President; Mrs. Betty Patricola
198 Woodridge Ave.
Cheektowaga, N.Y. 14225

2nd. Vice President; Mrs. Polly Pritchard
162 Greenway Blvd.
Cheektowaga, N.Y. 14225

Corresponding Secretary; Mrs. Marjorie Gorski
173 Greenway Blvd.
Cheektowaga, N.Y. 14225

Recording Secretary; Mrs. Diane Koczon
40 Aurora Drive
Cheektowaga, N.Y. 14215

Treasurer; Mrs. Bernice Marshall
201 Dehman Blvd.
Cheektowaga, N.Y. 14225

Advisory Committee; Mrs. Bernice Marshall

Civic Projects & Exhibits; Mrs. Marjorie Gorski

Sunshine Committee; Mrs. Janet Jindra
25 Wellworth Place
Cheektowaga, N.Y. 14225

Horticulture & Conservation; Mrs. Luella Liemberger
193 Windermere Blvd.
Amherst, N.Y. 14226

AGREEMENT

This AGREEMENT, dated Feb. 28, 1994, is made by and between the CHEEKTOWAGA COMMUNITY CHORUS, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations and performances for the benefit of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the Second Part has authorized the appropriation and expenditure of funds in the sum of Six thousand one hundred and thirty-five Dollars (\$6,135.00) 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 1994 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 Six thousand one hundred and thirty-five Dollars (\$6,135.00) on or before June 1, 1994.

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 1994.

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 COMMUNITY CHORUS

By Joanne Gaul, Pres.

TOWN OF CHEEKTOWAGA

By James H. Galuszka
Supervisor

SCHEDULE A

ACTIVITIES TO BE PERFORMED

CHEEKTOWAGA COMMUNITY CHORUS, INC.

EIN 16-1364543

Planned Performances - 1994 Season

April 20, 1994 * Villa Music Festival
April 24, 1994 Choral Festival/Mount St. Mary's
May 14, 1994 Spring Concert
June 30, 1994 Depew Centennial
July 3, 1994 Ecumenical Service
December, 1994 * Town Tree Lighting Service
December, 1994 * Spirit of Sharing Dinner
December, 1994 * Christmas Concert

* Dates to be announced

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)

CHEEKTOWAGA COMMUNITY CHORUS, INC.
Governing Body - 1994

EIN 16-1364543

Title	Name	Title
✓ President	Susan Pelletterie Cheektowaga, NY 14206	✓ Hospitality
✓ Vice-President Attendance	Joseph G. Hoerner Cheektowaga, NY 14225	✓ Sunshine
Treasurer	Joanne Basil Buffalo, NY 14220	✓ Librarian
✓ Secretary Publicity	Jo LaRusso Cheektowaga, NY 14225	✓ Historian Nominating
✓ Decorations	Marilyn English Cheektowaga, NY 14225	✓ Programs
✓ Tickets	Melanie Murawski Depew, NY 14043	✓ Membership
Men's Wardrobe Costume	Arthur Pellnat Buffalo, NY 14213	Women's Wardrobe Costume
✓ Group Leaders Telephone	Anna DeBergalis Cheektowaga, NY 14225	✓ Folders

AGREEMENT

This AGREEMENT, dated 1/27, 1994, is made by and between the CHEEKTOWAGA ART GUILD, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

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 Eight hundred sixty-five Dollars (\$865.00) 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 1994 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 Eight hundred sixty-five Dollars (\$865.00) on or before June 1, 1994.

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.

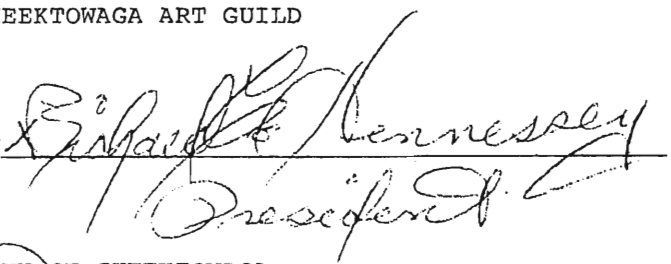
SEVENTH: The Party of the First Part agrees to furnish verified accounts of its disbursements hereunder with certified or verified invoices thereto attached at such times as the Party of the Second Part may determine and in such form and detail as may be required by the Chief Accountant for the Party 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 1994.

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.

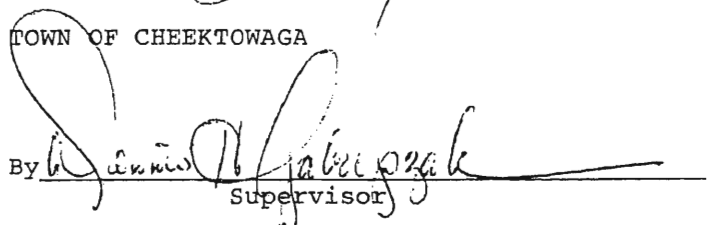
CHEEKTOWAGA ART GUILD

BY


President

TOWN OF CHEEKTOWAGA

BY


Supervisor

Schedule A
Activities to be performed

The purpose of the Cheektowaga Art Guild is to bring Art and Culture through art to all residents of the community. The Guild invites all persons interested in all forms of art to join our group.

Twelve months of the year, our art is on display in Cheektowaga North and South libraries, banks, restaurants, and the Auto Bureau. We also display our art in various locations in out lining communities to bring the culture of Cheektowaga to all who wish to have it. This is at no cost to us so we willing do this service.

Members meet on the second Thursday of each month, except July and August, for learning demonstrations by a teaching artist. The meetings which are free and open to the public are held at the Recreation Center.

JANUARY - Meeting and a demonstrator

FEBRUARY - Each year our members create up to 900 Valentines for distribution to Erie County Home residents and to the residents of nursing homes in Cheektowaga,

APRIL - Participate in Chamber of Commerce Trade Show.

JUNE - We have a judged Spring Art Show yearly at the M & T Bank or another suitable Cheektowaga location.

JULY - Our 30th Annual Outdoor Arts & Crafts competition will be held in conjunction with the Cheektowaga Cultural Society's Cultural Weekend.

SEPTEMBER - First regular meeting is held. Appoint nominating committee to select officers for 1994.

OCTOBER - Our members display their art during the Historical Society's Apple Fest.

NOVEMBER - Election of Officers

DECEMBER - Christmas Art Show at M & T Bank or other suitable Cheektowaga locations. Installation of Officers.

We participate in the Spirit of Sharing event, by sponsoring guests from local nursing homes.

We create Christmas cards and collect donations of Christmas gifts for the Erie County Home residents and for the nursing home residents in Cheektowaga.

Once a year an Art oriented trip is also planned.

This year we are celebrating our 30th year in bringing culture through Art to Cheektowaga and Community.

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 1994

$\frac{7}{11} = 81.8\%$

PRESIDENT

✓ Richard Hennessey
Cheektowaga, NY 14225

VICE-PRESIDENT

✓ Nancy Taglienti
Depew, NY 14043 (Chktg.)

TREASURER

✓ Carol Reiller
Cheektowaga, NY 14225

RECORDING SECRETARY

Robert Becht
Lancaster, NY 14086

CORRESPONDING SECRETARY + HISTORIAN

✓ Lucille McCabe
Cheektowaga, NY 14225

SGT. AT ARMS

✓ Marge Gorski
Cheektowaga, NY 14225

EXHIBIT CHAIRMAN

✓ Francis Byrnes
Cheektowaga, NY 14227

PUBLICITY

Janine Moore
Depew, NY 14043 (Chktg.)

MEMBERSHIP CHAIRMAN & SUNSHINE

✓ Diane B. Koczon
Cheektowaga, NY 14215

HOSPITALITY & TELEPHONE CHAIRMAN

✓ Marc Hennessey
Cheektowaga, NY 14225

PROGRAM CHAIRMAN

✓ Margaret Koehler
Cheektowaga, NY 14225

REPRESENTATIVES TO INTERCOUNCIL AND CHEEKTOWAGA CULTURAL SOCIETY:

Marge Gorski
Cheektowaga, NY 142245
Richard Hennessey
Cheektowaga, NY 14225

Diane B. Koczon
Cheektowaga, NY 14215
Marty Fernald (Fernald)
Cheektowaga, NY 14227

Item No. 18c Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that Supervisor Dennis H. Gabryszak is authorized to sign contracts between the Town of Cheektowaga and the performers at the Polish American Festival to be held on August 19, 20, 21, 1994.

Funding Source: 01-7550-0004-4374.

Upon Roll Call....

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

Item No. 18d Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that Supervisor Dennis H. Gabryszak 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: 01-7140-4491

Upon Roll Call....

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

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

WHEREAS, by resolution dated June 15, 1992, the Cheektowaga Town Board retained the services of DePaolo-Crosby Reporting Services, Inc. to take minutes of the Town Board and Zoning Board public hearings, and

WHEREAS, Angeline Pizzolanti, Professional Court Reporter, has offered to perform this service for the town at the same price as DePaolo-Crosby Reporting Services, Inc., and

WHEREAS, this Board is desirous of having Angeline Pizzolanti provide court reporting services for Town Board and Zoning Board public hearings, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby terminates the aforementioned services of DePaolo-Crosby Reporting Services, Inc., effective March 10, 1994, and BE IT FURTHER

RESOLVED, that effective March 11, 1994, this Town Board hereby retains the services of Angeline Pizzolanti, 5188 Alder Court, Hamburg, New York 14075 for the provision of professional reporting services for Town Board and Zoning Board public hearings, at the following rates:

Appearance	\$50.00
Fee per page	\$ 5.50

and BE IT FURTHER

RESOLVED, that the moneys for such services shall be paid from accounts, numbers 0800-8010-4511 (Zoning Board) and 0100-1410-4593 (Town Board).

Upon Roll Call....

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

Item No. 20a Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the below listed individuals be terminated from the Youth and Recreation Department:

Tammee Acquisto (seasonal)	14227
Lee Nowak (part-time)	14225

Upon Roll Call....

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

Item No. 20b Motion by Councilman Wielinski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following SEASONAL and/or PART-TIME EMPLOYEES be and hereby are terminated as listed:

EFFECTIVE

DEPARTMENT OF SENIOR SERVICES

Dorothy McManus	01/14/94
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Upon Roll Call....

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

Item No. 21 Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be transferred as indicated:

FROM 7140.1639 TO 7140.1636-(Effective April 4, 1994) - Part-Time

Paul Dennis

FROM 7140.1611 TO 7140.1636-(Effective March 28, 1994)-Part-Time

Ben Dennis
Amy Weber

and BE IT FURTHER

RESOLVED, that the following individuals be hired as indicated:

RECREATION ATTENDANT I-(Rink Guard)-7140.1611 - \$4.25 - Part-time

Gregory T. Kasprzak	14225
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RECREATION LEADER VI (Softball)-7140.1633 - \$6.50 - Part-time

Scott Fleetwood	14225
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RECREATION LEADER VIII (Softball)-7140.1633 - \$7.00 - Part-time

Paul Marchewka

Item No. 21 cont'd

RECREATION INSTRUCTOR IV (Soccer) - 7140.1636 - \$5.25
(Effective April 1, 1994) - Seasonal

Tim Kronenwetter 14225
Paul Lutz 14225

RECREATION SUPERVISOR VI - (Lacrosse)-7140.1625 - \$6.75 - Part-time

Christopher Goss 14075

RECREATION INSTRUCTOR VIII (Lacrosse)-7140.1625 - \$6.25 - Part-time

Charles Kucinski 14228

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

* * * * *

Councilman Jacqueline A. Blachowski was excused at this time.

* * * * *

Item No. 22a Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, due to a transfer, a vacancy exists in the position of Clerk-Typist in the Facilities Department, and

WHEREAS, said vacancy was posted as per the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, and

WHEREAS, Maureen MacDonald, currently employed as a Clerk-Typist in the Justice Court bid on said vacancy, NOW, THEREFORE, BE IT

RESOLVED, that Maureen MacDonald of Cheektowaga, NY 14227, be and hereby is appointed to the position of Clerk-Typist in the Facilities Department, 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 March 1, 1994.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Blachowski

Item No. 22b Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

WHEREAS, a need exists for a temporary Clerk-Typist position in the Police 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, Kristen Kolbert, a part-time employee in the Police Department has expressed an interest in filling said temporary vacancy, NOW, THEREFORE, BE IT

RESOLVED, that Kristen Kolbert of Cheektowaga, NY 14225, be and hereby is appointed to the temporary Clerk-Typist position in the

Item No. 22b cont'd

Police Department, 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 February 15, 1994; the hourly salary for said position shall be \$10.588.

Upon Roll Call....

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

Item No. 22c Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, by resolution dated February 7, 1994, this Town Board created ten (10) positions of Public Safety Dispatcher in the Police Department, and

WHEREAS, this Board is interested in filling said positions, and

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

RESOLVED, that the following individuals be and hereby are appointed to the position of Public Safety Dispatcher 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 Public Safety Dispatchers Association:

	<u>EFFECTIVE</u>
Kathleen O'Neil	03/01/94
Edward Dean	03/01/94
Timothy Szymanski	03/10/94
Gary Budzynski	03/10/94
Leonard Luh	03/10/94
John Carvat	03/10/94
Timothy Zawadzki	03/10/94
David Adamberger	03/10/94
Richard Nowak, Jr.	03/10/94
Michael Zogaria	03/10/94

Upon Roll Call....

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

Item No. 23 Motion by Councilman Wielinski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as PART-TIME EMPLOYEES in the various departments listed, not to exceed 19 hours on a weekly basis, in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, Inc.:

EFFECTIVE

FACILITIES DEPARTMENT - \$5.00 per hour (Clerical)

Ann Marie Herb Immediately

Upon Roll Call....

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

Item No. 24 Motion by Councilman Wielinski, Seconded by Councilman Solecki

WHEREAS, Anthony Broniszewski, an employee in the Sanitation Department has used all of his accumulated leave time, and

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

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

RESOLVED, that Anthony Broniszewski is hereby granted extended sick leave of fifteen (15) days, pursuant to Section 8.02(d) of the Town of Cheektowaga Employees Association, which days are to be repaid to the Town upon his return to work; said extension to be effective February 28, 1994.

Upon Roll Call....

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

Item No. 25a Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

WHEREAS, the New York State Retirement System will be holding an Employer Benefits Staff Seminar on March 9, 1994 in Albany, and

WHEREAS, Gregory D. Joos, Coordinator of Employee Relations, has requested to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED, that Gregory D. Joos be and hereby is authorized to attend the Employer Benefits Staff Seminar in Albany, and BE IT FURTHER

RESOLVED, that Mr. Joos be reimbursed for all necessary travel expenses.

Upon Roll Call....

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

Item No. 25b Motion by Councilman Johnson, Seconded by Councilman Wielinski

WHEREAS, spring 1994 conferences are being scheduled on matters related to public works that would be beneficial to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent, Deputy Highway Superintendent and the Town Engineer be and hereby are authorized to attend such spring conferences and meetings on behalf of the Town as scheduled by the New York State Highway Superintendents Association, the American Public Works Association and the New York Water Environment Association, NOW, THEREFORE, BE IT

RESOLVED, that all reasonable and necessary expenses to attend such meetings be reimbursed by the Town at a cost not to exceed \$620.00 per person, per meeting and chargeable as applicable to Highway Budget item No. 5130-4087 and Sewer District Budget Items No. 8125-4087 and 8135-4087.

Upon Roll Call....

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

Item No. 25c Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Madison County Virginia Sheriff's Department is hosting their annual K-9 Training Seminar. The seminar will be held in Madison, Virginia March 21-25, 1994, and

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Officer Daniel Smith and "Gringo" to this training seminar. Officer Smith will be using the K-9 vehicle for transportation to and from this seminar. The Police Department will be responsible for the expense of gasoline and tolls, NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Officer Smith and "Gringo" to this seminar 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, Rogowski,
Johnson and Wielinski
NAYES: 0
ABSENT: Councilman Blachowski

Item No. 25d Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Energy office is sponsoring a workshop on radon on March 1, 1994, at the Buffalo Hilton, Buffalo, NY, and

WHEREAS, the Director of Community Development has recommended that the Town's Housing Inspector Richard J. Willis, be authorized to attend said workshop, NOW, THEREFORE, BE IT

RESOLVED, that Richard M. Willis be and hereby is authorized to attend said radon workshop on March 1, 1994, at the Buffalo Hilton at a cost not to exceed \$45.00, said costs to be paid for from the Community Development Budget.

Upon Roll Call....

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

Item No. 26 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: 0100-1910-4711	Contingency	\$ 9,600.00
TO: 0100-1220-4506	Town SEA Program	\$ 9,100.00
0100-9010-8157	TCEA Health & Welfare	500.00

HIGHWAY FUND

FROM: 0300-1910-2799	Appropriated Fund Balance	\$75,000.00
TO: 0300-5142-4029	Salt	\$75,000.00

Upon Roll Call....

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

Item No. 27 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

BE IT RESOLVED that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to February 25, 1994 are hereby approved and made a part hereof:

GENERAL FUND	\$2,326,651.46
HIGHWAY FUND	624,637.14
TRUST & AGENCY FUND	25,319.02
CDBG HUD FUND	31,188.97
PART TOWN FUND	39,029.81
HUD RENTAL REHABILITATION FUND	10,000.00
RISK RETENTION FUND	53,355.18
HUD HOUSING REHABILITATION FUND	11,051.32
SPECIAL DISTRICTS FUND	745,519.22
CAPITAL FUND	156,842.23
	<u>\$4,023,594.35</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 28 Supervisor's Statement of Funds for December, 1993 and January, 1994
Received and Filed.

Item No. 29 Dog Control Officer - Annual Activity Report for 1993
Copies were sent to: Dennis Gabryszak, Supervisor's Office; Town
Board - Council Office
Received and Filed.

Item No. 30a Minutes of Meeting - Planning Board - January 13, 1994
Received and Filed.

Item No. 30b Minutes of Meeting - Traffic Safety Commission - January 18, 1994
Received and Filed.

Item No. 30c Minutes of Meeting - Cheektowaga Public Library Board -
January 16, 1994
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 31 Notice of Class Certification - Consolidated Rail Corp. vs State
Board of Equalization and Assessment
Copies were sent to: Assessor's Office; Town Attorney's Office
Received and Filed.

Item No. 32 Order Granting Motion for Preliminary Injunction - Consolidated Rail
Corp. vs State Board of Equalization and Assessment
Copies were sent to: Supervisor's Office; Town Board - Council
Office.
Received and Filed.

Item No. 33a Notice of Claim - Virginia Babirad vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; James Matecki, Facilities Director; Leonard Szymanski, Facilities Foreman; ALLIED CLAIMS, Insurance Carrier.
Received and Filed.

Item No. 33b Notice of Claim - David Montford vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department; ALLIED CLAIMS, Insurance Carrier.
Received and Filed.

Item No. 33c Notice of Claim - Jeff Doetteri vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department; ALLIED CLAIMS, Insurance Carrier.
Received and Filed.

Item No. 33d Notice of Claim - Harold Beil vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation/Recycling; ALLIED CLAIMS, Insurance Co.
Received and Filed.

VI. SUSPENSION OF RULES

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

Upon Roll Call....

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

* * * * *

Item No. 34 Motion by Councilman Johnson, Seconded by Councilman Wielinski

WHEREAS, the International Society of Fire Service Instructors will be conducting a "Fire Department Instructors Conference" in Cincinnati, Ohio, on March 22, thru 31, 1994, and

WHEREAS, Matthew D. Kawczynski, Fire Inspector for the Town of Cheektowaga, has requested permission to attend such conference on March 25, 28, 29, and 30, 1994, and

WHEREAS, such conference will provide the Town's Fire Inspector with up-to-date information and legislation on fire prevention and control, and

WHEREAS, Matthew D. Kawczynski will attend such conference at no cost to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that Matthew D. Kawczynski be and is hereby authorized to attend the "Fire Department Instructors Conference" on March 25, 28, 29, & 30, 1994.

Upon Roll Call....

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

MEETING NO. 4
February 28, 1994

Item No. 35

Motion by Councilman Solecki, Seconded by Unanimous
to adjourn the meeting in memory of Alvin Leuthe, long time prominent
resident of Cheektowga.

RICHARD M. MOLESKI
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of March, 1994 at 7:00 o'clock P.M., Eastern Standard 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; James Kirisits, Town Attorney; Ronald Marten, Supervising Building & Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; Salvatore LaGreca, Chairman of Planning Board; Joseph Chojnacki, Police Captain and Chester Bryan, Town Engineer.

I. RESOLUTIONS

Item No. 2a Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, 81 and 3 of Watertown, Inc. has made application and requested the rezoning of property located at 1434-1442 Losson Road from C-Retail Business to R-Residential District, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held requesting said request under the provisions of the Zoning Ordinance on March 21, 1994 at 6:15 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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 MARCH, 1994 at 6:15 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of 81&3 OF WATERTOWN, INC./ JOHN KOZIK to Rezone from C - RETAIL BUSINESS District to R - RESIDENCE District on property located at 1434-1442 LOSSON ROAD 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.

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

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 46, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

COMMENCING at the point of intersection of the center line of Transit Road (100 ft. wide) with the center line of Losson Rd. (80-ft. wide), said point being the southeast corner of said Lot 46; thence N 00° 06' 34" E along the center line of Transit Road, 40.01 feet to a point; thence S 89° 01' 14" W, 50.01 feet to a point of intersecting of the westerly line of Transit Road (100 ft. wide) with the northerly line of Losson Road (80 ft. wide); thence continuing S 89° 01' 14" W along the northerly line of Losson Road, 1123.45 feet to the POINT OF BEGINNING; thence continuing S 89° 01' 14" W along the northerly line of Losson Road, 460.56 feet to a point; thence N 00° 18' 14" E, 160.04 feet to a point; thence N 89° 01' 14" E, 302.73 feet to a point; thence S 58° 54' 38" E, 44.70 feet to a point; thence S 81° 18' 28" E, 63.91 feet to a point; thence S 56° 03' 43" E, 34.22 feet to a point; thence S 30° 24' 41" W, 51.50 feet to a point; thence S 00° 58' 46" E, 61.09 feet to the POINT OF BEGINNING.

Containing 1.56 more or less acres.

BY ORDER OF THE TOWN BOARD

- 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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 10, 1994

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) 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..... March 10, 1994.....; last publication..... March 10, 1994.....; and that no more than six days intervened between publications.

Melissa Gugliuzza (signature)

Sworn to before me this10th.....

day of March....., 19.....94.....

Margaret J. Bourdette (signature)

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 12/11/95

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

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178
30.81

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Containing 1.56 more or less acres.

BY ORDER OF THE TOWN BOARD

- 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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 10, 1994

**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..... March 10, 1994..... ;
last publication..... March 10, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day of March....., 19..94..

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 12/11/95

Item No. 2b Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, R. Blum/Letom LandLease/Walden-Anderson/Walden Outparcel has made application and requested the rezoning of property 1735, 1745, 1753 Walden Avenue from M2-General Manufacturing District to C-Retail Business District, said applicant being the owner, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held requesting said request under the provisions of the Zoning Ordinance on March 21, 1994 at 6:15 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate, lying and being in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 24, Township 11, Range 7 of the Holland Land Company's Survey and more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of lands taken by the State of New York of the Walden Avenue as described in Notice of Appropriation recorded in Erie County Clerk's Office in Liber 4614 of Deeds at Page 504 at the intersection of the east line of lands recorded in Erie County Clerk's Office in Liber 6644 of Deeds at Page 378;

THENCE southerly along the east line of Liber 4644 of Deeds at Page 378 a distance of Three Hundred (300.00) feet to a point;

THENCE easterly perpendicular to the aforementioned line a distance of One Hundred Ninety-eight (198.00) feet to a point in the west line of lands conveyed to James A. Ray by petition Deed recorded in Erie County Clerk's Office in Liber 32 of Deeds at page 339;

THENCE southerly perpendicular to the aforementioned line a distance of Sixty-five and 20/100 (65.20) feet to a point;

THENCE easterly perpendicular to the aforementioned line a distance of Three Hundred Fifteen and 60/100 (315.60) feet to a point in the westerly line of Anderson Road being 60 feet wide as conveyed to Town of Cheektowaga by Deed recorded in the Erie County Clerk's Office in Liber 6222 of Deeds at page 699;

THENCE northerly along the westerly line of Anderson Road (60.00' wide) a distance of Four Hundred Twenty-seven and 25/100 (427.25) feet to a point;

THENCE westerly perpendicular to the aforementioned line a distance of Twenty (20.00) feet to a point;

THENCE northerly perpendicular to the aforementioned line a distance of One Hundred Three and 43/100 (103.43) feet to a point in the southerly line of Walden Avenue as established by New York State Department of Public Works as described in the Notice of Appropriation recorded November 4, 1947 in the Erie County Clerk's Office in Liber 4579 of Deeds at Page 508;

THENCE westerly along the southerly line of Walden Avenue a distance of One Hundred Twenty-six and 17/100 (126.17) feet to a point;

THENCE continuing westerly along the southerly line of Walden Avenue a distance of One Hundred Eighty-three and 32/100 (183.32) feet to a point at the intersection of the southerly line of Walden Avenue Extension as described in Notice of Appropriation recorded in Erie County Clerk's Office in Liber 4614 of Deeds at Page 504;

THENCE westerly along the southerly line of Walden Avenue Extension a distance of Two Hundred Eleven and 96/100 (211.96) feet to the point or place of beginning, containing 5.00 acres more or less.

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 10, 1994

**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) 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..... March 10, 1994..... last publication..... March 10, 1994..... and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day ofMarch....., 19⁹⁴

Margaret J. Bourdette

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

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MY COMMISSION EXPIRES 12/11/95

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131 51.75
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BY ORDER OF THE TOWN BOARD

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Councilman Patricia A. Jaworowicz
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RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 10, 1994

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COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

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day of March 19..94

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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 12/11/95

Item No. 2c Motion by Councilman Blachowski, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga is eligible and is expected to received up to approximately \$802,000 in Community Development Block Grant Funds for the 1994-95 Program Year, and

WHEREAS, the Town of Cheektowaga is required to hold a public hearing for the purpose of obtaining the views of Town residents regarding community development and housing needs, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on March 21, 1994 at 6:15 P.M. at Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the above said purpose, and BE IT

FURTHER RESOLVED, that a legal notice of such public hearing also contain a notice of proposed community development objectives and use of funds and a statement of the range of allowed activities under the Community Development Program, be published in the Cheektowaga Times on March 10, 1994.

* * * * *

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
NOTICE OF PUBLIC HEARING
STATEMENT OF OBJECTIVES AND PROPOSED USE OF FUNDS

The Town of Cheektowaga will hold a Public Hearing on Monday, March 21, 1994 at 6:15 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, regarding the Town's 1994-95 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew and Sloan, and Williamsville are eligible to receive up to approximately \$802,000, under Title I of the Housing and Community Development Act of 1977, as amended, plus program income estimated at \$640,000, (\$160,000 from the Town's Revolving Housing Rehabilitation Loan Program and \$480,000 through the Cheektowaga Economic Development Corporation's revolving business loan program). The purpose of this hearing is to provide the citizens of the Town and Villages with the opportunity to express their views and opinions on housing and community development needs and to respond to proposals and questions regarding the Community Development Program. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement as well as planning and administrative costs. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew, and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and economic/industrial development. It is estimated that no less than 70% of funds will be used for activities that will benefit low and moderate income persons. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

Residents of low and moderate income neighborhoods as well as all citizens of the Town and Villages are encouraged to participate in this process and express their views on the proposed use of funds and activities carried out with program funds. Technical assistance is available to groups representative of low and moderate income persons to assist in developing proposals or identifying needs within their community. No CDBG activities are expected or likely to result in displacement. In the unanticipated event displacement due to CDBG funded activities occurs, relocation assistance will be provided in conformity with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42, and regulations governing the CDBG program at 24 CFR 570.606.

Item No. 2c continued

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, economic/industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, Alexander Community Center, 275 Alexander Avenue, Cheektowaga, New York 14211, between the hours of 9:00 A.M. and 4:30 P.M., weekdays or can be discussed with the Community Development Director by calling 896-1700 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT
BLOCK GRANT
PROGRAM

NOTICE OF
PUBLIC HEARING

STATEMENT OF OBJECTIVES
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PUBLISH: March 10, 1994

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

.....Melissa Gugliuzza....., of the town
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duly sworn, deposes and says that he (she) is
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Melissa Gugliuzza

Sworn to before me this10th.....
day of March....., 19.....94

Margaret J. Bourdette

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

MARGARET J. BOURDETTE
NOTARY PUBLIC STATE OF NEW YORK
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LEGAL NOTICE

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT
BLOCK GRANT
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OF FUNDS

The Town of Cheektowaga will hold a Public Hearing on Monday, March 21, 1994 at 6:15 P.M. at Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, New York, regarding the Town's 1994-95 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew and Sloan, and Williamsville are eligible to receive up to approximately \$802,000, under Title I of the Housing and Community Development Act of 1977, as amended, plus program income estimated at \$640,000, (\$160,000 from the Town's Revolving Housing Rehabilitation Loan Program and \$480,000 through the Cheektowaga Economic Development Corporation's revolving business loan program). The purpose of this hearing is to provide the citizens of the Town and Villages with the opportunity to express their views and opinions on housing and community development needs and to respond to proposals and questions regarding the Community Development Program. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement as well as planning and administrative costs. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew, and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and economic/industrial development. It is estimated that no less than 70% of funds will be used for activities that will benefit low and moderate income persons. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

Residents of low and moderate income neighborhoods as well as citizens of the Town and Villages are encouraged to participate in this process and express their views on the proposed use of funds and activities carried out with program funds. Technical assistance is available to group representative of low and moderate income persons to assist in developing proposals or identifying needs within their community. No CDBG activities are expected or likely to result in displacement. In the unanticipated event displacement due to CDBG funded activities occurs, relocation assistance will be provided in conformity with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42, and regulations governing the CDBG program at 24 CFR 570.606.

A full presentation of CDBG program goals and objectives for housing neighborhood revitalization and stabilization, code enforcement, recreation, economic/industrial development, public services and facilities and citizen participation can be obtained from the Office of Community Development, Alexander Community Center, 275 Alexander Avenue, Cheektowaga, New York, 14211, between the hours of 9:00 AM and 4:30 PM, weekdays or can be discussed with the Community Development Director calling 896-1700 between 9:00 AM and 4:30 PM, Monday through Friday.

PUBLISH: March 10, 1994

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..... March 10, 1994..... ;
last publication..... March 10, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza
.....

Sworn to before me this10th.....

day of March....., 19.....94

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 12/11/95

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

WHEREAS, the New York State Ethics in Government Act of 1987 requires the promulgation of a form of annual statement of financial disclosure for certain designated municipal officers and employees, and

WHEREAS, by resolution dated April 5, 1993, this Town Board adopted "A Local Law Establishing a Board of Ethics" (Local Law No. 1 of the Year 1993), which, among other things promulgated a form of annual statement of financial disclosure, and

WHEREAS, the Board of Ethics of the Town of Cheektowaga has carefully and thoroughly reviewed the aforesaid adopted form; and, based upon such review, has recommended the adoption of a revised annual financial disclosure form,

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on the 21st day of March, 1994 at 7:00 p.m. at the Town Hall, 3301 Broadway, Cheektowaga, New York, to consider the advisability of adopting a local law known as "A Local Law Amending the Board of Ethics Law", and BE IT FURTHER

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

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 21st day of March, 1994 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, enact a proposed local law entitled "A Local Law Amending the Board of Ethics, which local law provides in substance as follows:

Local Law Intro. No. 94-1

A Local Law Amending the Board of Ethics Law

This local law amends Local Law No. 1 of the Year 1993 of The Town of Cheektowaga ("A Local Law Establishing a Board of Ethics") to substitute the use of a different form of annual statement of financial disclosure for certain designated municipal officers and employees.

A copy of the complete text of such local law is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

Richard M. Moleski
Town Clerk

Dated: March 7, 1994

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 OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 21st day of March, 1994 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, enact a proposed local law entitled "A Local Law Amending the Board of Ethics Law, which local law provides in substance as follows:

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This local law amends local Law No. 1 of the Year 1993 of the Town of Cheektowaga ("A Local Law Establishing a Board of Ethics") to substitute the use of a different form of annual statement of financial disclosure for certain designated municipal officers and employees.

A copy of the complete text of such local law is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

Dated: March 7, 1994

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 10, 1994

.....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.....March 10, 1994.....; last publication.....March 10, 1994.....; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day ofMarch....., 19..94

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 12/11/95

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

LEGAL NOTICE

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 21st day of March, 1994 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, enact a proposed local law entitled "A Local Law Amending the Board of Ethics Law, which local law provides in substance as follows:

Local Law Intro No. 94-1

A Local Law Amending the Board of Ethics Law

This local law amends local Law No. 1 of the Year 1993 of the Town of Cheektowaga ("A Local Law Establishing a Board of Ethics") to substitute the use of a different form of annual statement of financial disclosure for certain designated municipal officers and employees.

A copy of the complete text of such local law is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

Dated: March 7, 1994

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: March 10, 1994

46
18.17

.....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..... March 10, 1994.....; last publication..... March 10, 1994.....; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day ofMarch....., 19⁹⁴.....

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 5

Item No. 2e Motion by Councilman Johnson, Seconded by Councilman Rogowski

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 March 21st, 1994 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 10th day of March, 1994, 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 March 21, 1994 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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>
Bison Pkwy.	east-west	Bison Pkwy.	southbound	N.W. corner
Bison Pkwy.	north-south	Bison Pkwy.	eastbound	S.W. corner
Bison Pkwy.	east-west	driveway to Norfolk-Southern Railroad Facility	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:

B. No parking anytime

Bison Pkwy.	east side	from the south curblin of Gruner Road southerly to a point intersection the extension of the north curblin of Bison Parkway (east-west).
Bison Pkwy.	west side	from the south curblin of Gruner Road southerly to the north curblin of Gruner Road southerly to the north curblin of Bison Parkway (east-west).

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

Richard M. Moleski
Town Clerk

Item No. 2e continued

Dated: March 7, 1994

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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 March 21, 1994 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

The following interesection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

- Street: Bison Pkwy.; Direction: east-west; Entrance Street: Bison Pkwy.; Traffic Stops: southbound; Sign Location: N.W. corner;
Street: Bison Pkwy.; Direction: north-south; Entrance Street: Bison Pkwy.; Traffic Stops: eastbound; Sign Location: S.W. corner;
Street: Bison Pkwy.; Direction: east-west; Entrance Street: driveway to Norfolk-Southern Railroad Facility; 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:

B. No parking anytime

Bison Pkwy., east side, from the south curbline of Gruner Road southerly to a point intersection the extension of the north curbline of Bison Parkway (east-west).

Bison Pkwy., west side, from the south curbline of Gruner Road southerly to the north curbline of Gruner Road southerly to the north curbline of Bison Parkway (east-west).

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

Dated: March 7, 1994

RICHARD M. MOLESKI Town Clerk

PUBLISH: March 10, 1994

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 1 weeks; first publication March 10, 1994; last publication March 10, 1994; and that no more than six days intervened between publications.

Melissa Gugliuzza (handwritten signature)

Sworn to before me this 10th

day of March, 1994

Margaret J. Bourdette (handwritten signature)

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 12/11/95

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 March 21, 1994 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

The following interesection is designated as a stop intersection and stop signs shall be erected on the following entrance street

Street: Bison Pkwy.; Direction: east-west; Entrance Street: Bison Pkwy.; Traffic Stops: southbound; Sign Location: N.W. corner;

Street: Bison Pkwy.; Direction: north-south; Entrance Street: Bison Pkwy.; Traffic Stops: eastbound; Sign Location: S.W. corner;

Street: Bison Pkwy.; Direction: east-west; Entrance Street: driveway to Norfolk-Southern Railroad Facility; 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:

B. No parking anytime

Bison Pkwy., east side, from the south curblin of Gruner Road southerly to a point intersection the extension of the north curblin of Bison Parkway (east-west).

Bison Pkwy., west side, from the south curblin of Gruner Road southerly to the north curblin of Gruner Road southerly to the north curblin of Bison Parkway (east-west).

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

Dated: March 7, 1994

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 10, 1994

79
31.21

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

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

Sworn to before me this10th.....

day of March....., 19.....94.....

.....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 12/11/95

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

WHEREAS, the Town's current cable television franchise agreement with Adelphia Cable Communications will expire on May 3, 1994, and

WHEREAS, the Town has begun the process of reviewing the existing franchise and negotiating a franchise renewal with Adelphia Cable Communications, and

WHEREAS, as part of the due diligence review required of the Town for renewing its franchise agreement, the Town desires to solicit comments from the public as to the performance of Adelphia Cable Communications under the existing franchise agreement, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is authorized and directed to publish the attached Public Notice in the Cheektowaga Times.

* * * * *

PUBLIC NOTICE
SOLICITATION OF PUBLIC COMMENTS ON
PERFORMANCE OF CABLE TELEVISION SERVICES PROVIDED BY
ADELPHIA CABLE COMMUNICATION
IN THE TOWN OF CHEEKTOWAGA

NOTICE IS HEREBY GIVEN that the Cable Television Franchise Agreement between the Town of Cheektowaga and Adelphia Cable Communications will expire on May 3, 1994, and that Adelphia Cable Communications has requested the commencement of public proceedings for the renewal of such franchise agreement.

NOTICE IS HEREBY FURTHER GIVEN, that the Town of Cheektowaga wishes to receive public input from residents and businesses of the Town of Cheektowaga concerning the performance of Adelphia Cable Communications. Please direct written comments to:

Cable Television Committee
c/o Cheektowaga Town Hall
3301 Broadway
Cheektowaga, New York 14227

no later than April 8, 1994.

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

Richard M. Moleski
Town Clerk

Dated: March 7, 1994

* * * * *

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

PUBLIC NOTICE
 SOLICITATION OF PUBLIC
 COMMENTS ON
 PERFORMANCE OF CABLE
 TELEVISION SERVICES
 PROVIDED BY
 ADELPHIA CABLE
 COMMUNICATION
 IN THE TOWN OF
 CHEEKTOWAGA

NOTICE IS HEREBY GIVEN that the Cable Television Franchise Agreement between the Town of Cheektowaga and Adelphia Cable Communications will expire on May 3, 1994, and that Adelphia Cable Communications has requested the commencement of public proceedings for the renewal of such franchise agreement.

NOTICE IS HEREBY FURTHER GIVEN, that the Town of Cheektowaga wishes to receive public input from residents and businesses of the Town of Cheektowaga concerning the performance of Adelphia Cable Communications. Please direct written comments to:

Cable Television Committee
 c/o Cheektowaga Town Hall
 3301 Broadway
 Cheektowaga, New York 14227

no later than April 8, 1994.

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

Dated: March 7, 1994

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: March 10, 1994

.....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..... March 10, 1994..... ;
 last publication..... March 10, 1994..... ;
 and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this10th..... day ofMarch....., 19⁹⁴.....

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 12/11/95

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

LEGAL NOTICE

**PUBLIC NOTICE
 SOLICITATION OF PUBLIC
 COMMENTS ON
 PERFORMANCE OF CABLE
 TELEVISION SERVICES
 PROVIDED BY
 ADELPHIA CABLE
 COMMUNICATION
 IN THE TOWN OF
 CHEEKTOWAGA**

NOTICE IS HEREBY GIVEN that the Cable Television Franchise Agreement between the Town of Cheektowaga and Adelphia Cable Communications will expire on May 3, 1994, and that Adelphia Cable Communications has requested the commencement of public proceedings for the renewal of such franchise agreement.

NOTICE IS HEREBY FURTHER GIVEN, that the Town of Cheektowaga wishes to receive public input from residents and businesses of the Town of Cheektowaga concerning the performance of Adelphia Cable Communications. Please direct written comments to:

Cable Television Committee
 c/o Cheektowaga Town Hall
 3301 Broadway
 Cheektowaga, New York 14227

no later than April 8, 1994.

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

Dated: March 7, 1994

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: March 10, 1994

48
1896

.....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..... March 10, 1994.....; last publication..... March 10, 1994.....; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day ofMarch....., 19⁹⁴.....

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 12/11/95

Item No. 4a Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, bids were received on February 23, 1994 for the application of chemical fertilizers and herbicides, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 2, 1994, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the application of chemical fertilizers and herbicides for the year of 1994 be awarded to Turf Tec of Western New York, Inc , 5096 Lockport Road, Lockport, New York 14094 at the following total and unit bid prices:

ITEM 1	Nitrogen Fertilization Creek Areas	\$6,000.00
ITEM 2	Chemical Trimming Areas	750.00
ITEM 3	Retention Basins	2,475.00
ITEM 4	Nitrogen Fertilizer	.0031/sq.ft.
ITEM 5	Weed Control	.0035/sq.ft.
ITEM 6	Chemical Trimming	.0069/sq.ft.
ITEM 7	Weed and Feed Lawn Areas	.0038/sq.ft.
ITEM 8	Chemical Trimming of Fence Lines	50.00
ITEM 9	Grass Growth Regulator	850.00
ITEM 10	Brush Control	3,270.00

Total bid for Items 1, 2 and 3:

AND, BE IT FURTHER

RESOLVED, that payment for the application of chemical fertilizers and herbicides shall be charged to Account No. 018-540-4587.

Upon Roll Call....

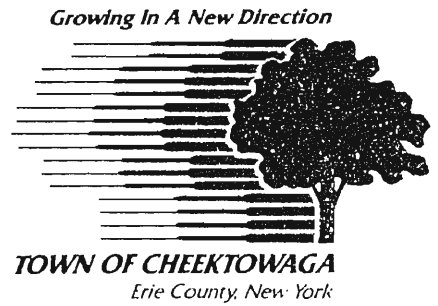
AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



March 2, 1994

TO SUPERVISOR GABRYSZAK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Chemical Fertilizers
and Herbicides

Gentlemen:

At a public bid opening on February 23, 1994, bids were received and publicly opened for the application of chemical fertilizers and herbicides for the year of 1994. One (1) bid was received as follows:

<u>BIDDER</u>	<u>TOTAL BID</u>
Turf Tek of Western New York, Inc.	\$9,225.00

It is, therefore, recommended that the bid be awarded to Turf Tec of Western New York, Inc., 5096 Lockport Road, Lockport, New York 14094 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk
Edward Lepczyk /ds
Sr. Engineer Assistant

EL:dms

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

WHEREAS, bids were duly received and opened at a public bid opening held on February 23, 1994 as a result of advertisement therefore, for the advertising of microfilming services for the Town of Cheektowaga records, and such bids were referred to the Town Clerk for analysis, tabulation and report, and

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

RESOLVED, that the contract for furnishing of microfilming services for the Town of Cheektowaga Building Department and Assessor's Tax Rolls records be and hereby is awarded to Great Lakes Micrographics, 1517 Kenmore Avenue, P.O. Box 735, Buffalo, New York 14217, at a total estimated bid cost of \$35.00 per roll of film for Building records, \$39.88 per roll of film for Assessor's records, \$12.20 for Silver Halide film, and \$5.95 for Diazo Duplicates, and BE IT FURTHER

RESOLVED, that the contract for furnishing of microfilming services for Town of Cheektowaga Bound Assessor's Books be and hereby is awarded to Biel's Microfilm Corp., 1201 Indian Church Road, Buffalo, New York 14224, at a total estimated bid cost of \$10.00 per book, a cost of \$9.60 for Silver Halide film, and \$6.20 for Diazo Duplicates, and BE IT FURTHER

RESOLVED, that any purchases resulting from the award of this contract will be funded through the Town's Local Government Records Management Improvement Grant from New York State.

Upon Roll Call....

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

Item No. 5 Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, it is in order that bids be advertised to cover the replacement of sidewalks in various locations in the Town of Cheektowaga, and

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

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the replacement of sidewalks, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on March 30, 1994 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 30, 1994 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the replacement of sidewalks in various locations in the Town of Cheektowaga.

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.

Item No. 5 continued

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

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

Richard M. Moleski
Town Clerk

Dated: March 7, 1994

* * * * *

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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 30, 1994 at 11:00 AM, Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the replacement of sidewalks in various locations in the Town of Cheektowaga.

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

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

Dated: March 7, 1994

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: March 10, 1994

43
 16-99

.....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..... March 10, 1994..... ; last publication..... March 10, 1994..... ; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this10th.....

day of March....., 19.....94

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 12/11/95

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..... March 10, 1994..... ;
 last publication..... March 10, 1994..... ;
 and that no more than six days intervened be-
 tween publications.

Melissa Gugliuzza

Sworn to before me this¹⁰th.....

day of March....., 19⁹⁴.....

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 12/11/95

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 30, 1994 at 11:00 AM, Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the replacement of sidewalks in various locations in the Town of Cheektowaga.

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

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

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

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

Dated: March 7, 1994

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: March 10, 1994

43
 16.99

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

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1994 to the Erie County Board of Elections, and

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, and

WHEREAS, there are 111 Election Districts in the Town of Cheektowaga located in 44 Polling Places, all of which provide proper accessibility, NOW, THEREFORE, BE IT

RESOLVED that the attached list of Town of Cheektowaga polling places for 1994 be approved for submittal to the Erie County Board of Elections.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

LOCATION OF POLLING PLACES

<u>DISTRICT NUMBER</u>	<u>LOCATION</u>	<u>PHONE #</u>
<u>FIRE HALLS</u>		
2, 85, 74	Bellevue Fire Hall Como Park Blvd. & Bennett Road, 14227	685-3011
14, 72	Cleveland Hill Fire Hall 440 Cleveland Drive, 14225	836-2181
55, 78	a. Doyle Fire Hall No. 1 William & Alaska Streets, 14206	824-7916
57	b. Doyle Fire Hall No. 2 Willowlawn & Griswold, 14206	824-6188
64	a. Forks Fire Hall No. 1 Memorial Hall, 3340 Broadway, 14227	683-8668
4, 61, 98	b. Forks Fire Hall No. 2 Nagel & South Creek Drive, 14225	683-6012
62, 63	Hy-View Fire Hall 8 Airport Drive, Depew, 14043	684-2371
44, 45	Rescue Fire Hall 20 Pine Ridge Road, 14211	897-1168
46, 47, 48, 49, 50	Sloan Fire Hall 55 Gates Street, 14212	896-9209 897-1564
79, 81, 110, 111	Southline Fire Hall 1049 French Road, 14227	668-1232
38, 39, 93	U-Crest Fire Hall 255 Clover Place, 14225	634-2633
68, 88	West End Hose Co. No. 6 2325 George Urban Blvd., Depew, 14043	685-3232
34	Pine Hill Fire Hall 2435 Genesee St., Cheektowaga, N.Y. 14225	896-8690
<u>CHURCHES & SCHOOLS</u>		
13	Cleveland Drive Presbyterian Church 735 Cleveland Drive, 14225 Ronnie Edmunds - Church Sexton 633-6957 Michelle - 9561	833-0034
73, 99	Cleveland Heights Christian Church 4774 Union Road, 14225	632-3332 Parsonage - 632-3353
12, 23, 90	Infant of Prague School, School Hall Green Room, 921 Cleveland Drive, 14225	Rectory - 634-3660 School Hall - 632-9632 Office - 632-5482
27, 28	Mother of Divine Grace Gym 500 Maryvale Drive, 14225	School - 836-4838 Rectory - 834-8488
42, 43	St. John Gualberts Hall 111 Gualbert Avenue	893-5572
6, 7, 76, 103	Our Lady of the Blessed Sacrament 10 French Road, Depew, 14043	Rectory - 684-6342 School - 684-4664
36, 69, 101	Queen of Martyrs School 180 George Urban Blvd., 14225	Rectory - 892-1746 School - 895-6280

<u>DISTRICT #</u>	<u>LOCATION</u>	<u>PHONE #</u>
<u>CHURCHES & SCHOOLS CONT'D.</u>		
53, 77, 94, 104	Ukrainian Holy Trinity Orthodox Hall 200 Como Park Blvd., 14227	Parsonage - 684-0738 Church Hall - 683-9958
15, 16, 18, 19	St. Aloysius School 157 Cleveland Drive, 14225	Rectory - 833-1715 School - 836-4549
65, 87	St. Barnabas School 2099 George Urban Blvd., Depew, 14043	School - 684-1444 Rectory - 685-2350
1, 17, 82, 95	St. Mary's Greek Orthodox Church 940 Losson Road, 14227, Betty Pedantic	668-4465 668-2775
<u>CHEEKTOWAGA CENTRAL - 686-3611</u>		
31, 32	a. Pine Hill Elementary 1635 East Delavan, 14215	892-1033
<u>CLEVELAND HILL - 836-7200</u>		
20, 21, 22, 71	a. Cleveland Hill High School Mapleview Drive, 14225	
29, 30	b. United Cerebral Palsy Association 7 Community Drive, 14225	894-0130
<u>CHEEKTOWAGA SLOAN - 891-6403</u>		
105	b. John F. Kennedy High School 305 Cayuga Creek Road, 14227	891-6407
51, 52, 54	c. Theodore Roosevelt 2495 William Street, 14206	891-6464
<u>MARYVALE - 631-7434</u>		
9, 25, 75	a. Maryvale Continuing Education Bldg. 777 Maryvale Drive	
66, 92, 96	b. Maryvale Primary Bldg. 1 Nagel Drive, 14225	631-9630
<u>LANCASTER - 686-3202</u>		
59, 60	Sciote Elementary School 86 Alys Drive	686-3285 686-3202
<u>VILLA MARIA COLLEGE - Cafeteria</u>		
33	240 Pine Ridge Road, 14225 Sr. Mary DeAngelis	896-0700 ext. 318
<u>LIBRARIES</u>		
40, 41	Anna M. Reinstein Memorial Library 2580 Harlem Road, 14225	892-8089
58, 97	South Branch Library 2660 William Street, 14227	896-1272

<u>DISTRICT #</u>	<u>LOCATION</u>	<u>PHONE #</u>
<u>TOWN PROPERTY</u>		
8, 26, 37	a. Maryvale Community Center 3409 Genesee Street, 14225	631-0925
35, 70	b. Town Park Recreation Center Harlem Road, 14225	668-5634 891-8011
83, 84, 100 108, 109	c. Dartwood Community Center 222 Autumnwood Drive, 14227	668-9773
<u>OTHERS</u>		
67, 80, 106, 107	Knights of St. John Christian Club 2379 Union Road Cheektowaga, New York 14227	668-2755
102	Sky Harbor Community Building 4795 Genesee Street Cheektowaga, New York 14225	Office - 681-7007 Maintenance (8 LoBue) Ted & Fran 685-2968
3, 86	Amyvets Post #14 4721 Broadway Depew, New York 14043 c/o Robert DelRoy, Steward - 681-8322	685-4721
89, 91	Maryvale East Associates Moorman Drive	681-5061
56	Stanley G. Falk School United Cerebral Palsy Association Rossler & Dingens, 14206 Ann Westner	894-4020
10, 11, 24	United Cerebral Palsy Association North Hill Elementary School 4635 Union Road, 14225	633-4442

ELECTION DISTRICTS

Town of Cheektowaga, County of Erie, New York
POLLING PLACES

We the undersigned composing the Board of the Town Officers of the Town of Cheektowaga, New York do hereby give notice that we have designated the following Polling Places in said Town of Cheektowaga.

District #1 - St. Mary's Greek Orthodox Church, 940 Losson Road

District #2 - Bellevue Fire Station, Como Park & Bennett Road

District #3 - Amvets Post #14, 4721 Broadway, Depew

District #4 - Forks Fire Hall No. 2, Nagel Dr. & South Creek Drive

District #5 - U Crest Fire Hall, 255 Clover Place

District #6 - Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.

District #7 - Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.

District #8 - Maryvale Community Center, 3409 Genesee Street

District #9 - Maryvale Continuing Educ. Building, 777 Maryvale Drive

District #10 - United Cerebral Palsy Association, 4635 Union Road

District #11 - United Cerebral Palsy Association, 4635 Union Road

District #12 - Infant of Prague School Hall, 921 Cleveland Drive

District #13 - Cleveland Drive Presbyterian Church, 735 Cleveland Drive

District #14 - Cleveland Hill Fire Hall, 440 Cleveland Drive

District #15 - St. Aloysius School, 157 Cleveland Drive

District #16 - St. Aloysius School, 157 Cleveland Drive

District #17 - St. Mary's Greek Orthodox Church, 940 Losson Road

District #18 - St. Aloysius School, 157 Cleveland Drive

District #19 - St. Aloysius School, 157 Cleveland Drive

District #20 - Cleveland Hill High School, Mapleview Drive

District #21 - Cleveland Hill High School, Mapleview Drive

District #22 - Cleveland Hill High School, Mapleview Drive

District #23 - Infant of Prague School Hall, 921 Cleveland Drive

District #24 - United Cerebral Palsy Association, 4635 Union Rd.

District #25 - Maryvale Continuing Educ. Building - 777 Maryvale Drive

District #26 - Maryvale Community Center, 3409 Genesee Street

District #27 - Mother of Divine Grace Church, 500 Maryvale Drive

District #28 - Mother of Divine Grace Church, 500 Maryvale Drive

District #29 - United Cerebral Palsy Association, 7 Community Drive

District #30 - United Cerebral Palsy Association, 7 Community Drive

District #31 - Pine Hill Elementary School, 1635 East Delavan

District #32 - Pine Hill Elementary School, 1635 East Delavan

District #33 - Villa Maria College, 240 Pine Ridge Road

District #34 - Pine Hill Fire Hall, 2435 Genesee St.

District #35 - Cheektowaga Recreation Center, Town Park, Harlem Road

District #36 - Queen of Martyrs School, 180 George Urban Blvd.

District #37 - Maryvale Community Center, 3409 Genesee Street

District #38 - U-Crest Fire Hall, 255 Clover Place

District #39 - U-Crest Fire Hall, 255 Clover Place

District #40 - Anna M. Reinstein Memorial Library, 2580 Harlem Road

District #41 - Anna M. Reinstein Memorial Library, 2580 Harlem Road

District #42 - St. John Gualbert Hall 120 Alexander Avenue

District #43 - St. John Gualbert Hall
120 Alexander Avenue

District #44 - Rescue Fire Hall,
20 Pine Ridge Road

District #45 - Rescue Fire Hall,
20 Pine Ridge Road

District #46 - Sloan Fire Hall,
55 Gates Street, Sloan

District #47 - Sloan Fire Hall,
55 Gates Street, Sloan

District #48 - Sloan Fire Hall,
55 Gates Street, Sloan

District #49 - Sloan Fire Hall,
55 Gates Street, Sloan

District #50 - Sloan Fire Hall,
55 Gates Street, Sloan

District #51 - Theodore Roosevelt
School, 2495 William Street

District #52 - Theodore Roosevelt
School, 2495 William Street

District #53 - Ukrainian Holy Trinity
Orthodox Hall, 200 Como Park Blvd.

District #54 - Theodore Roosevelt
School, 2495 William Street

District #55 - Doyle Fire Hall No. 1,
William & Alaska

District #56 - United Cerebral Palsy
Association, Rosslar & Dings

District #57 - Doyle Fire Hall No. 2,
Willowlawn & Griswold Street

District #58 - South Branch Library,
2660 William Street

District #59 - Sciole Elementary
School, 86 Alys Drive, Depew

District #60 - Sciole Elementary
School, 86 Alys Drive, Depew

District #61 - Forks Fire Hall No. 2,
Nagel & South Creek Drive

District #62 - Hy-View Fire Hall,
8 Airport Drive

District #63 - Hy-View Fire Hall,
8 Airport Drive

District #64 - Forks Fire Hall
(Memorial Hall), 3340 Broadway

District #65 - St. Barnabas
School, 2099 George Urban Blvd.

District #66 - Maryvale Primary
Bldg., 1 Nagel Drive

District #67 - Knights of St. John
Christian Club, 2379 Union Road

District #68 - West End Hose Co. No. 6
2325 George Urban Blvd.

District #69 - Queen of Martyrs,
180 George Urban Blvd.

District #70 - Cheektowaga Recreation
Center, Town Park, Harlem Road

District #71 - Cleveland Hill High
School, Mapleview Drive

District #72 - Cleveland Hill Fire
Hall, 440 Cleveland Drive

District #73 - Cleveland Heights
Christian Church, 4774 Union Road

District #74 - Bellevue Fire Hall
Como Park Blvd. & Bennett Road

District #75 - Maryvale Continuing Educ.
Building, - 777 Maryvale Drive

District #76 - Our Lady of the Blessed
Sacrament School, 2620 George Urban Blvd.

District #77 - Ukrainian Holy Trinity
Orthodox Church Hall, 200 Como Park Blvd.

District #78 - Doyle Fire Hall No. 1
William & Alaska Street

District #79 - Southline Fire Hall,
1049 French Road

District #80 - Knights of St. John
Christian Club, 2379 Union Road

District #81 - Southline Fire Hall,
1049 French Road

District #82 - St. Mary's Greek
Orthodox Church, 940 Losson Road

District #83 - Dartwood Community Center
222 Autumnwood Drive

District #84 - Dartwood Community Center
222 Autumnwood Drive

District #85 - Bellevue Fire Hall,
Como Park Blvd. & Bennett Road

District #86 - Amvets Post # 14, 4721
Broadway, Depew

District #87 - St. Barnabas School
2099 George Urban Blvd.

District #88 - West End Hose Co. No. 6
2325 George Urban Blvd.

District #89 - Maryvale East Apartments,
Moorman Drive

District #90 - Infant of Prague School
Hall, 921 Cleveland Drive

District #91 - Maryvale East Apartments
Moorman Drive

District #92 - Maryvale Primary
Bldg., 1 Nagel Drive

District #93 - U-Crest Fire Hall,
255 Clover Place

District #94 - Ukrainian Holy Trinity
Orthodox Hall, 200 Como Park Blvd.

District #95 - St. Mary's Greek
Orthodox Church, 940 Losson Road

District #96 - Maryvale Primary
Bldg., 1 Nagel Drive

District #97 - South Branch Library
2660 William Street

District #98 - Forks Fire Hall No. 2
Nagel & South Creek Drive

District #99 - Cleveland Heights
Christian Church, 4774 Union Road

District #100 - Dartwood Community
Center, 222 Autumnwood Drive

District #101 - Queen of Martyrs
School, 180 George Urban Blvd.

District #102 - Sky Harbor Community
Building, 4795 Genesee Street

District #103 - Our Lady of the Blessed
Sacrament School, 2620 George Urban Blvd.

District #104 - Ukrainian Holy Trinity
Orthodox Hall, 200 Como Park Blvd.

District #105 - John F. Kennedy School,
305 Cayuga Creek Road

District #106 - Knights of St. John
Christian Club, 2379 Union Road

District #107 - Knights of St. John
Christian Club, 2379 Union Road

District #108 - Dartwood Community Center,
222 Autumnwood Drive

District #109 - Dartwood Community Center,
222 Autumnwood Drive

District #110 - Southline Fire Hall,
1049 French Road

District #111 - Southline Fire Hall,
1049 French Road

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD

Supervisor:

Dennis H. Gabryszak

Councilmen:

Patricia A. Jaworowicz

Richard B. Solecki

William P. Rogowski

Jacqueline A. Blachowski

Thomas M. Johnson, Jr.

William L. Wielinski

RICHARD M. MOLESKI
Town Clerk

Item No. 7 Motion by Councilman Jaworowicz, Seconded by Councilman Wielinski

WHEREAS, by resolution dated August 16, 1993 this Town Board retained Foit-Albert Associates to provide architectural and engineering services for the proposed Losson Road/Julia Boyer Reinstein Library, and

WHEREAS, Foit-Albert Associates has prepared and submitted to the Town for its review and acceptance schematic design sketches and design development drawings, and

WHEREAS, this Town Board has reviewed such sketches and drawings and wishes to accept same, NOW, THEREFORE, BE IT

RESOLVED, that the schematic design sketches and design development drawings for the proposed Losson Road Library, as submitted by Foit-Albert Associates, be and hereby are accepted by this Town Board, and BE IT FURTHER

RESOLVED, that Foit-Albert Associates be and hereby is authorized and directed to begin preparation of the detailed drawings, construction drawings, etc. for the Losson Road Library based on the above approved sketches and design drawings.

Upon Roll Call....

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

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

WHEREAS, the Niagara Frontier Transportation Authority (NFTA) prepared a Draft Supplement to the Environmental Assessment for the proposed Terminal Area Improvements at the Greater Buffalo International Airport located in the northeast sector of the Town of Cheektowaga, AND

WHEREAS, said Environmental Assessment Report states that the existing terminal complex and adjacent Buffalo Airport Center property are almost totally impervious due to the intense concentration of buildings and paved surfaces, AND

WHEREAS, the planned improvements will not significantly reduce the impervious areas which contribute a substantial quantity of stormwater flow to Town maintained streams and tributaries, AND

WHEREAS, this Town Board, on behalf of downstream residential and business properties has, on numerous occasions, petitioned the NFTA to provide additional stormwater detention facilities and a responsible Stormwater Management Plan acceptable to the Town Engineer and this Town Board, which the proposed Terminal Area Improvements Project fails to include, AND

WHEREAS, the Town Engineer has once again appealed to the NFTA at the Public Information Meeting for the proposed Terminal Area Improvements Project, held on February 28, 1994, to include stormwater management improvements as part of said project, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does not accept the Draft Supplement to the Environmental Assessment for proposed Terminal Area Improvements as addressing the environmental concerns and needs of the impacted citizens of the Town of Cheektowaga, AND, BE IT FURTHER

RESOLVED, that the NFTA is once again memorialized by this Town Board to include in its scope of work, the provisions of stormwater run-off control facilities, AND, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the NFTA Executive Director, Richard T. Swist, Mr. Robert D. Gioia, Chairman NFTA Board of Commissioners, the Federal Aviation Administration, Assemblyman Paul Tokasz and Senator Dale M. Volker.

Item No. 8a continued

Upon Roll Call....

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

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

WHEREAS, the Niagara Frontier Transportation Committee (NFTC) has recently conducted public meetings on its regional Transportation Improvement Program (TIP) which includes all federally funded highway and transit projects being considered for implementation in the five-year period through 1999, AND

WHEREAS, a Transportation Management Study issued in 1985, together with the current Town Wide Traffic Study, have identified and recommended various projects which would improve upon traffic capacity and safety within the Town, and in some instances, replace antiquated signalization equipment, which projects are prioritized on the attached February 23, 1994 communication from EMS Consulting, the Town's Traffic Study Consultant, AND

WHEREAS, the Town has responsibility administered TIP projects in the past and has provided local matching funds to successfully complete projects of a similar nature, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NFTC and County Executive Dennis Gorski, the Town's NFTC Representative, to include in the Transportation Improvement Program, those projects recommended by EMS Consulting, the Town's Traffic Consultant, as enumerated in their February 23, 1994 communication.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

February 23, 1994

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

Re: Transportation Improvement Program
Public Meetings

Dear Mr. Johnson:

I offer the following information that can be presented at the Transportation Improvement Program Public Meetings scheduled by the NFTA. A copy of the notice for the meetings is attached.

Cheektowaga Projects Submitted for Consideration
(By Priority)

1. East Delavan Avenue/Pine Ridge Road Intersection
Improvements

Identified as a problem by the 1984 TSM Study. Was programmed, but we ran out of money and could only do Azalea Drive, which was part of the project.

Present flashing signal is unsafe and over 50 years old. Signal flashes yellow for East Delavan and red for Pine Ridge Road. This is unusual and causes safety problems, but necessary due to the grade on the East Delavan approach. The approach becomes slippery in the winter time. If vehicles were required to stop on the approach, they could not get started again.

The signal would be replaced for better response to traffic demand and safety needs, and the grade on East Delavan Avenue would be reduced.

2. Borden Road Traffic Signals at Como Park Boulevard and
at Losson Road

The existing signals are over 40 years old and do not have the proper operation to respond to traffic volume and safety demands. They are attached to wood utility poles and the signal head placement is improper which

is a potential safety problem. The traffic in these intersections will increase substantially as development on Transit Road increases. The importance of Borden Road as an alternate route for Transit Road is increasing.

3. Traffic Signal and Detector Updates

About 17 of the existing 53 traffic signals owned and maintained by the Town are over 30 years old and many are over 40 years old. The normal expected life is about 10 to 15 years. The controllers can no longer be maintained properly and do not have the necessary mandated conflict monitors and emergency flashing devices for safety. When they malfunction, they must be turned off and traffic must be directed by Police Officers until the signal is repaired. Most of the signals do not have any vehicle detection for properly and efficiently controlling the traffic or pushbuttons for pedestrian safety. Upgrading the controllers and detection will reduce maintenance costs, free up the Police Department for more critical activities, reduce traffic delay, substantially increase safety, and improve the environment.

4. Right Turn Lanes at Various Intersections

French Road at Towers, at Brentwood, and at Borden; Nagel Drive at Walden Avenue and at George Urban Boulevard.

Right turn lanes would substantially increase capacity and safety in response to complaints.

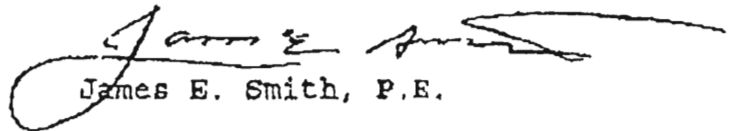
Arguments in Favor of Cheektowaga

1. Cheektowaga has a track record of administering TIP projects without relying on other agencies to implement the projects for them. This procedure places all of the design and coordination responsibilities on the Town and not on already burdened County and NYSDOT staff.
2. The Town provides all Local Matching funds beyond funding available from the State. This is very generous since over half the project cost is typically for roadway work on the County Highway System. The Town should only be responsible for traffic signal and some sign work.
3. The Town assumes the responsibility of preparing all construction plans, proposals and estimates, and provides services during construction.

Mr. Johnson
February 23, 1994
"

Please call me if additional information is needed or if
you have any questions.

Sincerely,



James E. Smith, P.E.

JES/gcp

cc: Chester Bryan, Engineering

Niagara Frontier Transportation Committee

Invites the public to a presentation on:

The Proposed

Transportation Improvement Program

This Program includes all federally funded highway and transit projects being considered for the 5-year period through:

1999

Public Comment is Welcome

Schedule of Meetings:

WEDNESDAY, FEBRUARY 23rd - 7:00 P.M.
Earl Brydges Public Library Auditorium
1425 Main Street
Niagara Falls, NY

MONDAY, FEBRUARY 28th - 4:30 P.M.
Buffalo & Erie County Public Library Auditorium
Lafayette Square
Buffalo, NY

WEDNESDAY, MARCH 2nd - 7:30 P.M.
Williamsville North High School
1595 Hopkins Road
Williamsville, NY 14221

For further information call 716-856-2026

PUBLIC MEETING NOTICE

The Niagara Frontier Transportation Committee (NFTC), the metropolitan planning organization for Erie and Niagara Counties, will be conducting three public meetings on its regional Transportation Improvement Program (TIP). This Program includes all federally funded highway and transit projects being considered for implementation in the five-year period through 1999. Approximately, \$1 billion dollars is expected over the next five years to address road, bridge and transit projects.

The NFTC in cooperation with the New York State Department of Transportation is responsible for selecting those projects to be included in the TIP. The Program is updated annually to reflect those elements of highest priority based on need, local desires and funding availability.

As a result of this region's previous "non-attainment" status for ozone as designated by the Clean Air Act, air quality analyses have been performed on projects proposed for the TIP and those results will also be presented at the meetings.

The NFTC is seeking citizen review and input to the Transportation Improvement Program prior to its approval. The draft will be presented at the following three meetings:

WEDNESDAY, FEBRUARY 23rd 7:00 P.M.
EARL BRYDGES PUBLIC LIBRARY AUDITORIUM
1425 Main Street
Niagara Falls, NY 14305
MONDAY, FEBRUARY 28th 7:30 P.M.
BUFFALO & ERIE COUNTY PUBLIC LIBRARY AUDITORIUM
Lafayette Square
Buffalo, NY 14203
WEDNESDAY, MARCH 2nd 7:30 P.M.
WILLIAMSVILLE NORTH HIGH SCHOOL AUDITORIUM
1595 Hopkins Road
Williamsville, NY 14221

Improvement Program information will also be available at all Erie and Niagara County Public Libraries and at the NFTC's central office located at 181 Ellicott Street by February 23 and will be subject to a public comment period extending to March 9, 1993.

For more information on these meetings or should you wish to schedule a presentation specifically for your organization or community group, please call the Niagara Frontier Transportation Committee at 856-2026.

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 7th day of March 1994 at 7:00 o'clock p.m. Eastern Standard 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 Councilman Rogowski

WHEREAS, the Niagara Frontier Transportation Committee (NFTC) has recently conducted public meetings on its regional Transportation Improvement Program (TIP) which includes all federally funded highway and transit projects being considered for implementation in the five-year period through 1999, AND

WHEREAS, a Transportation Management Study issued in 1985, together with the current Town Wide Traffic Study, have identified and recommended various projects which would improve upon traffic capacity and safety within the Town, and in some instances, replace antiquated signalization equipment, which projects are prioritized on the attached February 23, 1994 communication from EMS Consulting, the Town's Traffic Study Consultant, AND

WHEREAS, the Town has responsibly administered TIP projects in the past and has provided local matching funds to successfully complete projects of a similar nature, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NFTC and County Executive Dennis Gorski, the Town's NFTC Representative, to include in the Transportation Improvement Program, those projects recommended by EMS Consulting, the Town's Traffic Consultant, as enumerated in their February 23, 1994 communication.

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

Item No. 9a Motion by Councilman Blachowski, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga recently provided a Housing Rehabilitation Community Development loan to Mr. & Mrs. Donald Friedrich, for property owned by them located at 21 Southcrest Avenue, Cheektowaga, New York, and

WHEREAS, Mr. & Mrs. Friedrich are applying for a separate mortgage loan through Source One, Mortgage Services Corporation, and they are requesting the Town to execute a Subordination Agreement relating to the Town's Community Development Loan, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Mr. & Mrs. Friedrich and the Town's Housing Rehabilitation Community Development loan for 21 Southcrest Avenue 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. 9b Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

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 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 Towns of Amherst and Tonawanda for the purpose of applying for funding under the HOME Program, and

WHEREAS, the Town of Amherst was 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 \$828,000 in funding during Fiscal Year 1993 with the Town's share of said funding to be up to \$269,930, 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, NOW, THEREFORE, BE IT

RESOLVED, the Town Board hereby designates the projects outlined on the attached exhibit for funding for the Town of Cheektowaga under the Fiscal Year 1994 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 Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

HOME Program
Fiscal Year 1994
Amherst-Cheektowaga-Tonawanda Consortium

PROJECT DESCRIPTIONS - TOWN OF CHEEKTOWAGA

1) HOME Revolving Housing Rehabilitation Loan Program

\$ 216,930

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 HOME Program after-rehab property-value limitations.

2) First-Time Homebuyer Assistance

\$ 30,000

Description

Assistance will be provided to first-time low/moderate income homebuyers, as defined by Home Program regulations, to assist in 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

\$ 23,000

Description

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

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

BE IT RESOLVED, that the below listed individuals be terminated from the Youth and Recreational Services Department (seasonal):

Michelle Freedman	14215
Laura Herko	14043
Deborah Pokorski	14225
Lisa Sullivan	14225
Richard Andrejewski	14227

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the below listed individual be upgraded as indicated: (part-time)

FROM RECREATION SPECIALIST II TO RECREATION SUPERVISOR I - \$5.50 per hour-7140.1614

Sarah E. Noonan	14225
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Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town's cable television franchise agreement with Adelpia Cable Communications is scheduled to expire on May 3, 1994, and the Town needs to begin negotiations for a new franchise agreement, and

WHEREAS, by resolution dated January 18, 1994 this Town Board created the Cable Television Committee to assist the Town with negotiating a franchise agreement, and appointed members thereto, and

WHEREAS, Charles Hintermeier and Ronald Vaccaro have also expressed an interest in serving on the Cable Television Committee, NOW, THEREFORE, BE IT

RESOLVED, that the following persons be and hereby are appointed to serve on the Cable Television Committee, effective immediately:

Charles Hintermeier

Ronald Vaccaro

Cheektowaga, New York 14225

Cheektowaga, New York 14225

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Association of Erie County Governments annually travels to Albany for the purpose of lobbying State representatives on issues affecting local governments in Erie County, and

WHEREAS, this year the Association of Erie County Governments has arranged to conduct this year's lobbying trip to Albany on March 21-22, 1994, and

Item No. 13 continued

WHEREAS, the Town Supervisor has been requested to travel to Albany this year by the Association of Erie County Governments, and

WHEREAS, there are many Town issues which the Supervisor can discuss/ lobby with State legislators while in Albany, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to attend this Association of Erie County Governments meeting in Albany, and BE IT FURTHER

RESOLVED, that the Town shall pay the Supervisor's reasonable and necessary expenses associated with traveling to Albany for this annual meeting out of budget line item number 0100-1910-4082.

Upon Roll Call....

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

Item No. 14 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

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

GENERAL FUND

FROM:	0100-7140-4025	Athletic Supplies	\$ 13,400.00
	0100-7140-4025	Athletic Supplies	300.00
	0100-7140-4491	Special Events	1,125.00
TO:	0100-7140-4539	Softball	13,400.00
	0100-7140-4521	Hockey	300.00
	0100-7140-4521	Hockey	1,125.00

Upon Roll Call....

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

Item No. 15 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to March 4, 1994 and are hereby approved and made a part hereof:

GENERAL FUND	\$289,119.38
HIGHWAY FUND	118,812.60
TRUST & AGENCY FUND	11,008.90
CDBG HUD FUND	2,250.00
PART TOWN FUND	3,896.64
HUD RENTAL REHABILITATION FUND	10,000.00
RISK RETENTION FUND	4,152.37
HUD HOUSING REHABILITATION FUND	1,494.00
SPECIAL DISTRICTS FUND	188,302.12
CAPITAL FUND	<u>59,455.03</u>
	\$688,491.04

Upon Roll Call....

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 16 Building Permits
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 17 Notice of Claim: Yvonne White vs the Town of Cheektowaga
Received and Filed.

Item No. 18 Request to Speak: Joseph P. Frazer (Pfohl Brothers Dump Site)
Received and Filed.

* * * * *

MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN SOLECKI
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

* * * * *

IV. SUSPENSION OF RULES

Item No. 19 Motion by Councilman Johnson, Seconded by Supervisor Gabryszak

WHEREAS, questions have continued to be raised concerning the possible direct or indirect contamination of nearby house well water caused by the Pfohl Hazardous Waste Site prior to the installation of public water service, and

WHEREAS, the Cheektowaga Town Board has been informed that data is available purportedly indicating that a level of such contamination existed at 1020 Rein Road and elsewhere in the area, and

WHEREAS, the former residents of 1020 Rein Road and other households in the vicinity of the Pfohl Road site believe they have been negatively affected by a contaminated well water source, and

WHEREAS, this Town Board and its officers and employees are not in a position to evaluate the hazards that may have been present as a result of the Pfohl Hazardous Waste Site, and have not been involved with studies pertaining to same, but are concerned about the health of residents in this area of Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby calls upon the Commissioner of the New York State Health Department to re-open the Department's investigation into well water contamination and the health consequences to residents who lived and live on the periphery of the Pfohl Road site, including the review of all analytical data and medical histories for possible correlations, and BE IT FURTHER

RESOLVED, that this Town Board requested that the results of such investigation be made public, and that any compensation which would accrue to those whose health has been damaged or to the taxpayers who financed the resultant water district (#8) be paid by the responsible State agencies or private entities, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the New York State Health Department.

Item No. 19 continued

MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN ROGOWSKI TO AMEND THE ABOVE RESOLUTION (ITEM 19) AND THE VOTING WAS AS FOLLOWS:

AMENDED

WHEREAS, questions have continued to be raised concerning the possible direct or indirect contamination of nearby house well water caused by the Pfohl Hazardous Waste Site prior to the installation of public water service, and

WHEREAS, the Cheektowaga Town Board has been informed that data is available purportedly indicating that a level of such contamination existed at 1020 Rein Road and elsewhere in the area, and

WHEREAS, the former residents of 1020 Rein Road and other households in the vicinity of the Pfohl Road site believe they have been negatively affected by a contaminated well water source, and

WHEREAS, this Town Board and its officers and employees are not in a position to evaluate the hazards that may have been present as a result of the Pfohl Hazardous Waste Site, and have not been involved with studies pertaining to same, but are concerned about the health of residents in this area of Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby calls upon the Commissioner of the New York State Health Department to re-open the Department's investigation into well water contamination and the health consequences to residents who lived and live on the periphery of the Pfohl Road site, including the review of all analytical data and medical histories for possible correlations, and BE IT FURTHER

RESOLVED, that this Town Board requested that the results of such investigation be made public, and that any compensation which would accrue to those whose health has been damaged or to the taxpayers who financed the resultant water district (#8) be paid by the responsible State agencies or private entities, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the New York State Health Department, Department of Environmental Conservation and the United State Environmental Protection Agency.

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 Rogowski

WHEREAS, by resolution dated April 17, 1989 the Town of Cheektowaga retained the services of Can-Am Golf Enterprises, Inc., Hurdzan Design Group, to prepare the architectural plans and specifications for the proposed Cheektowaga Golf Course, and to oversee the construction of such course, for a total cost of \$150,000, and

WHEREAS, since the retention of such firm, there was need to make a number of modifications to the plans for such course, and additional work from the golf course architect has been required, and

Item No. 20 continued

WHEREAS, North American Golf, Inc., the Project Manager for the golf course, recommended that the Town agree to pay the golf course architect an additional fee of \$30,000.00 for additional work done (revising construction documents, repeating project bid phase and additional expenses), and

WHEREAS, the golf course architect is now known as Hurdzan Golf Course Design, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the payment to Hurdzan Golf Course Design of an additional \$30,000.00 for golf course architectural services, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any contract amendments with Hurdzan Golf Course Design to authorize the additional services and fees, and any and all other documents in connection therewith.

Upon Roll Call....

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

Item No. 21 Motion by Councilman Wielinski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that Francis T. Keefe, General Mechanic in the Facilities Department, be and hereby is terminated from his employment with the Town of Cheektowaga, effective immediately.

Upon Roll Call....

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

Item No. 22 Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski to adjourn this meeting.

Richard M. Moleski
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of March, 1994 at 7:00 o'clock P.M., Eastern Standard Time there were:

PRESENT: 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: Supervisor Dennis H. Gabryszak

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Salvatore LaGreca, Chairman of Planning Board; Chester Bryan, Town Engineer; Bruce Chamberlin, Chief of Police; Andrew Kulyk, Chairman of Zoning Board of Appeals; Jerry Gabryszak, Director of Community Development; Leonard Szymanski, Foreman-Facilities Department.

* * * * *

In the absence of Supervisor Dennis Gabryszak, Deputy Supervisor Patricia A. Jaworowicz chaired the meeting.

* * * * *

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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>
Bison Pkwy.	east-west	Bison Pkwy.	southbound	N.W. corner
Bison Pkwy.	north-south	Bison Pkwy.	eastbound	S.W. corner
Bison Pkwy.	east-west	driveway to Norfolk-Southern Railroad Facility	northbound	S.E. corner

Item No. 2 cont'd

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

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

B. No parking anytime

Bison Pkwy. east side from the south curblin of Gruner Road southerly to a point intersection the extension of the north curblin of Bison Parkway (east-west).

Bison Pkwy. west side from the south curblin of Gruner Road southerly to the north curblin of Gruner Road southerly to the north curblin of Bison Parkway (east-west).

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

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of enacting a proposed local law entitled "A Local Law Amending the Board of Ethics Law" 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. The proposed local law provides in substance as follows:

Local Law Intro. No. 94-1

A Local Law Amending the Board of Ethics Law

This local law amends Local Law No. 1 of the Year 1993 of The Town of Cheektowaga ("A Local Law Establishing a Board of Ethics") to substitute the use of a different form of annual statement of financial disclosure for certain designated municipal officers and employees.

A copy of the complete text of such local law is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

II. RESOLUTIONS

Item No. 4a Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Atlantic Refining & Marketing Corp. c/o Sun Refining and Marketing Company has made application and requested the rezoning of property located at Harlem Rd., Corner of Cleveland Drive from NS-Neighborhood Service to MS-Motor Service and a special use permit for gas station/mini store/auto repair, NOW, THEREFORE, BE IT

Item No. 4a cont'd

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 4, 1994 at 6:30 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

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

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 4th day of APRIL, 1994 at 6:30 o'clock, P.M., Eastern DAYLIGHT SAVING Time of said day for the purpose of considering the application of ATLANTIC REFINING CO. to Rezone from NS - NEIGHBORHOOD SERVICE District to MS - MOTOR SERVICE District on property located at HARLEM AT THE CORNER OF CLEVELAND DRIVE 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.

DESCRIPTION

Beginning at a point in the easterly boundary line of New York State Highway Route 240 also known as Harlem Road at its point of intersection with the southerly boundary line of a town road known as Cleveland Drive; thence running from said point of beginning S81° 36' 30" E along the last mentioned southerly boundary line of a town road known as Cleveland Drive (100.00) feet to a point in the division line between lands on the east now or formerly of Paul Burgstein, M.D. and also lands on the east now or formerly of Erie County and lands on the west of the herein described parcel; thence S 09° 00' 00" W along the last mentioned division line (134.93) feet to a point in the division line between lands on the south now or formerly of Joseph J. and Isabelle Renda and lands on the north of the herein described parcel; thence N 81° 36' 30" W along the last mentioned division line (100.00) feet to a point in the aforementioned easterly boundary line of New York State Route 240 also known as Harlem Road; thence N 09° 00' 00" E along the last mentioned easterly boundary line of New York State Route 240 also known as Harlem Road (134.93) feet to the point of beginning. Containing 13,492 square feet of land more or less.

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 Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1994

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 1 weeks: first publication March 24, 1994; last publication March 24, 1994; and that no more than six days intervened between publications.

Melissa Gugliuzza (signature)

Sworn to before me this 24th

day of March, 1994

Margaret J. Bourdette (signature)

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 12/11/95

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..... March 24, 1994..... ;
last publication..... March 24, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza.....

Sworn to before me this24th.....

day ofMarch....., 19...⁹⁴..

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 12/11/95

LEGAL NOTICE

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DESCRIPTION

Beginning at a point in the easterly boundary line of New York State Highway Route 240 also known as Harlem Road at its point of intersection with the southerly boundary line of a town road known as Cleveland Drive; thence running from said point of beginning S81° 36' 30" E along the last mentioned southerly boundary line of a town road known as Cleveland Drive (100.00) feet to a point in the division line between lands on the east now or formerly of Paul Burgstein, M.D. and also lands on the east now or formerly of Erie County and lands on the west of the herein described parcel; thence S 09° 00' 00" W along the last mentioned division line (134.93) feet to a point in the division line between lands on the south now or formerly of Joseph J. and Isabelle Renda and lands on the north of the herein described parcel; thence N 81° 36' 30" W along the last mentioned division line (100.00) feet to a point in the aforementioned easterly boundary line of New York State Route 240 also known as Harlem Road; thence N 09° 00' 00" E along the last mentioned easterly boundary line of New York State Route 240 also known as Harlem Road (134.93) feet to the point of beginning. Containing 13,492 square feet of land more or less.

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 Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1994

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..... March 24, 1994..... ;
 last publication..... March 24, 1994..... ;
 and that no more than six days intervned be-
 tween publications.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 4th day of APRIL, 1994 at 6:30 o'clock, P.M., Eastern DAYLIGHT SAVING Time of said day for the purpose of considering the application of ATLANTIC REFINING for a Special Permit to OPERATE A GAS STATION/MINI STORE/AUTO REPAIR on property located at HARLEM RD. AT THE CORNER OF CLEVELAND DR. pursuant to Article VI and Section 82-33 of the Zoning Law of the Town of Cheektowga, New York.

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

BY ORDER OF THE TOWN BOARD

- Supervisor 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

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: March 24, 1994

LIV
 1052

Melissa Gugliuzza

Sworn to before me this24th.....

day ofMarch....., 19...94..

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 12/11/95

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-
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said paper once a week for1.... weeks:
first publication..... March 24, 1994..... ;
last publication..... March 24, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza
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Sworn to before me this24th.....
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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 12/11/9 6

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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 Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1994

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

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on April 4, 1994 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 24th day of March, 1994, 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 April 4, 1994 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

Chapter 76 of the Code of the Town of Cheektowaga shall be amended by deleting therefrom the following:

ARTICLE XIV
Parking of Commercial Vehicles
[Added 8-16-71]

§76-140. Commercial Vehicles restricted: certain streets.

- A. No commercial vehicle, truck, tractor, travel trailer, truck camper camping trailer, motor home or any licensed camper vehicle shall park on the following streets or the rights-of-way of said streets, nor shall said streets, rights-of-way or lots within said streets be used for the sale of goods, wares or merchandise from motor vehicles:

[1] Felber Lane. The foregoing shall not prohibit the delivery of pickup of goods, wares, merchandise and building materials previously ordered and solicited by the owner or occupant of the premises, the loading and unloading and the reasonable use of the street for such purpose and the parking of a vehicle for a limited period of time to load and unload same. Such restriction shall be conspicuously posted upon said street.

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

Dated: March 21, 1994

RICHARD M. MOLESKI
Town Clerk

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE
NOTICE OF
PUBLIC HEARING

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ARTICLE XIV
Parking of Commercial Vehicles
(Added 8-16-71)

§76-140. Commercial vehicles restricted: certain streets.

A. No commercial vehicle, truck, tractor, travel trailer, truck camper, camping trailer, motor home or any licensed camper vehicle shall park on the following streets or the rights-of-way of said streets, nor shall said streets, rights-of-way or lots within said streets be used for the sale of goods, wares or merchandise from motor vehicles:

(1) Felber Lane. The foregoing shall not prohibit the delivery or pickup of goods, wares, merchandise and building materials previously ordered and solicited by the owner or occupant of the premises, the loading and unloading and the reasonable use of the street for such purpose and the parking of a vehicle for a limited period of time to load and unload same. Such restriction shall be conspicuously posted upon said street.

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

Dated: March 21, 1994

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1994

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..... March 24, 1994.....; last publication..... March 24, 1994.....; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this24th.....

day of March....., 19.....94..

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 12/11/95

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

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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 12/11/9 S

LEGAL NOTICE

**NOTICE OF
PUBLIC HEARING**

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Chapter 76 of the Code of the Town of Cheektowaga shall be amended by deleting therefrom the following:

**ARTICLE XIV
Parking of Commercial Vehicles
(Added 8-16-71)**

§76-140. Commercial vehicles restricted: certain streets.

A. No commercial vehicle, truck, tractor, travel trailer, truck camper, camping trailer, motor home or any licensed camper vehicle shall park on the following streets or the rights-of-way of said streets, nor shall said streets, rights-of-way or lots within said streets be used for the sale of goods, wares or merchandise from motor vehicles:

(1) Felber Lane. The foregoing shall not prohibit the delivery or pickup of goods, wares, merchandise and building materials previously ordered and solicited by the owner or occupant of the premises, the loading and unloading and the reasonable use of the street for such purpose and the parking of a vehicle for a limited period of time to load and unload same. Such restriction shall be conspicuously posted upon said street.

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

Dated: March 21, 1994

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1994

Item No. 5 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing and installation of trees at various sites within the town of Cheektowaga, funded in part, and to be installed in accordance with a U.S. Small Business Administration Grant for New York's National Small Business Tree Planting Program, which bids were duly received and opened on March 16, 1994, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which report is hereto attached and contained in a letter to the Town Board dated March 16, 1994, and

WHEREAS, said report recommends that the contract for the furnishing and installation of trees be awarded to Pine Ridge Nursery, Inc., 7135 Davis Road, West Falls, New York 14170 for the adjusted base bid price of \$21,702.00 said bid being the lowest meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing and installation of trees be and hereby is awarded to Pine Ridge Nursery, Inc. in the amount of \$21,702.00 for the quantities of the various tree species and unit bid prices outlined below, and BE IT FURTHER

RESOLVED, that funding for the aforesaid project shall be from budget line item #5005-8560-0700.

Item	Common Name (Botanical Name)	Approximate Quantity	Unit Price
A	Colorado Spruce (Picea Pungens)	57	\$115.00
B	Flowering Pear (Pyrus Calleryana "Bradford")	9	\$ 99.00
C	Marshall Seedless Ash (Fraxinus Pennsylvanica Lanceolata) Marshall Seedless	10	\$ 99.00
D	Skyline Locust (Gleditsia Triacanthos Inermis) "Skyline"	69	\$ 99.00
E	Summit Ash (Fraxinus Pennsylvanica Lanceolata) "Summit"	2	\$ 99.00
F	Little Leaf Linden (Tulia Cordata Greenspire)	45	\$ 99.00
G	Red Maple (Acer Rebrum)	7	\$ 99.00
H	Emerald Queen Maple (Acer Platanoides) "Emerald Queen"	5	\$ 99.00
I	Royalty Crabapple (Malus "Royalty")	6	\$ 99.00

Upon Roll Call....

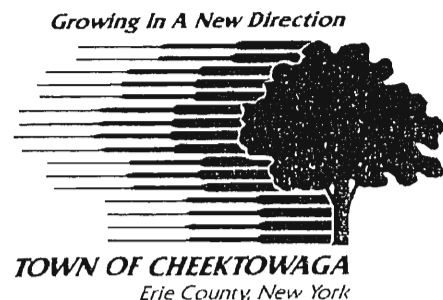
AYES: Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: Supervisor Gabryszak

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



March 16, 1994

TO SUPERVISOR GABRYSZAK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Furnishing & Installation of Trees
National Small Business Tree
Planting Program (1994)

Gentlemen:

At a public bid opening on March 16, 1994, bids were received for the furnishing and installation of trees to be planted at various sites within the Town. This Tree Planting Program is being funded in part by a \$12,500 grant awarded the Town under the National Small Business Tree Planting Program, together with a local match of \$9,300, for a total budget of \$21,800.

The bid specifications solicited unit price bids for nine (9) different tree species, with the provision that quantities may be adjusted to meet the targeted budget. Based on the unit prices submitted by the low bidder, quantities of the various trees by species have been selected to enable the planting of 210 trees at an adjusted total contract price of \$21,702. Six (6) bids were received as outlined below, with base bids being submitted on a total of 220 trees:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Pine Ridge Nursery, Inc.	\$22,852.00
Gleason's Nursery, Inc.	\$24,344.00
Birch Grove Landscaping/Nursery	\$28,744.00
Snyder Ridge Landscaping	\$29,410.00
Alden Evergreen Nursery, Inc.	\$29,607.00
BDR, Inc.	\$33,970.00

To Supervisor Gabryszak
and Town Board Members

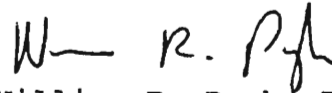
March 16, 1994
Page 2

The low bidder, Pine Ridge Nursery, Inc., 7135 Davis Road, West Falls, New York 14170 meets the grant criteria which requires that the work be performed by a small business, and this same firm successfully completed a similar planting program for the Town in 1992.

It is, therefore, recommended that the contract for the furnishing and installation of trees be awarded to Pine Ridge Nursery, Inc. in the amount of \$21,702.00 for the quantities and unit bid prices outlined on the accompanying resolution.

Very truly yours,

TOWN OF CHEEKTOWAGA



William R. Pugh, P.E.
Asst. Town Engineer

WRP:dms

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

WHEREAS, there are a number of abandoned and unused railroad rights-of-way in the Town which connect with each other and which would be able to be adapted to form bikeways, and

WHEREAS, the ad hoc Cheektowaga Historic Preservation Committee has been meeting to map out a master plan for bikeway development in the Town, which would connect recreational, cultural and historic sites located in the Town, and

WHEREAS, a bikeway master plan map has been prepared, and

WHEREAS, such bikeway master plan map would allow the Town's bikeway to be tied in with bike trails in Lancaster, West Seneca and Amherst, and

WHEREAS, the Town will be applying to the Federal government for a grant to enable the proposed bikeway to be built, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts Cheektowaga Engineering Department's Drawing No. 32194 as the Town's Master Plan for Bicycle Trails.

Upon Roll Call....

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

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

WHEREAS, the Town is proposing to construct a full service library (Julia Boyer Reinstein Library) on Losson Road in the Town, and

WHEREAS, the Town is applying for a grant from the New York State Department of Education through the Federal Title II - Library Services and Construction Act to assist the Town with the cost of construction of such library, and

WHEREAS, such grant requires the Town to provide matching funds for such grant and also to show that the Town will have moneys available to cover the full cost of construction of such library, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby goes on record stating that it intends to adopt a bond resolution for \$2.4 million to satisfy this requirement as soon as environmental review under SEQRA of this project is complete.

Upon Roll Call....

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

Item No. 8 Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has previously executed an Agreement with the Cheektowaga Economic Development Corporation to provide Community Development Block Grant funding for the CEDC's Business Loan Program, and

WHEREAS, the Board of Directors of the Cheektowaga Economic Development Corporation has approved a loan to Gerard Manufacturing for that company's economic development project, and

WHEREAS, the Cheektowaga Economic Development Corporation has requested the Town to pre-approve the drawdown of funds necessary for said loan in anticipation of a loan closing, NOW, THEREFORE, BE IT

Item No. 8 cont'd

RESOLVED, that the Town Board hereby approves the future drawdown of Community Development Block funds from the Town's Community Development Block Grant Program Letter of Credit and the disbursement of said funds to the Cheektowaga Economic Development Corporation in the amount of up to \$200,000. Said drawdown shall be made no more than 10 days prior to the scheduled closing date. In the event that the closing does not occur within 10 days of the scheduled closing date, said drawdown shall be redeposited to the Community Development Block Grant Program Letter of Credit.

Upon Roll Call....

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

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

WHEREAS, Union road is a State highway maintained by the New York State Department of Transportation ("DOT"), and

WHEREAS, there is a large volume of traffic on Union Road, especially in between George Urban Boulevard and Walden Avenue, and

WHEREAS, the DOT Plan calls for roadwork to be done along Union Road in this area in 1998 to alleviate traffic congestion problems, and

WHEREAS, additional development of properties along this portion of Union Road, including Union Consumer Square Expansion, is being proposed, and traffic mitigation work needs to be done now to provide relief along this section of Union Road, and

WHEREAS, traffic impact studies prepared in 1992 and 1994 show that a fifth lane is warranted on Union Road in between Galleria Drive and South Creek Drive, and

WHEREAS, in 1992, Holiday-Union Associates, the developer of Union Consumer Square and other properties on Union Road entered into an agreement with the DOT wherein it would deposit moneys into an account to be used to provide traffic mitigation work along Union Road, and

WHEREAS, moneys are remaining in this account, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the DOT to utilize moneys remaining in this account and appropriate any other additional moneys needed to perform interim traffic congestion relief along that portion of Union Road in between Galleria Drive and South Creek Drive by installing a fifth lane of traffic along such portion of Union Road, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the DOT.

Upon Roll Call....

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

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

WHEREAS, Union Road is State highway maintained by the New York State Department of Transportation ("DOT"), and

WHEREAS, traffic impact studies and signal warrant analyses prepared in 1992 and 1994 show that a traffic signal is justified at the intersection of Union Road and South Creek Drive, and

Item No. 9b cont'd

WHEREAS, Benderson Development Corporation, the developer of the plaza located at the southeast corner of Union Road and South Creek Drive, is willing to install and maintain, at its expense, a traffic signal at this intersection, and

WHEREAS, this Town Board feels that it is in the interest of public safety for a traffic signal to be installed at this intersection, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the DOT to issue a traffic signal permit to Benderson Development Corporation for the installation of a traffic signal at the intersection of Union Road and South Creek Drive and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the DOT.

Upon Roll Call....

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

Item No. 9c Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, since the opening of the New York State Thruway entrance and exit ramps on William Street, there has been an increase in traffic along William Street, and

WHEREAS, such increased traffic has caused problems with vehicles blocking ingress to and egress from side streets along William Street, especially Raymond Avenue, Ceil Drive, Vern Lane and Tamark Court, and

WHEREAS, William Street is a County highway maintained by the Erie County Department of Public Works, Division of Highways, and

WHEREAS, this Board feels that the County should investigate and post signs along William Street at such side streets prohibiting vehicles from blocking the sideroads, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the County of Erie and Erie County Department of Public Works Division of Highways to conduct a traffic study along the portion of William Street near the New York State Thruway to determine the necessity of posting "State Law - Do Not Block Side Road" signs near the above mentioned Town roads, and BE IT FURTHER

RESOLVED, that, should such study determine that there is a need for such signs, the County is hereby requested to install such signs.

Upon Roll Call....

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

Item No. 10a Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz
Councilman Johnson

WHEREAS, the New York State Department of Transportation offers a grant program through the Federal Intermodal Surface Transportation Efficiency Act to provide monies to support a variety of activities including the establishment of pedestrian and bicycle paths, acquisition of scenic or historic sites, landscaping and other scenic beautification, historic preservation, and the preservation and conversion of abandoned railway corridors; and

Item No. 10a cont'd

WHEREAS, grant monies may be used for construction, right-of-way acquisition, design and construction inspection, project planning, studies, and historical and archeological research; and

WHEREAS, the Town of Cheektowaga has developed a master plan for the construction of a bicycle/pedestrian trail system which would connect recreational, cultural, and historical sites located throughout Cheektowaga, and

WHEREAS, the estimated cost for design and construction of Phase I of the bicycle/pedestrian master plan is currently estimated to be \$1,100,000; and

WHEREAS, the Town is eligible to apply for a grant to fund up to 80% of the proposed costs associated with the implementation of Phase I of the trail system over a three year period; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Transportation for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Transportation for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Town's share of required matching funds, in an amount not to exceed \$220,000 over a three year period will be provided through a combination of in-kind services, the future sale of bonds and the receipt of additional grant monies, 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: Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: Supervisor Gabryszak

Item No. 10b Motion by Councilman Rogowski, Seconded by Councilman Johnson

WHEREAS, the New York State Office of Parks, Recreation, and Historic Preservation offers a grant program through the Federal National Community Services Act to provide local governments with monies to implement a conservation corp program to provide meaningful educational and service programming for youth via the establishment of a Youth Conservation Corps program; and

WHEREAS, the Town currently underwrites the costs associated with the Town of Cheektowaga Youth Conservation Corp Program; and

WHEREAS, opportunities exist for additional projects to be completed should manpower availability be increased, and

WHEREAS, the Town wishes to expand programming for youth and seeks funding in an amount not to exceed \$15,000 to offset the costs associated with said expanded programming, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Governor's Office for Voluntary Service for the purpose of securing this grant, and BE IT FURTHER

Item No. 10b cont'd

RESOLVED, that the Town's share of required matching funds, in an amount not to exceed \$18,000, is available from the Department of Youth and Recreational Services, Youth Conservation Corps - Supervisory, budget line #01-7310-1811 and Youth Conservation Corps - Expenses, budget line #01-7310-4689, 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: Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: Supervisor Gabryszak

Item No. 10c Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing and Urban Development for the 1988 through 1992 Program Years, and

WHEREAS, the Village of Depew, as a subrecipient of Community Development funding from the Town of Cheektowaga has requested that the Town amend its Final Statement on the Use of Community Development Block Grant Funds to the Department of Housing & Urban Development for the program years stated above in order to amend the use of CDBG funds allocated to the Village, and

WHEREAS, the Town Community Development Director has recommended that the amendments requested be approved, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby amends the Town of Cheektowaga's Final Statement on the Use of Community Development Block Grant Funds for the 1988 through 1992 program years, inclusive, as indicated on the attached Community Development Block Grant Final Statement Amendment Report, and authorizes the transfer of funds as indicated in said report, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any necessary documents or forms in relation to this action and to submit same to the Department of Housing and Urban Development.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Community Development Block Grant Program
Final Statement Amendment Report

The following amendments are made to the Town of Cheektowaga's Final Statement on the Use of Community Development Block Grant Funds for the Program Years indicated:

Village of Depew Projects

A) Cancelled Projects

The following projects will not be carried out and are therefore cancelled:

1988 Program Year

Playground Acquisition & Development;

1989 Program Year

Playground Acquisition & Development;

1990 Program Year

Playground Acquisition & Development;
Handicapped Playground Equipment
Infrastructure Improvements

1991 Program Year

Sanitary Sewers

1992 Program Year

Sanitary Sewers

B) New Project

The following project is added to the 1988 through 1992 Program Year Final Statements: Depew Senior Citizens Center.

C) Fund Transfers

Funds totaling \$ 196,921.74 will be transferred to the Depew Senior Citizen Center project in the appropriate program years from the following program years and project accounts:

\$ 59,600.00 from 1992 Sanitary Sewers
\$ 61,650.00 from 1991 Sanitary Sewers
\$ 25,000.00 from 1990 Infrastructure Improvements
\$ 15,690.70 from 1990 Handicap Playground Equipment
\$ 12,190.61 from 1990 Playground Acquisition & Development
\$ 19,255.08 from 1989 Playground Acquisition & Development
\$ 3,535.35 from 1988 Playground Acquisition & Development.

Item No. 10d Motion by Councilman Blachowski, Seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Senior Center proposes to furnish the following services: General operating support needed to provide programming and services to homebound and disabled Senior Citizens in order to enrich the lives of these underprivileged individuals, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to sign a 1994 grant contract between the Town of Cheektowaga on behalf of the Cheektowaga Senior Center and the County of Erie for an amount of \$2500.00.

FUND REVENUE ACCOUNT 7620 - 1989

Upon Roll Call....

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

Item No. 10e Motion by Councilman Jaworowicz, Seconded by Councilman Wielinski

WHEREAS, a feasibility study conducted for the Town has shown that a full service library in the south end of Town is warranted; and

WHEREAS, the Town has agreed to construct a new library at 1030 Losson Road to be known as the Julia Boyer Reinstein Library and has hired an architect and environmental consultant to oversee the project; and

WHEREAS, the New York State Department of Education offers a grant program through the Federal Title II - Library Services and Construction Act to assist local governments with the construction of new libraries; and

WHEREAS, the Town of Cheektowaga is desirous of financial assistance to offset construction costs associated with the new library building; NOW, THEREFORE, BE IT

RESOLVED, that the Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Education for the purpose of securing a grant in an amount not to exceed \$350,000 for the construction of the Julia Boyer Reinstein Library, and BE IT FURTHER

RESOLVED, that all matching funds will be met through the sale of bonds, which will be provided from account #5403-1220-9409 and/or the receipt of additional grant monies, 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: Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: Supervisor Gabryszak

Item No. 10f Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, the Town, in its 1994 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

Item No. 10f cont'd

WHEREAS, the organizations listed below have completed and returned sign agreements and their accounting report from the 1993 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 Organization</u>	<u>Funding Approved</u>
Cheektowaga Historical Association	\$915.00

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 1994 Town budget, subject to audit and approval of a properly signed Town voucher.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

AGREEMENT

This AGREEMENT, dated March 21, 1994, is made by and between the CHEEKTOWAGA HISTORICAL ASSOCIATION, being a cultural organization primarily active in the presentation of cultural events within the Town and hereinafter referred to as the Party of the First Part, and the TOWN OF CHEEKTOWAGA, a municipal corporation organized and existing under the laws of the State of New York, hereinafter referred to as the Party of the Second Part.

WITNESSETH:

WHEREAS, the Party of the First Part has organized and conducted on numerous occasions in the past various programs for the benefit, and the cultural development of the residents of the Town of Cheektowaga, and

WHEREAS, the Party of the First Part has proposed to continue such cultural events, demonstrations 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 Nine hundred fifteen Dollars (\$915.00) 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 1994 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 Nine hundred fifteen Dollars (\$915.00) on or before June 1, 1994.

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 1994.

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 HISTORICAL ASSOCIATION

By Robert J. Czerwik

TOWN OF CHEEKTOWAGA

By Walter M. Gaborzak
Supervisor

SCHEDULE A

ACTIVITIES TO BE PERFORMED

The Museum will be open Sundays from 2:00 to 4:00 PM except Holidays.

We hold General Meetings at the Alexander Community Center on the third Thursday of the month. A guest speaker is usually present to discuss various historical events in the Western New York area or have a demonstration of collectibles or antique items. The meeting is open to members and non-members alike.

Participate in the Annual Cheektowaga Chamber of Commerce Trade Show.

Participate in the Forth of July Parade.

Participate in the War of 1812 Ceremony.

Participate in the Annual Cultural Weekend/Food Festival sponsored by the Cheektowaga Chamber of Commerce.

Set-up a display booth at the Erie County Fair Grounds depicting a part of Cheektowaga's History.

We will host the annual meeting of the Western New York Association of Historical Agencies.

We will have our Annual Apple Festival the first Saturday in October rain or shine.

We will plan a couple of short trips to local Historical Sites or Museums. These trips are open to members and non-members. A small fee is charged to cover expenses.

Will inspect Historic Site Markers and repair or have repaired as we see necessary.

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)

OFFICERS

President:
Robert J. Ciesielski, Cheektowaga 14225-2250

Vice President:
Elaine Rosenthal, Cheektowaga 14225-4419

Treasurer:
Barbara Bifulco, Eggertsville 14226-4231

Secretary:
Lucy McCabe, Cheektowaga 14225-4017

DIRECTORS

Carol Fix, Cheektowaga 15225-2325

Laura Ely Hacker, Lancaster 14086-2216

Virginia Kapperman, Cheektowaga 14225-2218

Robert Louth, Cheektowaga 14225-1606

Doris Louth, Cheektowaga 14225-1606

Item No. 11a Motion by Councilman Blachowski, Seconded by Councilman Rogowski

WHEREAS, the Town desires to retain the services of a planning consultant for design of a handicapped-accessible playground, and

WHEREAS, cost proposals were solicited from various landscape architects, and

WHEREAS, the Town has received a proposal from Darryl L. Jones, Registered Landscape Architect for the desired services, and

WHEREAS, the Community Development Director and the Facilities Director have reviewed said proposal and recommends its acceptance by the Town, and

WHEREAS, the Town's 1993 Community Development Block Grant program budget includes funding for said planning services, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to enter into an agreement with Darryl L. Jones, 55 Marsdale Road, Cheektowaga, New York 14215 to secure professional services pursuant to his proposal dated March 12, 1994 and the Town's Request for Proposals for said services at fees not to exceed the following amounts; \$2,700 for design services; up to \$350 for reimbursable costs; and, up to \$1,000 for additional services, if required, as defined in the proposal. Said costs shall be paid from the Town's Community Development Block Grant budget.

Upon Roll Call....

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

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

WHEREAS, a Stage I-a Cultural Resources Survey was conducted to determine the archeological sensitivity for that parcel of property on which the Town has proposed the development of a municipal golf course, and

WHEREAS, the aforesaid stage I-a study has recommended a Stage I-b testing strategy and field investigation plan to ensure that the archeological significance of the site is evaluated in accordance with the requirements of the New York State Department of Environmental Conservation (NYSDEC) and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), and

WHEREAS, the NYSDEC and OPRHP have concurred with the proposed Stage I-b investigation plan, to be completed prior to development and disturbance of the Town-owned acreage for any recreational use, and

WHEREAS, Pratt & Huth Associates has submitted an engineering services proposal to conduct the required Stage I-b Cultural Resources Investigation utilizing the format developed by NYSDEC and OPRHP, NOW, THEREFORE, BE IT

RESOLVED, that the firm of Pratt & Huth Associates, 60 Earhart Drive, Williamsville, New York 14221 is hereby retained to perform the aforementioned Cultural Resource Investigation in accordance with the proposal dated February 8, 1994 at a fee not to exceed \$12,700.00, and BE IT FURTHER

RESOLVED, that funds for said professional study shall be chargeable against Account No. 5817-7140-1100.

Upon Roll Call....

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

Item No. 12 Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, the Town Board of the Town of Cheektowaga has previously created a corporation known as the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development within the Town, and

WHEREAS, by resolution dated February 7, 1993, this Town Board approved the proposed By-Laws of the Cheektowaga Economic Development Corporation, and

WHEREAS, the aforesaid By-Laws provide that the Directors of the Cheektowaga Economic Development Corporation will be appointed by resolution of the Cheektowaga Town Board, and

WHEREAS, the Board of Directors of the Cheektowaga Economic Development Corporation has recommended the appointment of the individuals listed below to the Board of Directors of the Cheektowaga Economic Development Corporation, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby reappointed to the Board of Directors of the Cheektowaga Economic Development Corporation, said term being effective immediately and until the successive reappointment of said Board of Director positions subsequent to April 1, 1997:

Joseph Funk
David Cutting
Richard Cielinski
Robert Buczynski
William Kuropatwinski
William Scarfia

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be and hereby are hired as SEASONAL EMPLOYEES, not to exceed 24 weeks in a calendar year, 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, Inc.:

EFFECTIVE

POLICE DEPARTMENT - Traffic Maintenance Division - \$5.50 per hour

Thomas Bollman 4/1/94
Thomas Hudy "
Thomas Nowak "

FACILITIES DEPARTMENT - (0100-7110-1491) - \$4.65 per hour

Ronald Kaczmarek 3/26/94

SEWER MAINTENANCE DEPARTMENT - \$4.65 per hour (Laborer)

John F. Guenther Immediately

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be and hereby are hired as PART-TIME EMPLOYEES in the various departments listed, not to exceed 19 hours on a weekly basis, in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, Inc.:

EFFECTIVE

JUSTICE COURT - \$6.00 per hour (Clerical)

Kim Kaminski Immediately
Sherry Beback "

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Tim Millar Immediately

Upon Roll Call....

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

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

WHEREAS, the Disaster Management Fourth World Conference will be held in Hamilton, Ontario from May 24-27, 1994, and

WHEREAS, the Town's Disaster coordinator has requested permission to attend this conference, and

WHEREAS, the State Emergency Management Agency will be paying one-half of the cost for this conference, NOW, THEREFORE, BE IT

RESOLVED, that Earl Loder be and hereby is authorized to attend the aforementioned conference, and BE IT FURTHER

RESOLVED, that the Town's cost for such conference, \$325.00, shall be paid out of the Disaster Coordinator's budget, line item number 0100-1220-4008.

Upon Roll Call....

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

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

WHEREAS, the Twelfth Annual Greater Buffalo Environmental Conference, Sponsored by the New York State Department of Environmental Conservation, United States Environmental Protection Agency, the New York Water Environment Association, Western Chapter, and various local agencies is being conducted at the Downtown Buffalo Hilton, Buffalo, New York on April 25 & 26, 1994, 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 affect the environment and pollution prevention, and

WHEREAS, the Superintendent and the Assistant Superintendent of the Wastewater Pump Station have requested permission to attend this environmental conference, NOW, THEREFORE, BE IT

RESOLVED, that Lawrence Golas and Thomas Skowronski be and hereby are authorized to attend the Twelfth Annual Greater Buffalo Environmental Conference and to utilize a Town vehicle to travel to and from such conference, and BE IT FURTHER

Item No. 14b cont'd

RESOLVED, that the registration fee of \$85.00 per person shall be paid out of Plant No. 5 budget line item #2500-8135-4087.

Upon Roll Call....

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

Item No. 14c Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

WHEREAS, the New York State Police Academy in Albany will hold a one week seminar on investing "Sex Offenses" during the week of March 28th thru April 1st, 1994, and

WHEREAS, Chief Bruce D. Chamberlin is requesting authorization to send Juvenile Detective Joseph Ostempowski to this training seminar. Detective Ostempowski will be authorized the use of a police vehicle, the department will be responsible for gasoline expense. Room and board is provided through the NYSP Academy at a cost of \$60.00 for the entire week, the fee for the program is \$40.00, NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Detective Ostempowski to this seminar, and the expenses not to exceed \$225.00 are to be charged to line 0100-3120-4085.

Upon Roll Call....

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

Item No. 14d Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, a Waste Expo, '94 will be held in Dallas, Texas from May 2-6, 1994, 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 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 '94 and to be absent from the Town of Cheektowaga from May 1-8, 1994 for such expo, and BE IT FURTHER

RESOLVED, that the reasonable and necessary expenses in an amount not to exceed \$2500 shall be appropriated from budget line item number 1500-8173-4088.

Upon Roll Call....

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

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

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

Item No. 15 cont'd

GENERAL FUND

FROM:	0100-3020-1561	Public Safety Dispatchers	\$ 1,189.41
	0100-3120-1542	Patrolman Grant	134,416.00
	0100-9010-8121	FICA Expense	10,284.00
	0100-9010-8111	Retirement-Police	20,968.00
	0100-9010-8141	Medical	18,000.00
	0100-9010-8171	Dental	1,608.00
	0100-1910-4711	Contingency	39,107.00
	0100-9010-8181	Optical	480.00
	0100-9010-8151	Life Insurance	660.00
TO:	0100-3020-1569	Part-Time Dispatchers	\$ 1,189.41
	0100-3120-3821	Police Crime Grant	93,208.00
	0100-1910-4711	Contingency	93,208.00
	0100-3120-1551	Police-Sargents	10,504.00
	0100-3120-1531	Police-Detectives	12,409.00
	0100-3120-1112	Police Chief	3,704.00
	0100-3120-1153	Assistant Chief	3,370.00
	0100-3120-4011	Printed Forms	6,000.00
	0100-3120-1581	Matron	3,120.00

SPECIAL DISTRICTS FUND

FROM:	2500-8125-4543	Contracted Sewer Repairs	\$ 1,540.00
TO:	2500-8125-4582	Consulting Engineers	\$ 1,540.00

Motion by Councilman Wielinski, Seconded by Councilman Solecki to amend the above resolution and the voting was as follows:

Upon Roll Call....

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

Motion by Councilman Johnson, Seconded by Councilman Blachowski

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

GENERAL FUND

FROM:	0100-3020-1561	Public Safety Dispatchers	\$ 1,189.41
	0100-3120-1542	Patrolman Grant	134,416.00
	0100-9010-8121	FICA Expense	10,284.00
	0100-9010-8111	Retirement-Police	20,968.00
	0100-9010-8141	Medical	18,000.00
	0100-9010-8171	Dental	1,608.00
	0100-1910-4711	Contingency	39,107.00
	0100-9010-8181	Optical	480.00
	0100-9010-8151	Life Insurance	660.00
TO:	0100-3020-1569	Part-Time Dispatchers	\$ 1,189.41
	0100-3120-3821	Police Crime Grant	93,208.00
	0100-1910-4711	Contingency	99,208.00
	0100-3120-1551	Police-Sargents	10,504.00
	0100-3120-1531	Police-Detectives	12,409.00
	0100-3120-1112	Police Chief	3,704.00
	0100-3120-1153	Assistant Chief	3,370.00
	0100-3120-1581	Matron	3,120.00

Item No. 15 cont'd

SPECIAL DISTRICTS FUND

FROM: 2500-8125-4543 Contracted Sewer Repairs \$ 1,540.00
TO: 2500-8125-4582 Consulting Engineers \$ 1,540.00

Upon Roll Call....

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to March 18, 1994 are hereby approved and made a part hereof:

GENERAL FUND	\$ 2,271,361.85
HIGHWAY FUND	1,083,456.63
TRUST & AGENCY FUND	4,282,416.07
CDBG HUD FUND	200,338.33
PART TOWN FUND	43,654.55
DEBT SERVICE FUND	32,874.36
RISK RETENTION FUND	108,648.24
HUD HOUSING REHABILITATION FUND	17,993.04
SPECIAL DISTRICTS FUND	3,513,158.98
CAPITAL FUND	577,510.25
	<u>\$12,131,412.30</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 17a Minutes of Cheektowaga Planning Board - February 10, 1994
Received and Filed.

Item No. 17b Minutes of Cheektowaga Traffic Safety Commission - February 15, 1994
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 18a Notice of Claim - Chubb Group of Ins. Companies for Reginald V.
Williams vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Sanitation Department; ALLIED CLAIMS, Insurance
Carrier.
Received and Filed.

Item No. 18b Notice of Claim - Estate of Mary Beth Martone by Peter Martone,
guardian vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits,
Town Attorney; Highway Department; Police Department; ALLIED CLAIMS,
Insurance Carrier
Received and Filed.

Motion by Councilman Wielinski, Seconded by Councilman Rogowski to suspend the rules to include the following items.

Upon Roll Call....

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

* * * * *

Item No. 19a Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee ("EAC") reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the environmental significance of such application, 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, modify or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, an application by Allied Builders was submitted for the construction of Reddi Foods on Allied Drive, and

WHEREAS, the Advisory Committee, at its meeting held on March 10, 1994 rendered the determination shown on the attached memo dated March 11, 1994, and

WHEREAS, the Advisory Committee has suggested a number of conditions be made part of a Negative Declaration, and

WHEREAS, the Cheektowaga Conservation Advisory Council (CCAC) and Traffic Safety Commission have reviewed the project, and

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations made by the Environmental Advisory Committee for the item listed above, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Conditional Negative Declaration" for the purposes of SEQRA with the conditions as follows:

- 1) A berm be established, capable of sustaining coniferous plantings and design to screen Wallace Avenue residents from any future rear service doors and subject to approval of the Planning Board.
- 2) The applicant adhere to recommendations of the Traffic Safety Commission with regard to driveway locations, radii, etc.
- 3) The applicant replace dead or dying plantings, that the new plantings be from the approved list of the Planning Board and that plantings, where adjacent to buildings, be of a shade resistant variety requiring infrequent watering.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

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RE: EAC - March 10, 1994
March 11, 1994
Page: 4

- ° That the applicant verify that a maintenance agreement for the detention basin is in place and if now presently exist that an agreement on maintaining the basin be reached with the Town of Cheektowaga through the Engineering and Highway Departments.

ITEM V Southeast Corner of Broadway - Proposed 24,000 Square
and Allied Drive Foot Building

Applicant: Allied Builders

This building would be constructed as a "spec" building and leased out at a later date. The applicant would provide a berm in the area of the southeast corner of the property to screen the Wallace homes from the rear of the building. The location of the berm and the types of plantings would be determined at a later date based on tenants needs and Planning Board and Conservation Council recommendations.

This building is designed as a small office/warehousing facility that would not typically utilize semi-trucks. This is reflected in the design of the parking area in the front which has maneuvering space only for automobiles and small vans.

The committee is recommending that the Town Board issue a Negative Declaration for this project with the condition:

- ° That the berm and plantings be approved by the Planning Board at such time that a tenant desires a rear service/overhead door.

ITEM VI Walden and Anderson - Proposed Rezoning From M2
To C For Hampton Inn And
Restaurants

Applicant: Benderson Development Incorporated

This proposal had been referred to the Erie County Department of Environment and Planning, New York State Department of Transportation and New York State Thruway Authority. The agencies sent comments with the greatest concern being traffic situation on Walden Avenue.

Item No. 19b Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee ("EAC") reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the environmental significance of such application, 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, modify or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, an application by Allied Builders was submitted for the construction of Universal Wines and Liquors, on Allied Drive, and

WHEREAS, the Advisory Committee, at its meeting held on March 10, 1994 rendered the determination shown on the attached memo dated March 11, 1994, and

WHEREAS, the Advisory Committee has suggested a number of conditions be made part of a Negative Declaration, and

WHEREAS, the Cheektowaga Conservation Advisory Council (CCAC) and Traffic Safety Commission have reviewed the project, and

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations made by the Environmental Advisory Committee for the item listed above, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Conditional Negative Declaration" for the purposes of SEQRA with the conditions as follows:

- 1) Review the landscaping scheme at the end of the cul-de-sac which includes the Tops and Allied Frozen properties and provide additional landscaping/ plantings where required by the Planning Board
- 2) The applicant review the landscaping along the entire east property line with regard to replacement of dead or dying plantings and that new plantings be from the approved list of the Planning Board and said plantings be shade resistant requiring infrequent watering where located adjacent to buildings
- 3) The applicant secure a permanent landscaping agreement binding Allied Buildings and/or successive purchasers of Allied Drive properties to maintain the landscaping.
- 4) A 10' high berm be established capable of sustaining coniferous plantings and designed to screen Wallace Avenue residence from the dock area
- 5) That the applicant verify that a maintenance agreement for the detention basin is in place and if not presently in existence, that an agreement maintaining the basin be reached with the Town of Cheektowaga through the Engineering and Highway Departments.
- 6) Applicant adhere to recommendations of the Traffic Safety Commission with regard to driveway radii, access points, etc.
- 7) The applicant submit a noise abatement plan to the Town for the project.

Item No. 19b cont'd

Motion by Councilman Johnson, Seconded by Councilman Solecki to amend the above resolution and the voting was as follows:

Upon Roll Call....

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

* * * * *

Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee ("EAC") reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the environmental significance of such application, 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, modify or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, an application by Allied Builders was submitted for the construction of Universal Wines and Liquors, on Allied Drive, and

WHEREAS, the Advisory Committee, at its meeting held on March 10, 1994 rendered the determination shown on the attached memo dated March 11, 1994, and

WHEREAS, the Advisory Committee has suggested a number of conditions be made part of a Negative Declaration, and

WHEREAS, the Cheektowaga Conservation Advisory Council (CCAC) and Traffic Safety Commission have reviewed the project, and

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations made by the Environmental Advisory Committee for the item listed above, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Conditional Negative Declaration" for the purposes of SEQRA with the conditions as follows:

- 1) Review the landscaping scheme at the end of the cul-de-sac which includes the Tops and Allied Frozen properties and provide additional landscaping/ plantings where required by the Planning Board
- 2) The applicant review the landscaping along the entire east property line with regard to replacement of dead or dying plantings and that new plantings be from the approved list of the Planning Board and said plantings be shade resistant requiring infrequent watering where located adjacent to buildings
- 3) The applicant secure a permanent landscaping agreement binding Allied Buildings and/or successive purchasers of Allied Drive properties to maintain the landscaping.
- 4) A 10' high berm be established capable of sustaining coniferous plantings and designed to screen Wallace Avenue residence from the dock area

Item No. 19b cont'd

- 5) That the applicant verify that a maintenance agreement for the detention basin is in place and if not presently in existence, that an agreement maintaining the basin be reached with the Town of Cheektowaga through the Engineering and Highway Departments.
- 6) Applicant adhere to recommendations of the Traffic Safety Commission with regard to driveway radii, access points, etc.
- 7) The applicant submit a noise abatement plan to the Town for the project.
- 8) The applicant shall install a perforated tile system per the direction of the Town Engineer between the berm and Wallace Avenue homes.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

RE: EAC - March 10, 1994
March 11, 1994
Page: 3

ITEM III 2916 Union Road - Rezoning From C To MS

Applicant: Bernard Rusiniak
The applicant is proposing to rezone this corner parcel from C to MS. It is presently a gas dispensing and motor vehicle operation. The applicant is proposing to discontinue dispensing gasoline and wishes to construct a building at the rear of this site. This building would be used to store his tow trucks and other vehicles.

This item will remain tabled for public comment.

ITEM IV Allied Drive - Proposed 80,000 Square Foot Universal Wines And Liquor

Applicant: Allied Builders
This project is proposed to be built at the southeast portion of Allied Drive at the cul-de-sac. The building would be utilized as a distribution facility for the beverages. This item had been discussed with the applicant previously and it was suggested that a new plan be submitted showing a landscape berm screening the homes on the east from the loading dock of the building. He has submitted this plan which shows construction of a 10 foot berm that would be planted with various vegetation including conifers and hardwoods.

As part of the plan a four inch drainage line would be installed on the east side of the berm to intercept storm waters before they reach the residential properties.

The existing berm near the Tops Freezer facility would be eliminated and would become a parking area.

The committee is recommending that a Negative Declaration be issued for this project with the condition that the applicant, working with the Planning Board,

- ° Review the landscaping scheme at the end of the cul-de-sac which includes the Tops and Allied Frozen properties and provide additional landscapings/ plantings where required by the Planning Board.
- ° The applicant review the landscaping along the east property line with regard to replacement of dead or dying plantings and that the new plantings be from the approved list of the Planning Board.

RE: EAC - March 10, 1994
March 11, 1994
Page: 4

- ° That the applicant verify that a maintenance agreement for the detention basin is in place and if now presently exist that an agreement on maintaining the basin be reached with the Town of Cheektowaga through the Engineering and Highway Departments.

ITEM V Southeast Corner of Broadway - Proposed 24,000 Square
and Allied Drive Foot Building

Applicant: Allied Builders

This building would be constructed as a "spec" building and leased out at a later date. The applicant would provide a berm in the area of the southeast corner of the property to screen the Wallace homes from the rear of the building. The location of the berm and the types of plantings would be determined at a later date based on tenants needs and Planning Board and Conservation Council recommendations.

This building is designed as a small office/warehousing facility that would not typically utilize semi-trucks. This is reflected in the design of the parking area in the front which has maneuvering space only for automobiles and small vans.

The committee is recommending that the Town Board issue a Negative Declaration for this project with the condition:

- ° That the berm and plantings be approved by the Planning Board at such time that a tenant desires a rear service/overhead door.

ITEM VI Walden and Anderson - Proposed Rezoning From M2
To C For Hampton Inn And
Restaurants

Applicant: Benderson Development Incorporated

This proposal had been referred to the Erie County Department of Environment and Planning, New York State Department of Transportation and New York State Thruway Authority. The agencies sent comments with the greatest concern being traffic situation on Walden Avenue.

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

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

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

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

WHEREAS, an application to rezone a parcel of land on Losson Road near Transit Road from C-Retail Business to R-Residential to construct five (5) two-family dwellings to be known as Losson Manor Subdivision, and

WHEREAS, the Advisory Committee, at its meeting held on February 16, 1994, rendered the determinations shown on the attached memo dated February 17, 1994, and

WHEREAS, following receipt of comments from various agencies and reviewing groups the Advisory Committee has suggested a number of conditions be made part of a Negative Declaration, and

WHEREAS, this Town Board has reviewed the applications submitted and recommendations made by the Environmental Advisory Committee for the item listed above, and

WHEREAS, a public hearing was held on March 21, 1994 before the Town Board, NOW, THEREFORE, BE IT

RESOLVED that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a "Conditional Negative Declaration" for the purposes of SEQRA with the conditions as follows:

- 1) A fence erected along the rear lot line to discourage intrusion by the future residents into the wetlands area. This fence would have no gates and its point of termination would be determined by the Town Engineer
- 2) All the lands to the rear of the lots, including the federal wetlands and the Wegman's detention basin when completed by the applicant as approved by the Town Engineer, be deeded to the Town.
- 3) A plan showing compensatory planting schemes with the types of trees and their sizes to be planted would be submitted to and approved by the Town.
- 4) The applicant make every effort to save the trees within the 50 foot setback.
- 5) A revised plan be submitted to the Traffic Safety Commission showing project driveway dimensions and locations of curb cuts on the south side of Losson Road.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

RE: EAC - February 16, 1994
February 17, 1994
Page: 2

ITEM I Losson Road & Transit Road - Proposed Rezoning For
Five-Lot Subdivision -
Duplexs

Applicant: Bella Vista

The applicant presented a new site plan. This site plan/subdivision plan was revised based on discussions with the Town Engineering Department. They had discussed, in depth, the requirements the Town would have for access to the federal wetlands and for sufficient off sets from this wetland area. The new subdivision plan shows five building lots for duplexs but provides a larger buffer between the property and the wetlands area.

The applicant was advised that he still must apply to the Zoning Board of Appeals for approval of two-families in that area and to the Planning Board with regards to architectural styling.

The Planning Board has reviewed the proposal and is recommending approval of the rezoning in concept.

After some discussion it was recommended by the committee that this item be approved by the Town Board with the following conditions:

- ° A fence erected along the rear lot line to discourage intrusion by the future residents into the wetlands area. This fence would have no gates and its point of termination would be determined by the Town Engineer.
- ° All the land to rear of the lots including the federal wetlands be deeded to the Town.
- ° A plan showing planting schemes with the types of trees and their sizes to be planted would be submitted to the Town.
- ° The applicant make every effort to save the trees within the 50 foot setback.
- ° That the driveways be a minimum of 10 foot width.
- ° A revised plan be submitted to the Traffic Safety Commission showing locations of curb cuts on the south side of Losson Road.

ITEM II Harlem and Cleveland - Proposed Rezoning From NS
To MS

Applicant: ARCO

Item No. 21 Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Bella Vista Corporation has petitioned for the rezoning from C-Retail Business to R-Residence of property owned by 81 and 3 of Watertown Incorporated and located at Losson Road, Cheektowaga, New York which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 21st day of March, 1994 at 6:15 o'clock P.M., after publication and service to 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 made a recommendation that the application be approved, 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

WHEREAS, the Town Board, based on the Environmental Advisory Committee's recommendation, has issued a Conditional Negative Declaration for this proposal, NOW, THEREFORE, BE IT

RESOLVED, that the application of Bella Vista Corporation for the rezoning from C-Retail Business to R-Residence District of the property specified in the attached legal description be and the same is hereby approved subject to the conditions listed in the Conditional Negative Declaration of March 21, 1994, and BE IT FURTHER

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

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

1/7/94

rev. 2/9/94

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 46, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

COMMENCING at the point of intersection of the center line of Transit Road (100 ft. wide) with the center line of Losson Rd. (80 ft. wide), said point being the southeast corner of said Lot 46; thence N 00° 06' 34" E along the center line of Transit Road, 40.01 feet to a point; thence S 89° 01' 14" W, 50.01 feet to a point of intersecting of the westerly line of Transit Road (100 ft. wide) with the northerly line of Losson Road (80 ft. wide; thence continuing S 89° 01' 14" W along the northerly line of Losson Road, 1123.45 feet to the POINT OF BEGINNING; thence continuing S 89° 01' 14" W along the northerly line of Losson Road, 460.56 feet to a point; thence N 00° 18' 14" E, 160.04 feet to a point; thence N 89° 01' 14" E, 302.73 feet to a point; thence S 58° 54' 38" E, 44.70 feet to a point; thence S 81° 18' 28" E, 63.91 feet to a point; thence S 56° 03' 43" E, 34.22 feet to a point; thence S 30° 24' 41" W, 51.50 feet to a point; thence S 00° 58' 46" E, 61.09 feet to the POINT OF BEGINNING.

Containing 1.56 more or less acres.

/pg

LEGAL NOTICE

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 21st day of March, 1994 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT: 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: Supervisor Dennis H. Gabryszak

Motion by Councilman Blachowski, seconded by Councilman Johnson

WHEREAS, Bella Vista Corporation has petitioned for the rezoning from C-Retail Business to R-Residence of property owned by 81 and 3 of Watertown Incorporated and located at Losson Road, Cheektowaga, New York which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 21st day of March, 1994 at 6:15 o'clock P.M., after publication and service to 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 made a recommendation that the application be approved, 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

WHEREAS, the Town Board, based on the Environmental Advisory Committee's recommendation, has issued a Conditional Negative Declaration for this proposal, NOW THEREFORE BE IT

RESOLVED, that the application of Bella Vista Corporation for the rezoning from C-Retail Business to R-Residence District of the property specified in the attached legal description be and the same is hereby approved subject to the conditions listed in the Conditional Negative Declaration of March 21, 1994, AND BE IT FURTHER,

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

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 46, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

COMMENCING at the point of intersection of the center line of Transit Road (100 ft. wide) with the center line of Losson Rd. (80 ft. wide), said point being the southeast corner of said Lot 46; thence N 00° 06' 34" E along the center line of Transit Road, 40.01 feet to a point; thence S 89° 01' 14" W, 50.01 feet to a point of intersecting of the westerly line of Transit Road (100 ft. wide) with the northerly line of Losson Road (80 ft. wide; thence continuing S 89° 01' 14" W along the northerly line of Losson Road, 1123.45 feet to the POINT OF BEGINNING; thence continuing S 89° 01' 14" W along the northerly line of Losson Road, 460.56 feet to a point; thence N 00° 18' 14" E, 160.04 feet to a point; thence N 89° 01' 14" E, 302.73 feet to a point; thence S 58° 54' 38" E, 44.70 feet to a point; thence S 81° 18' 28" E, 63.91 feet to a point; thence S 56° 03' 43" E, 34.22 feet to a point; thence S 30° 24' 41" W, 51.50 feet to a point; thence S 00° 58' 46" E, 61.09 feet to the POINT OF BEGINNING.

Containing 1.56 more or less acres.

Upon roll call...

Supervisor Gabryszak Voting ABSENT 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: 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 March 21, 1994, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 21, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 22nd day of March, 1994.

RICHARD M. MOLESKI TOWN CLERK

PUBLISH: March 24, 1994

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 1 weeks first publication March 24, 1994 last publication March 24, 1994 and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this 24th day of March, 1994

March 19 94

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 12/11/95

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.....March 24, 1994..... ;
last publication.....March 24, 1994..... ;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza.....

Sworn to before me this24th.....

day ofMarch....., 19..94.

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 5

LEGAL NOTICE

**EXTRACTS FROM MINUTES
OF CHEEKTOWAGA TOWN
BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 21st day of March, 1994 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT: 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: Supervisor Dennis H. Gabryszak

Motion by Councilman Blachowski, seconded by Councilman Johnson

WHEREAS, Bella Vista Corporation has petitioned for the rezoning from C-Retail Business to R-Residence of property owned by 81 and 3 of Watertown Incorporated and located at Losson Road, Cheektowaga, New York which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 21st day of March, 1994 at 6:15 o'clock P.M., after publication and service to 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 made a recommendation that the application be approved, 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

WHEREAS, the Town Board, based on the Environmental Advisory Committee's recommendation, has issued a Conditional Negative Declaration for this proposal, NOW THEREFORE BE IT

RESOLVED, that the application of Bella Vista Corporation for the rezoning from C-Retail Business to R-Residence District of the property specified in the attached legal description be and the same is hereby approved subject to the conditions listed in the Conditional Negative Declaration of March 21, 1994, AND BE IT FURTHER,

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

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 46, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

COMMENCING at the point of intersection of the center line of Transit Road (100 ft. wide) with the center line of Losson Rd. (80 ft. wide), said point being the southeast corner of said Lot 46; thence N 00° 06' 34" E along the center line of Transit Road, 40.01 feet to a point; thence S 89° 01' 14" W, 50.01 feet to a point of intersecting of the westerly line of Transit Road (100 ft. wide) with the northerly line of Losson Road (80 ft. wide); thence continuing S 89° 01' 14" W along the northerly line of Losson Road, 1123.45 feet to the POINT OF BEGINNING; thence continuing S 89° 01' 14" W along the northerly line of Losson Road, 450.56 feet to a point; thence N 00° 18' 14" E, 160.04 feet to a point; thence N 89° 01' 14" E, 302.73 feet to a point; thence S 58° 54' 38" E, 44.70 feet to a point; thence S 81° 18' 28" E, 63.91 feet to a point; thence S 56° 03' 43" E, 34.22 feet to a point; thence S 30° 24' 41" W, 51.50 feet to a point; thence S 00° 58' 46" E, 61.09 feet to the POINT OF BEGINNING.

Containing 1.56 more or less acres.

Upon roll call...

Supervisor Gabryszak Voting ABSENT
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: 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 March 21, 1994, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 21, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 22nd day of March, 1994.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: March 24, 1994

Item No. 22 Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has made application and requested a rezoning from R-Residential District to CF-Community Facilities District for property located at 1030 Losson Road, said applicant being the owner of the property, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 4, 1994 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: Supervisor Gabryszak

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 4th day of APRIL, 1994 at 6:30 o'clock, P.M., Eastern DAYLIGHT SAVING Time of said day for the purpose of considering the application of TOWN OF CHEEKTOWAGA to Rezone from R-RESIDENCE District to CF-COMMUNITY FACILITIES District on property located at 1030 LOSSON ROAD 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.

THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 47, Township 10, Range 7, Buffalo Creek Indian Reservation;

BEGINNING at a point in the center line of William Street or Losson Road at the intersection of the east line of the Bellevue Land and Improvement Company tract and William Street (Losson Road), said point being two thousand five hundred four and sixty-one one hundredths (2,504.61) feet west of the center line of Bordon Road measured along the center line of William Street (Losson Road); from this point of beginning northerly along the east line of the Bellevue Land and Improvement Company tract parallel to the east line of Lot 47 four hundred (400) feet; thence westerly parallel to William Street (Losson Road) three hundred (300) feet; thence southerly parallel to the east line of Lot 47 for four hundred (400) feet, more or less, to the center line of William Street (Losson Road); thence east along the center line of William Street (Losson Road) to the point or place of beginning.

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

BY ORDER OF THE TOWN BOARD
Supervisor 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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1994

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) 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..... March 24, 1994; last publication..... March 24, 1994; and that no more than six days intervened between publications.

Melissa Gugliuzza

Sworn to before me this24th.....

day of March , 19...94...

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 12/11/95

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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.....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.....March 24, 1994..... ;
last publication.....March 24, 1994..... ;
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tween publications.

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 12/11/95

LEGAL NOTICE

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BY ORDER OF THE TOWN BOARD

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Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 24, 1994

MEETING NO. 6
March 21, 1994

Item No. 23 Motion by Councilman Solecki, Seconded by Councilman Jaworowicz
to adjourn the meeting in memory of the Michael Izydorzak family and
Msgr. Max Panczakiewicz, retired, St. Josaphat's RC Church.

RICHARD M. MOLESKI
Town Clerk