TOWN OF CHEEKTOWAGA MEETING NO. 8 APRIL 3, 1995

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of April, 1995 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; Sal LaGreca, Chairman of Planning Board; Bill Pugh, Assistant Town Engineer; David Kulik, Director of Solid Waste; Kenneth Kopacz, Director of Youth and Recreational Services and Leonard Szymanski, Working Foreman in the Facilities Department.

I. RESOLUTIONS

Item No. 2a Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, bids were received and opened by the Town Clerk at a bid opening on March 22, 1995 for the replacement of existing sidewalks in the Town, AND

WHEREAS, said bids were reviewed and tabulated and an award was made by this Town Board to ACCADIA ENTERPRISES INC., 4430 Walden Avenue, Lancaster, New York 14086, being the lowest responsible bidder, and NOW BE IT

RESOLVED, that the contract for the replacement of sidewalks for the year 1995, be awarded to Accadia Enterprises, Inc., 4430 Walden Avenue, Lancaster, New York 14086 being the lowest responsible bidder at a total of \$138,570.00, with the award being made at the following unit prices:

Item	1	4" thick sidewalk	\$	2.40
Item	2	6" thick sidewalk		2.70
Item	3	Excess fill or excavation		10.00
ltem	4	4" diameter P.V.C. underdrain		2.20
Item	5	6" sidewalk reinforced 6x6xIO		2.85
Item	6	Landscaping beyond Item 1		14.00
ltem	7	Fine asphalt mix beyond Item 1		12.00
Item	8	6" reinforced driveway apron		2.85
Item	9	Root cutting		4.00
Item	10	Traffic Control	1,	00.00

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 2b</u> Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received by this town at a public bid opening for the purchase of new trees for the town's planting season, Spring 1995, by the Cheektowaga Highway Department, as a result of advertisement, therefore, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bid be awarded to Schichtel's Nursery, 6745 Chestnut Ridge Road, Orchard Park, New York 14127, said bidder being the lowest responsible bidder, meeting specifications as set forth in the tabulation attached hereto and made a part hereof.

RESOLVED, that said monies be charged to line item #5005-8560-0700.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 2c</u> Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received on March 8, 1995 as a result of advertisement for the purchase of one (1) high velocity sewer cleaner unit for the Sewer Maintenance Department, AND

WHEREAS, said bids were referred to the Assistant Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Principal Engineer, Allan Blachowski, to the Town Board dated March 28, 1995, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the purchase of one (1) high velocity sewer cleaner unit, as recommended, be and the same is hereby awarded to Bison Truck Center, Inc., 2370 Walden Avenue, Cheektowaga, New York 14225 (716-684-0010) for their bid, less trade-in in the amount of \$50,775.00 for the SRECO Model, AND, BE IT FURTHER

RESOLVED, that funds have been budgeted for said vehicle in Account #2500-8125-2515.

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. 2d 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 clothing and football equipment for use in the Cheektowaga Youth and Recreational Services Department as a result of advertisement thereof, and such bids were referred to the Director of Youth and Recreational Services for analysis, tabulation and report, AND

WHEREAS, such analysis, tabulation and report has been completed,

BE IT RESOLVED, that the bid be awarded to the following bidders, meeting

specifications:

J&S Enterprises Jim Ludtka Sporting Goods 328 Robert #3 2931 Walden Avenue North Tonawanda, New York 14120 Depew, New York 14043

Pine Ridge Enterprises Riddell All American
8386 North Main Street 6710 Woodland Drive
Eden, New York 14057 Hamburg, New York 14075

BE IT FURTHER RESOLVED that any purchases resulting from the award of this bid for the Youth and Recreational Services Department will 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

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of TOPSOIL FOR THE 1995 SEASON (regular, shredded and screened).

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

RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforesaid item at 11:00 A.M. on April 19, 1995.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of Topsoil for use by various departments in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on April 19, 1995 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways, at his office located at 3145 Union Road, Cheektowaga, New York. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR TOPSOIL".

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

Richard M. Moleski Town Clerk

Item No. 3a cont'd.

Dated: April 3, 1995

Published: April 6, 1995

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 3b</u> Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, it is in order that bids be advertised for the purchase of one (1) step van for the Sewer Maintenance Department, AND

WHEREAS, the Engineering Department is hereby requested to prepare specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of one (1) step van for the Sewer Maintenance Department, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 19th day of April, 1995 at 11:00 A.M., Eastern Daylight Savings 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 April 19, 1995 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) step van 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 document, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

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

Richard M. Moleski Town Clerk

DATED: April 3, 1995

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 4a 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, rezoning 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 any recommendations submitted to it by the Advisory Committee, AND

WHEREAS, an application was submitted by C&S Engineers Incorporated on behalf of Benderson Development Company Incorporated (the "Developer") to rezone approximately 3.5 acres of vacant land known as 760 Dick Road from RA-Apartment to C-Retail Business for the purpose of constructing a 74 unit extended stay hotel and on the balance of the site, zoned RA-Apartment, construct 40 Townhouses, AND

WHEREAS, this proposal was referred to various boards or committees and, to the Erie County Department of Environment and Planning, AND

WHEREAS, traffic studies were conducted for the project, including a study focusing upon the need for a traffic signal at Dick Road and Barone Circle, AND

WHEREAS, the applicant and developer have met with Town Boards, Committees and residents of the area to discuss the project, AND

WHEREAS, the developer has submitted a letter dated March 1, 1995 as an acknowledgment of agreed upon work to be performed as part of the project including landscaping, berms, additional fencing and drainage modification, AND

WHEREAS, the developer has also committed to supporting the Town in an effort to acquire a 30 foot strip of land along the northerly property line for the purpose of establishing a paved bicycle path, AND

WHEREAS, the developer has further agreed to construct a paved 10 foot wide bicycle path once the property is acquired or rights from the owner, AND

WHEREAS, the developer, by way of letter addressed to John Loffredo, Erie County Public Works and dated March 1, 1995, has requested that permission be granted to install a traffic signal at Dick Road and Barone Circle at the developers expense, AND

WHEREAS, the Erie County Division of Highways, by letter dated March 10, 1995 has agreed to permit a traffic signal at Dick Road and Barone Circle if requested by Town Board resolution, AND

WHEREAS, the Town Planning Board has reviewed the proposal and recommended approval at their meeting of March 9, 1995, AND

WHEREAS, the Environmental Advisory Committee, at its meeting held on March 15, 1995 rendered the determination shown on the attached memo dated March 15, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for the purposes of S.E.Q.R.A.

Item No. 4a cont'd.



MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN WIELINSKI TO AMEND THE ABOVE RESOLUTION, ITEM 4a, AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: Councilman Solecki

ABSENT: C



AMENDED

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee ("EAC") reviews various applications for building permits, rezoning 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 any recommendations submitted to it by the Advisory Committee, AND

WHEREAS, an application was submitted by C&S Engineers Incorporated on behalf of Benderson Development Company Incorporated (the "Developer") to rezone approximately 3.5 acres of vacant land known as 760 Dick Road from RA-Apartment to C-Retail Business for the purpose of constructing a 74 unit extended stay hotel and on the balance of the site, zoned RA-Apartment, construct 40 Townhouse units, AND

WHEREAS, this proposal was referred to various boards or committees and, to the Erie County Department of Environment and Planning, AND

WHEREAS, traffic studies were conducted for the project, including a study focusing upon the need for a traffic signal at Dick Road and Barone Circle, AND

WHEREAS, the applicant and developer have met with Town Boards, Committees and residents of the area to discuss the project, AND

WHEREAS, the developer has submitted a letter dated March 1, 1995 as an acknowledgment of agreed upon work to be performed as part of the project including landscaping, berms, additional fencing and drainage modification, AND

WHEREAS, the developer has also committed to supporting the Town in an effort to acquire a 30 foot strip of land along the northerly property line for the purpose of establishing a paved bicycle path, AND

WHEREAS, the developer has further agreed to construct a paved 10 foot wide bicycle path once the property is acquired or rights from the owner, AND

WHEREAS, the developer, by way of letter addressed to John Loffredo, Erie County Public Works and dated March 1, 1995, has requested that permission be granted to install a traffic signal at Dick Road and Barone Circle at the developers expense, AND

WHEREAS, the Erie County Division of Highways, by letter dated March 10, 1995 has agreed to permit a traffic signal at Dick Road and Barone Circle if requested by Town Board resolution, AND

WHEREAS, the Town Planning Board has reviewed the proposal and recommended approval at their meeting of March 9, 1995, AND Item No. 4a cont'd.

WHEREAS, the Environmental Advisory Committee, at its meting held on March 15, 1995 rendered the determination shown on the attached memo dated March 15, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for the purposes of S.E.Q.R.A.

Upon Roll Call ...

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: Councilman Solecki

ABSENT: C

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 4b</u> 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, rezoning 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 any recommendations submitted to it by the Advisory Committee, AND

WHEREAS, an application was submitted by John Boccabello to construct a 5,000 square foot storage building on vacant property known as 3206 Genesee Street, AND

WHEREAS, the building will be used to provide additional storage for the forms and equipment used by the applicant business at 3200 Genesee Street, AND

WHEREAS, the Town Planning Board has approved the site plan at their meeting of March 9, 1995, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on March 1, 1995 rendered the determination shown on the attached memo dated March 2, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for the purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 4c</u> 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, rezoning, 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 any recommendations submitted to it by the Advisory Committee, AND

WHEREAS, an application was submitted by Joseph LaPorta to rezone 2810 Union Road from C-Retail Business to M-S-Motor Service for the purpose of reopening the facility as a muffler brake/shock and strut repair operation, AND

WHEREAS, the Town Planning Board has reviewed the proposal and recommended approval at their March 9, 1995 meeting, AND

WHEREAS, the proposed uses are the same as the former uses, namely muffler, brake, shock and strut repairs and replacement, AND

WHEREAS, no additional improvements are proposed for the site which could impact the area, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on March 15, 1995 rendered the determination shown on the attached memo dated March 15, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for the purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

<u>Item No. 5a</u> Motion by Councilman Wielinski, Seconded by Councilman Johnson

WHEREAS, local government with limited sources of revenue other than property taxes, has borne consistent cutbacks in annual assistance from the federal and state government for more than a decade, AND

WHEREAS, total cuts in revenue sharing to local government since 1989 have resulted in a reduction of 80% in local revenue sharing, AND

WHEREAS, local governments suffered an extreme cut in New York State revenue sharing in 1990 which was to be made up in lower New York State Retirement payments through a new formula, AND

WHEREAS, since 1990 a Court decision has mandated that local governments go back to the former formula for New York State Retirement payments while at the same time revenue sharing for local government will not make up the difference, AND

WHEREAS, a slight raise was realized in the 1994-1995 budget, with a promise of an additional 10% increase for 1995-1996, which was adopted in our budgets and amounts to 2% of the total aid payable in 1989 and prior years, AND

WHEREAS, local government has lost or been severely cut in other mandates of the State that were once fundable, AND

WHEREAS, cuts in New York State revenue sharing burden local taxpayers with more regressive property taxes, AND

WHEREAS, revenue sharing from the State is in the form of progressive income taxes,

AND

WHEREAS, local government did not create the crisis in New York State

NOW, THEREFORE, BE IT RESOLVED, that Town Board of the Town of Cheektowaga asks that the Governor and the State Legislature honor the commitment of a 10% increase in revenue sharing to local government in the 1995-1996 New York State budget, AND

BE IT FURTHER RESOLVED, that the Town Clerk send a copy of this resolution to Governor Pataki, Senator William Stachowski and Assemblyman Paul Tokasz.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES 0

ABSENT: 0

<u>Item No. 5b</u> Motion by Councilman Wielinski, Seconded by Councilman Johnson

WHEREAS, the preservation of state aid for local highways in essential towards improving the safety, efficiently, and structural quality of streets, highway resurfacing and bridge work at the local level, AND

WHEREAS, until recent years local governments relied on state aid revenue sharing to fund their road and bridge infrastructure and already state aid has been reduced to only 15-20% of local government highway budgets, AND

WHEREAS, local governments cannot bear further reductions in state aid, AND

WHEREAS, CHIPS Capital has been proposed to be cut by 10% for the 1995-1996 budget, AND

WHEREAS, New York State has a duty to support local governments in their efforts to stabilize the regressive property taxes on which we depend and any further reduction or elimination of state aid for highway and bridges would seriously affect municipal road construction and maintenance, AND

Item No. 5b cont'd.

WHEREAS, towns already receive a disproportionate share of highway funds, AND

WHEREAS, New York State government should not keep local governments and their constituents in a constant state of uncertainty with regard to their financial planning and budgeting, AND

WHEREAS, local government has lost or been severely cut in other mandates of the state that were once fundable, AND

WHEREAS, cuts in New York State revenue sharing burden local taxpayers with more regressive property taxes, AND

WHEREAS, revenue sharing from the State is in the form of progressive income taxes, AND

WHEREAS, local government did not create the New York State fiscal crisis,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Cheektowaga hereby requests the Governor and the State Legislature to re-instate to 10% CHIPS Capital proposed reduction in the 1995-1996 New York State budget, AND

BE IT FURTHER RESOLVED, that the Town Board of the Town of Cheektowaga urges the State government to establish a more equitable system of distributing current revenues for highway maintenance so that Towns are not bearing an unfair burden of the financial responsibility, AND

BE IT FURTHER RESOLVED, that the Town Clerk send a copy of this resolution to Governor Pataki, Senator William Stachowski and Assemblyman Paul Tokasz.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 6</u> Motion by Councilman Wielinski, Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has initiated a requirement that sidewalks be installed along Union Road between George Urban Boulevard and South Creek Drive, AND

WHEREAS, the Town proposes to install said sidewalks using bond moneys, and have the cost for such sidewalk installation charged to the property owners on their tax bills over a five year period, AND

WHEREAS, due to the configuration of Union Road, it is necessary for the Town to obtain sidewalk easements from some property owner, AND

WHEREAS, New York Land Partnership, the owner of 3770 Union Road, has offered a sidewalk easement to the Town for such property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned sidewalk easement from New York Land Partnership, and BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file such easement 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

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

WHEREAS, the Town's Property and Boiler & Machinery Insurance expired on March 30, 1995, AND

WHEREAS, the Town's Insurance Consultant has solicited quotes for the renewals of such insurance, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the following insurance renewals from Clauss & Company for the period March 30, 1995 to March 30, 1996:

- Property Insurance with Hartford Fire Insurance Company at a premium of \$41,009;
- 2. Boiler and Machinery Insurance with Kemper Insurance at a premium of \$3,297 plus \$560 New York State fee.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 7b</u> Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the Town's four existing policies for Crime, Dishonesty and Faithful Performance insurance expired on March 30, 1995, AND

WHEREAS, the Town's Insurance Consultant has recommended renewals of such policies with added options, AND

WHEREAS, the cost for renewing these insurance policies, including new options, is about \$800 less than last year, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes renewal of its Crime, Dishonesty and Faithful Performance insurance with options, as shown on the attached sheets, with Fidelity and Deposit Company of Maryland through The Joseph J. Naples Companies, effective from March 30, 1995 to March 30, 1998, and BE IT FURTHER

RESOLVED, that moneys for the cost for such insurance, \$4,474.00, shall be appropriated from Town budget line item number 0100-1910-4101.

Upon Roll Call ...

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 8</u> Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, this Town Board awards and enters into numerous contracts every year,

AND

WHEREAS, it is imperative that the Town Attorney's office review each contract prior to execution by the Town Supervisor to ensure that same is in line with what this Town Board approved by resolution, AND

WHEREAS, review of each contract prior to execution by the Supervisor will help to ensure that the scope and cost of each project is kept to a minimum and is controlled by this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that, either prior to submittal of the resolution awarding a contract or prior to execution of a contract by the Supervisor, each department submitting such resolution or contract shall submit same to the Town Attorney's Office for review and approval as to form, and BE IT FURTHER

RESOLVED, that the Town Attorney's Office be and hereby is directed to review each such contract submitted to it for review for conformance with the terms of the Town Board resolution relating to same, and shall affix its stamp of approval as to form on same, and BE IT FURTHER

RESOLVED, that the Supervisor shall not execute any contract submitted to him without the Town Attorney's stamp of approval, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a copy of this resolution to each department head in the Town.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 9a</u> Motion by Councilman Wielinski, Seconded by Councilman Johnson

WHEREAS, the Town, in its 1995 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 to such groups, AND

WHEREAS, the organizations listed below have completed and returned signed agreements and their accounting report from the 1993 and 1994 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:

Cultural/Not-For-Profit Organization

Funding Approve

Cheektowaga Cultural Society

\$2,130.00

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 1995 Town budget, subject to audit and approval of a properly signed Town voucher.

Item No. 9a cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 9b</u> Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Action Partnership is desirous of holding a youth resiliency workshop for mental health professionals, school personnel and community members May 17th, 1995 at the Hearthstone Manor, 333 Dick Road, Depew, New York, AND

WHEREAS, the funds are available for reserving space for said workshop (0100-7320-4000), NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute a booking agreement between CAP and the Hearthstone Manor for a sum not to exceed \$500.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES 0 ABSENT: 0

<u>Item No. 9c</u> Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of renting campground facilities known as Camp Aloha for a summer camp for Cheektowaga youths from August 13, 1995 through August 19, 1995, AND

WHEREAS, said facilities are owned by the Camp Fire Council of Buffalo and Erie County, Inc. and are located in Wales Center, New York, AND

WHEREAS, the Camp Fire Council of Buffalo and Erie County, Inc. is willing to rent such facilities to the Town provided that the Town execute an appropriate agreement for such rental of

said property at a cost of \$2,100 and a meals cost not to exceed \$68 per person, (Line Item No. 7310.4698).

WHEREAS, such agreement has been prepared and is acceptable between parties, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with the Camp Fire of Buffalo and Erie County, Inc. for the renting of the aforementioned campground facilities, and BE IT FURTHER

RESOLVED, that the Cheektowaga Youth and Recreational Services Department, as in the past, seek reimbursement from any appropriate state and charitable source, in addition to any camper fees to cover the necessary costs of said activity.

Upon Roll Call ...

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 9d</u> Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is eligible to receive up to \$885,000 in Community Development Block Grant Funds for the 1995-96 Program Year, and as a member of the Amherst-Cheektowaga-Tonawanda HOME Investment Partnership Program, the Town is entitled to an equitable share of the \$884,000 Consortium entitlement amount, AND

WHEREAS, Public Hearings regarding the use of said funds were held on November 21, 1994 and March 6, 1995, AND

WHEREAS, the Town Director of Community Development has submitted a recommendation regarding the use of said funds, which includes activities to principally benefit low-income persons pursuant to the goals and objectives of the Housing and Community Development Act and its governing rules and regulations, NOW, THEREFORE, BE IT

Item No. 9d cont'd.

RESOLVED, that the Town Board hereby approves the submission of the Consolidated Plan and Annual Plan to the Department of Housing and Urban Development for the 1995 Program Year in conjunction with the Amherst-Cheektowaga-Tonawanda Consortium, including the projects contained on the attached CDBG and HOME Project Summaries, and BE IT

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign the attached Certifications and any other necessary and related documents in conjunction with said Consolidated Plan.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 10a</u> Motion by Councilman Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the designated hearing officer in the disciplinary charges brought against Anthony Broniszewski, a Laborer in the Sanitation Department, has submitted his Report and Recommendation, AND

WHEREAS, each member of this Town Board has reviewed the aforesaid Report and Recommendation, as well as the transcript of the hearing and exhibits upon which it was based, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts the findings and conclusions stated in the aforesaid Report and Recommendation; and, based upon all of the above, Anthony Broniszewski is terminated from his employment with the Town of Cheektowaga, effective January 9, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 10b Motion by Councilman Wielinski, Seconded by Councilman Rogowski

BE IT RESOLVED, that the following PART-TIME employee be and hereby is terminated as listed:

FACILITIES DEPARTMENT

Monty Viau Effective Immediately

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: C

Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

BE IT FURTHER RESOLVED, that Thomas E. Slisz, Cheektowaga, New York and Paul F. DeBoy, Cheektowaga, New York be hired as part-time Van Drivers at \$5.50 per hour in the Department of Senior Services.

BE IT RESOLVED, that George Gallagher be terminated as an employee in the

, Cheektowaga, New York

ABSENT:

<u>Item No. 11</u>

Department of Senior Services.

FUNDING SOURCE: 7620-1639

Upon Roll Call AYES:	Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
NAYES: ABSENT:	Johnson and Wielinski 0 0
Item No. 12	Motion by Supervisor Gabryszak, Seconded by Councilman Johnson
February 29, 1	WHEREAS, Chester L. Bryan retired from his position as Town Engineer, effective 995, AND
for Town Engir	WHEREAS, Assistant Town Engineer William R. Pugh meets all of the requirements neer and has the experience and expertise for such position, AND
office, NOW, T ltem No. 12 co	WHEREAS, this Town Board wishes to fill such position to ensure continuity in such HEREFORE, BE IT nt'd.
•	RESOLVED, that William R. Pugh be and hereby is appointed to the provisional vn Engineer, effective immediately, with permanent status being subject to review by the epartment of Personnel.
Upon Roll Call AYES:	Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
NAYES: ABSENT:	and Wielinski 0 0
<u>Item No. 13a</u>	Motion by Councilman Wielinski, Seconded by Councilman Rogowski
AND	WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department,
provisions of t Association, Al	WHEREAS, notice of such vacancy has been posted in accordance with the he Town's collective bargaining agreement with the Town of Cheektowaga Employees ND
Department bid	WHEREAS, Terrence Pierson, currently employed as a Laborer in the Highway d on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE
accordance wit	RESOLVED, that Terrence Pierson of Resolution, Cheektowaga, New York d hereby is appointed to the position of Laborer in the Sanitation Department in the terms and conditions of the Town's collective bargaining agreement with the Town ga Employees Association, effective April 4, 1995.
Upon Roll Call AYES:	 Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: ABSENT:	0 0

<u>Item No. 13b</u> Motion by Councilman Solecki, Seconded by Supervisor Gabryszak

WHEREAS, due to an illness, a temporary vacancy exists in the position of Senior Clerk in the Assessor's Office, 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, Nancy Scarafia, currently employed as a Clerk-Typist in the Assessor's Office, bid on said position and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Nancy Scarafia be and hereby is appointed to and conditions of the temporary vacancy of Senior Clerk in the Assessor's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately, AND, BE IT FURTHER

RESOLVED, that said appointment shall not exceed a period of ninety (90) days.

Upon Roll Call

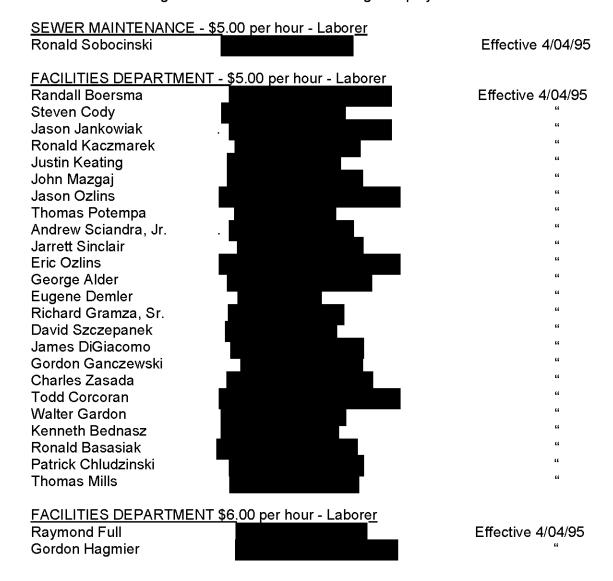
AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES 0 ABSENT: 0

<u>Item No. 14</u> Motion by Councilman Wielinski, Seconded by Councilman Rogowski

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:



James J. Ward Brian K. Gast Dean M. Tatta

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 15a</u> Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Police Executive Research Forum (PERF) is holding the 1995 Annual Meeting on April 19-22 in Orlando, Florida.

WHEREAS, Chief Chamberlin is requesting authorization to attend this meeting. Workshops and guest speakers will cover topics such as federal and private funding; New technologies for policing; Police ethics, corruption and internal affairs; How corporate reengineering principles can improve the performance and management of police departments. The Police Department will be responsible for the registration, lodging, and travel not to exceed the amount of \$1,000, NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to attend this meeting. The expenses will be charged to line 0100-3120-4085.

Item No. 15a cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

and Wielinski

NAYES: Councilman Johnson

ABSENT: 0

<u>Item No. 15b</u> Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the 1995 Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLEN) business meeting and "Violence in the 90's" Information Sharing Conference, is being held in Pittsburgh, Pennsylvania April 17-21, 1995.

WHEREAS, Lt. Jim Starr is our primary representative in MAGLOCLEN and his attendance is mandatory and, MAGLOCLEN will cover transportation and lodging expense and the Police Department will be responsible for the registration fee and meal expenses which will amount to \$273.00, NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police is authorized to send Lt. Starr to this annual meeting and that the time he spends at this training be authorized as normal duty time. This expense will be charged to line 0100-3120-4085 and 0100-3120-4093.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, there is a continuing need for obtaining erosion control specialist services that are not included in the scope of any current project, and such services are needed in resolving erosion control problems, AND

WHEREAS, the Town of Cheektowaga has an agreement with the New York State Department of Environmental Conservation in the maintenance of Scajaquada Creek and its tributaries, this maintenance also being necessary on all other creeks and tributaries located with the Town, AND

WHEREAS, all of said ditch/creek improvements will be using the successful bidder from the most recent Equipment & Operators for Public Works Projects bid, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer is hereby authorized to secure the services of Merriman Conservation Consultants, 504 Ridge Avenue, East Aurora, New York 14052 (652-8270) as needed at the rate of thirty (\$30.00) dollars per hour for said services, AND, BE IT FURTHER

RESOLVED, that payment for said services, in an amount not to exceed \$6,000.00, shall be made only where authorized by the Town Engineer in writing to said consultant and that services are chargeable to Account #4000-8140-4581 for work on various creeks and tributaries throughout the Town, AND, BE IT FURTHER

RESOLVED, that the Town Engineer is directed to prepare the annual erosion control and drainage improvements plan and to insure that all contemplated ditch/creek work is coordinated with the U.S. Army Corps of Engineers and in accordance with NYSDEC Protocols.

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 Board is considering a major capital investment in new Sanitation equipment, AND

WHEREAS the Town Board has not been provided with a complete fiscal analysis of the investment options, AND

WHEREAS, there is a need for a professional objective analysis of all pertinent data relative to these options, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains Deloitte & Touche LLP to perform the following agreed upon procedures:

- 1. Preparation of a comparative cost analysis encompassing the three equipment options identified below:
 - The packer truck, which is currently the primary vehicles used by the Town;
 - The automated truck, which has been the subject of a pilot program commissioned by the Town; AND
 - The semi-automated, retro-fitted packer truck.
- 2. Said analysis would be based on documentation provided by the Town, observation, inquiry of Town personnel, information supplied by vendors, information supplied by other "users" and any other relevant information specified by the Town. Such analysis would incorporate the incremental costs associated with each option, including:
 - Equipment cost
 - Labor cost, including fringe benefits and the impact of relevant labor contract provisions
 - Maintenance cost
 - Fuel and other operating costs
 - Capital cost
 - Logistical and support costs
 - Other related costs

and would consider relevant factors that distinguish each option, such as:

- Life expectancy
- Operating speeds and productivity
- Down-time
- Utility limitations

3. Make a presentation at a Town Board meeting or work session on a single route and Town-wide basis to encompass mutually exclusive use of an individual equipment option and a combination of options. Deloitte & Touche will consider other relevant variables such as financing or other costs to be absorbed by Town taxpayers.

and, BE IT FURTHER

RESOLVED, that Deloitte & Touche LLP shall be paid for their services to be performed primarily by Senior and Management level personnel at a blended hourly rate of \$65.00 per hour, for a total cost not to exceed \$16,500.00, and BE IT FURTHER

RESOLVED, that moneys shall be transferred from account number 1500-8160-4469 to 1500-8160-4475 for payment to Deloitte and Touche LLP for the aforesaid services.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 16c</u> Retain Firm for Appraisal Services

This item was withdrawn.

item No. 17 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:	0100-1625-4432	Building & Grounds Maintenance	\$ 867.65
To:	0100-1625-4433	Police Substation	867.65

SPECIAL DISTRICT

From:	1500-8160-4469	Landfill	4,000.00
To:	1500-8160-4071	Sanitation Uniforms	3,000.00
	1500-8173-4071	Recycling Uniforms	1,000.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 18</u> Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

GENERAL FUND	\$241,622.05
HIGHWAY FUND	80,792.38
TRUST & AGENCY FUND	12,525.15
PART TOWN FUND	3,583.28
RISK RETENTION FUND	24,691.06
CDBG HUD FUND	12,699.00
HUD REHABILITATION FUND	1,331.00
SPECIAL DISTRICT FUND	264,911.44
CAPITAL FUND	<u>28,391.91</u>

\$670,547.27

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: C

ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 19 Building Permits

Received and Filed.

<u>Item No. 20</u> Supervisor's Statement of Funds - January, 1995

Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 21a Notice of Claim: Thomas Chmielewski 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. 21b Notice of Claim: Jerome J. Klein 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. 22 Request to Speak: David W. Moran Regarding Traffic on Ellwood Drive

Received and Filed.



MOTION BY COUNCILMAN BLACHOWSKI, SECONDED BY COUNCILMAN JOHNSON TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0



IV. SUSPENSION OF RULES

Item No. 23a Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Sweet Home Blend-All Hotel Development, Inc. has petitioned for the rezoning from RA-Apartment District to C-Retail Business District of property owned by 760 Dick Road, Inc. and located at 760 Dick Road (front portion), Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of April, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

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

NOW, THEREFORE, BE IT RESOLVED, that the application of Sweet Home Blend-All Hotel Development, Inc. for the rezoning from RA-Apartment District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby approved based on a letter of commitment from the developer dated March 1, 1995, and subject to the developer installing a traffic signal on Dick Road at Barone Circle, at its cost, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 23b Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Joseph LaPorta has petitioned for the rezoning from C-Retail Business District to M-S-Motor Service District of property owned by LaPorta Enterprises, Inc. and located at 2810 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing an such petition was held before this Town Board on the 3rd day of April, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

- 1. Operation be limited to under-car specialists services (i.e. muffler, brakes, shocks).
- 2. No outside storage be permitted.
- 3. All debris and remnants shall be stored in an outside enclosed dumpster.
- 4. Storage of junk/unlicensed vehicles shall be prohibited.
- 5. No sale of gasoline, oil changes, collision, painting or major motor repair work shall be allowed.

AND,

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

NOW, THEREFORE, BE IT RESOLVED, that the application of Joseph LaPorta for the rezoning from C-Retail Business District to MS-Motor Service District of the property specified in the attached legal description be and the same is hereby approved subject to the aforementioned conditions recommended by the Town Planning Board, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 24 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, Cheektowaga Central School District ("School District") requested a ten-foot-wide easement from the Town of Cheektowaga over Town-owned land located on the west side of McNaughton Avenue just south of Scajaquada Creek for the purpose of installing a water line to service property owned by the School District known as the Beverly Hills Baseball field, AND

WHEREAS, the School District has also requested permission to tie into the Town's sanitary sewer trunkline at this location, AND

WHEREAS, the Town Engineering Department has reviewed these requests and feel that they will not interfere with the use of the Town property, but needs to review the legal description for such easement area before it can formally recommend approval, (said legal description to be prepared by or on behalf of the School District), NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby gives its preliminary approval to aforementioned requests of the School District with the stipulation that the water and sewer line usage be limited to seasonal use for the baseball field, and BE IT FURTHER

RESOLVED, that final approval shall be contingent upon review of the legal description and easement form by the Town.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES 0 ABSENT: 0

<u>Item No. 25</u> Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz to adjourn this meeting in memory of Anna Kazmarek, mother of Richard Slisz, former Erie County Legislator and Andrew Jasinski, husband of Jane Jasinski, Depew School Board Member and Democratic Committeewoman.

Richard M. Moleski Town Clerk

TOWN OF CHEEKTOWAGA MEETING NO. 9 April 17, 1995

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of April, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak

Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman Jacquelina A. Blachows

Councilman Jacqueline A. Blachowski Councilman Thomas M. Johnson, Jr. Councilman William L. Wielinski

ABSENT: Councilman William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Ronald Marten, Supervising Building & Plumbing Inspector; Sal LaGreca, Chairman of Planning Board; Allan Blachowski, Principal Engineer Assistant; John Schaller, Assistant Chief of Police; Leonard Szymanski, Working Foreman in the Facilities Department.

I. RESOLUTIONS

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the installation of one (1) picnic shelter and three (3) concrete pads at the Dingens Street Park, which bids were duly received and opened at the April 5, 1995 public bid opening, 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 from Principal Engineer Assistant, Allan Blachowski, to the Town Board dated April 11, 1995, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the installation of one (1) picnic shelter and three (3) concrete pads be and hereby is awarded to MGR Contractors, Inc., P.O. Box 61, Bowmansville, New York 14026, said bid being the lowest meeting the requirements of the specifications at the bid price of \$18,250.00 and BE IT FURTHER

RESOLVED, that funding for said work shall be charged to account #5502-7110-9506.

Upon Roll Call

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

. Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

**SEE NEXT PAGE(S) for ATTACHMENT

<u>Item No. 3</u> Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated January 17, 1995, this Town Board authorized Foit Albert Associates to prepare plans and specifications for a fire protection sprinkler system for the Losson Road Julia Reinstein Library currently under construction, and

WHEREAS, the inclusion of the sprinkler system as part of the library construction project is necessary to meet the current requirements of the New York State Uniform Fire and Building Code, and

WHEREAS, the Town Engineer advises that plans and specifications prepared by Foit Albert Associates, Project Architect, have been completed for the sprinkler system and are ready for bidding, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached advertisement for bidders for the furnishing and installation of a fire protection sprinkler system for the Losson Road Julia Boyer Reinstein Library in the CHEEKTOWAGA TIMES, BUFFALO NEWS, and THE CHALLENGER, and BE IT FURTHER

RESOLVED, that sealed bids will be received on the 3rd day of May, 1995 at 11:00 AM, Local Time, at a public bid opening to be held in 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 3rd day of May, 1995, at 11:00 A.M., Local Time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for a fire protection sprinkler system for the Losson Road Julia Boyer Reinstein Library, complete, in place and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, instructions to Bidders, etc., prepared by Foit-Albert Associates, Architecture, Engineering, and Surveying, P.C. for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the architect at 763 Main Street, Buffalo, New York 14203. Copies may be secured at the office of Foit-Albert Associates Upon payment of \$80.00 per set of documents. Two checks, each for one-half the amount of the deposit shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for a Fire Protection Sprinkler System for the Losson Road Julia Boyer Reinstein Library".

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.

Item No. 3 cont'd

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

sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same 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 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 in 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 90 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

BY ORDER OF: THE TOWN OF CHEEKTOWAGA

RICHARD M. MOLESKI, Town Clerk

DA TED: April 17, 1995

PUBLISHED: April 20, 1995

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

*** NOTE *** Check meeting of May 15, 1995 regarding proposed amendment to Notice to Bidders

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Southline Athletic Association, has made application and requested the rezoning of 294 North Seine Drive (End of North Seine) from R-Residence to CF-Community Facilities, 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 May 1, 1995 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: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski, Johnson and

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town is the owner of property known as the War of 1812 Cemetery located on Aero Drive in the Town, and

WHEREAS, this Cemetery possesses significant local, state and national historic significance, and

WHEREAS, the Town is interested in having the War of 1812 Cemetery registered on the New York State and National Registers of Historic Places, and

WHEREAS, the first step in obtaining historic landmark status for this Cemetery is for the Town to file an Application for Technical Assistance and Building-Structure Inventory Form with the New York State Office of Parks, Recreational and Historic Preservation, Historic Preservation Field Services Bureau ("NYS Office of Parks"), and

WHEREAS, the War of 1812 Committee has reviewed the attached Application for Technical Assistance and Building-Structure Inventory Form and recommends that the Town approve such forms and forward same to the NYS Office of Parks, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the attached Application for Technical Assistance and Building-Structure Inventory Form with respect to the War of 1812 Cemetery, and directs that they be forwarded, together with surveys and legal descriptions, to the NYS Office of Parks.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

WHEREAS, the Town of Cheektowaga has initiated a requirement that sidewalks be installed along Union Road between George Urban Boulevard and South Creek Drive, and

WHEREAS, the Town proposes to install said sidewalks using bond moneys, and have the cost for such sidewalk installation charged to the property owners on their tax bills over a five year period, and

WHEREAS, due to the configuration of Union Road, it is necessary for the Town to obtain sidewalk easements from some property owners, and

WHEREAS, Benderson Development Company, Inc., et al., the owner of property on the southwest corner of Union Road and Galleria Drive has offered a sidewalk easement to the Town for such property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned sidewalk easement from Benderson Development Company, Inc., et al., and BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file such easement in the Erie County Clerk's office.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

<u>Item No. 7</u> Motion by Supervisor Gabryszak, Seconded by Councilman Solecki

WHEREAS, on or about June 8, 1994, two town police vehicles were damaged when struck by an automobile operated by Judith A. Paler, and

WHEREAS, the aforesaid matter has been investigated by Capt. John A. Howlett of the Cheektowaga Police Department, who has recommended that the Town accept \$2,900.00 in settlement of the damages sustained to police car #28 and motorcycle #34,

NOW, THEREFORE, BE IT RESOLVED that the Town's claim for property damages sustained by reason of the negligence of Judith A. Paler be and the same is hereby settled and compromised upon receipt by the Town of the sum of \$2,900.00, and

BE IT FURTHER RESOLVED that the Supervisor or Town Attorney be and hereby is authorized to sign any and all papers deemed necessary to effectuate said settlement and compromise.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

WHEREAS, the Erie County Department of Senior Services offers a grant program to provide senior centers with monies to purchase supplies and equipment for wellness and physical fitness opportunities; and

WHEREAS, the Town currently offers senior citizen programming including education, health screening, and fitness opportunities; and

WHEREAS, purchase of physical fitness supplies and equipment will enhance wellness programming for senior citizens; and

Item No. 8a cont'd

WHEREAS, the Town wishes to enhance wellness programming for senior citizens and seeks funding in an amount not to exceed \$13,500 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 Erie County Department of Senior Services 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 \$1,350, is available from the Department of Senior Services - budget line #0600-0892-0000, and BE IT FURTHER

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

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

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

WHEREAS, the Town's Housing Rehabilitation Loan Program Policy Guidelines require Town Board approval for rehabilitation loans of more than \$25,000, and

WHEREAS, the Community Development office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property at Cheektowaga, New York, in an amount of up to \$25,500, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes a housing rehabilitation loan in the amount not to exceed \$25,500, to the owner of authorizes the Supervisor to execute a loan agreement with the owner of said property and any other necessary related documents.

Upon Roll Call ...

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

Wielinski

NAYES: (

ABSENT: Councilman Rogowski

<u>Item No. 8c</u> Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, a housing rehabilitation loan was previously approved for the owners of ., and

WHEREAS, an amendment to increase the loan by the amount of \$835.00 is required to cover the cost of additional unforeseen repair work, the need for which was discovered during rehabilitation, and

WHEREAS, the Community Development Directors has recommended approval of said loan amendment, NOW, THEREFORE, BE IT

RESOLVED, that an amendment to the original housing rehabilitation loan agreement for the second sec

Item No. 8c cont'd

RESOLVED, that the Supervisor is hereby authorized to sign said loan amendment and any other necessary related documents.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development for the 1994 Program Year, and

WHEREAS, the Town wishes to amend its Final Statement on the use of Community Development Block Grant Funds for the 1994 Program Year in order to provide funding for two new projects entitled (Cedargrove Heights) Summer Camp and Handicapped Accessible Voting Machines, and

WHEREAS, the Community Development Director has recommended approval of said amendments, 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 1994 Program Year 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 to execute any required documents or forms in relation to this action and to submit same to the Department of Housing and Urban Development.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 9a</u> Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, the contract for the Installation of a Traffic Signal at the intersection of William Street and Cayuga Creek Road, awarded by Town Board Resolution dated July 18, 1994 to Omer Construction Co., Inc in the amount of \$123,717.00, has been substantially completed in accordance with the contract requirements, and

WHEREAS, the Town Engineer and the Project Consulting Engineer, EMS Consulting, have recommended approval of Change Order No. 1 (final) for the William Street/Cayuga Creek Road Traffic Signal and Intersection Improvements Project, which provides for final adjustment to contract item quantities to those actually incorporated into the project, as outlined in the Change Order document dated March 20, 1995, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 for the aforementioned project in the amount of \$6,990.87 as a <u>deduction to</u> the contract of Omer Construction Co., Inc., 621 Aero Drive, Cheektowaga, New York 14225 be and hereby is approved, and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 1 (final) an behalf of this Town Board.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

WHEREAS, Contract "C", Heating, Ventilating and Air Conditioning for the Julia Boyer Reinstein Library was awarded by Town Board resolution dated October 25, 1994 to Frank C. Kellner Co., Inc. in the amount of \$172,900.00, and

WHEREAS, subsequent to the award of the aforesaid contract, the Town Facilities Director has requested that Foit-Albert Associates, Project Architect, investigate the costs associated with adding the new library facility to the Town Andover Controls Energy Management and Control System which currently serves and conserves energy in a number of Town-owned facilities, and

WHEREAS, Foit-Albert has submitted and recommended approval of a proposal prepared by Frank C. Kellner Co., Inc. for the inclusion of the Andover Controls Energy Management and Control System for the library project as an addition to their existing contract, NOW, THEREFORE, BE IT

RESOLVED, that Change Order C-1 for the addition of the Andover Controls Energy Management and Control System to the contract of

Frank C. Kellner Co., Inc. 7000 Seneca Street, P.O. Box 122 Elma, New York 14059

in the amount of \$10,201.00 be and hereby is approved, and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. C-1 on behalf of this Town Board.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

BE IT RESOLVED that the following SEASONAL and PART-TIME employees be and hereby are terminated as listed:

RECYCLING DEPARTMENT

Dean Tatta
. 4/4/95

FACILITIES DEPARTMENT

Charles Zasada
Immediately

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 11a Motion by Councilman Wielinski, Seconded by Councilman Blachowski

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

and

WHEREAS, notice of said vacancy was posted in accordance with the terms of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, and

WHEREAS, Dean Winkler, currently employed as Motor Equipment Operator "B" in the Highway Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Dean Winkler be and hereby is appointed to the position of Laborer in the Sanitation Department, in accordance with the terms and conditions of the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective April 18, 1995.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

<u>Item Mo. 11b</u> Motion by Supervisor Gabryszak, Seconded by Councilman Solecki

WHEREAS, due to a resignation, a vacancy exists in the position of Administrative Clerk in the Youth and Recreational Services Department, Cheektowaga Action Partnership, and

WHEREAS, this position is underwritten by the Alcohol Drug Abuse and Mental Health Administration of the U.S. Department of Health and Human Services, Public Health Service Under grant number 1H86SP04160-O1A1, and

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

WHEREAS, Phyllis Dennis appears on said Civil Service list, was interviewed and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Phyllis Dennis of Cheektowaga, New York 1 cm, be and hereby is appointed to the position of Administrative Clerk with the Cheektowaga Action Partnership in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective April 24, 1995.

Item No. 11b cont'd

Upon Roll Call

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

. Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

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, 1983, 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 have recommended the re-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 be and hereby are 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, 1998:

Robert Pietrzak Samuel Tadio

Upon Roll Call ...

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

BE IT RESOLVED that the following individual be hired in the Youth and Recreational Services Department at the title and salary indicated (part-time):

RECREATIONAL LEADER I - \$5.25 (Y.E.S. ASSISTANT DIRECTOR) 7310.1804

Tracey Frank

BE IT RESOLVED that the following individual be hired in the Youth and Recreational Services Department at the title and salary indicated (seasonal):

RECREATION ATTENDANT IV - \$5.00 - 7140.1636 - SOCCER

Joseph Marchewka



BE IT RESOLVED that the following individuals be transferred as indicated (seasonal):

FROM HOCKEY - 7140.1639 TO SOCCER - 7140.1636

Recreation Attendant III - \$4.75

Lvnn Butts

Item No. 12a cont'd

FROM PINK PERSONNEL - 7140.1611 TO SOCCER 7140.1636

Recreation Attendant IV - \$5.00

Wilmer N. Froman, Jr.

Supervisor III - \$6.00

Jacques Desjardins

Recreation Attendant III - \$4.75

Cheryll Stucke

BE IT FURTHER RESOLVED that the following individual be transferred from part-time to seasonal as indicated:

Effective May 1, 1995

Angela Krzemien

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 12b Motion by Councilman Wielinski, Seconded by Councilman Solecki

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

RECYCLING DEPARTMENT \$5.00 per hour (Laborer)

Jeffrey Cwiklinski 4/18/95

FACILITIES DEPARTMENT \$5.00 per hour

Dominic Salvaggio 5/29/95 Michael Papero 5/29/95

and BE IT FURTHER

RESOLVED, that Brian Gast and Jim Ward, mistakenly hired as Seasonal Employees in the Facilities Department at the April 3rd Town Board meeting, be and hereby are hired as Seasonal Employees in the Recycling Department.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 12c Motion by Councilman Wielinski, Seconded by Councilman Blachowski

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 Item No. 12c cont'd

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

Frederick Roll Immediately

Upon Roll Call

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

. Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

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

WHEREAS, the Southern Tier West Local Government Conference will be conducting a conference in Houghton, New York on May 8, 1995, and

WHEREAS, Daniel Ulatowski, Zoning Inspector for the Town of Cheektowaga and Robert Brandon, Joseph Yantomasi and Jane Wiercioch of the Zoning Board of Appeals of the Town of Cheektowaga have requested permission to attend such conference, and

WHEREAS, such conference will provide the Town's Zoning Inspector and Zoning Board of Appeals members with up-to-date information and legislation on Zoning Board powers, duties and responsibilities, NOW, THEREFORE, BE IT

RESOLVED, that Daniel Ulatowski, Robert Brandon, Joseph Yantomasi and Jane Wiercioch are authorized to attend said conference at a cost not to exceed \$20.00 per person, said costs to be paid from the appropriate line item, AND BE IT FURTHER

RESOLVED, that a Town automobile be provided for transportation to and from said conference.

Upon Roll Call

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

Wielinski

NAYES:

ABSENT: Councilman Rogowski

Item No. 13b Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, the Thirteenth 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 May 1 & 2, 1995, and

WHEREAS, this conference is dedicated to promoting the understanding of the U.S.E.P.A., N.Y.S.D.E.C., and local regulations which effect the environment and pollution prevention, and

WHEREAS, the Superintendent of the Wastewater Pump Station has requested permission to attend this environmental conference, NOW, THEREFORE, BE IT

RESOLVED, that Lawrence Golas be and hereby is authorized to attend the Thirteenth Annual Greater Buffalo Environmental Conference and to utilize a Town vehicle to travel to and from such conference, and BE IT FURTHER

RESOLVED, that the registration fee of \$75.00 shall be charged to Plant No. 5 Budget Line Item No. 2500-8135-4087.

Item No.13b cont'd

Upon Roll Call

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

Wielinski

NAYES: C

ABSENT: Councilman Rogowski

<u>Item No. 14</u> Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

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

part hereof:

GENERAL FUND

FROM: 0100-1415-3500 SARA Grant \$13,974.00

TO: 0100-1415-2000 Equipment \$ 1,650.00

0100-1415-4001 Contracted Services 11,849.00 0100-1415-9000 Indirect Cost Allocation 475.00

SPECIAL DISTRICT

FROM: 2500-1910-2799 Appropriated Fund Balance \$22,679.00

TO: 2500-8125-1930 Fire Loss Expense \$22,679.00

Upon Roll Call

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

Wielinski

NAYES: 0

Councilman Rogowski ABSENT:

Item No. 15 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 April 14, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$ 2, 318, 753.07
HIGHWAY FUND	552,998.07
TRUST & AGENCY FUND	218,542.24
PART TOWN FUND	59,829.24
RISK RETENTION FUND	109,393.75
DEBT SERVICE FUND	124,375.00
CDBG HUD FUND	66,018.69
NYS HOME FUND	3,934.99
HUD REHABILITATION FUND	13,607.00
SPECIAL DISTRICTS FUND	3,670,902.88
CAPITAL FUND	<u>797,600.28</u>
	\$7,935,955.21

Upon Roll Call

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

Wielinski

NAYES:

ABSENT: Councilman Rogowski

II. DEPARTMENTAL COMMUNICATIONS

Item No. 16 Supervisor's Statement of Funds - February, 1995

Received and Filed.

Dog Control Officer - 1994 Annual Activity Item No. 17

Received and Filed.

Cheektowaga Planning Board - Minutes of March 9, 1995 Item No. 18

Received and Filed.

Item No. 19 Office of Disaster Preparedness - Quarterly report for January - March, 1995

Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 20 Summons & Complaint - Laurie Ucasz 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.

Notice of Claim - Dwayne Franklin vs Town of Cheektowaga Item No. 21a

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town

Attorney; Highway Department; ALLIED CLAIMS, Insurance Carrier.

Received and Filed.

<u>Item No. 21b</u> Notice of Claim - Judy Herman vs Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town

Attorney; Chief of Police; ALLIED CLATMS, Insurance Carrier.

Received and Filed.

Item No. 22 Request to speak from residents regarding drag racing on Elwood

Received and Filed.

<u>Item No. 23</u> Petition of William Street residents regarding proposed Wilson Farm Store at 2719

William Street

Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members;

Planning Board; Building Department.

Received and Filed.

IV. SUSPENSION OF RULES

Motion by Councilman Wielinski, Seconded by Councilman Johnson to suspend the rules to include the following items, and the vote was as follows:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Blachowski,

Johnson and Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 24 Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

WHEREAS, the Lincoln Electric Company will be hosting a one week 1995 Welding Technology Workshop. The workshop will be held June 19-23, 1995 at 22801 St. Clair Ave., Cleveland, Ohio 4417, and

WHEREAS, Arthur Ferdinand is requesting authorization to send Ken Wierzbowski, employee of Central Garage to Lincoln Electric's 1995 Welding Technology Workshop, NOW, THEREFORE, BE IT

Item No. 24 cont'd

RESOLVED, that Ken Wierzbowski is authorized to attend this workshop, with expenses not to exceed \$485.00, which will be charged to line 0100-1640-4021.

Upon Roll Call ...

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

<u>Item No. 25</u> Motion by Councilman Wielinski, Seconded by Councilman Solecki

WHEREAS, a vacancy exists in the position of Motor Equipment Operator (B) in the Sanitation Department, and

WHEREAS, Notice of said vacancy was posted in accordance with the terms of the collective bargaining agreement between the Town of Cheektowaga, and the Town of Cheektowaga Employees Association, and

WHEREAS, Clayton North, currently employed as a Laborer in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, Clayton North of Cheektowaga, New York be and hereby is appointed to the position of Motor Equipment Operator (B) in the Sanitation Department, in

accordance with the terms and conditions of the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective April 18, 1995.

Upon Roll Call

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

Wielinski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 26 Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga needs to replace the existing telephone system in use in various Town offices and buildings, and

WHEREAS, by resolution dated March 6, 1995, this Town Board retained the services of Gordon L. Allen/G.L. Allen Associates to prepare specifications for the Town for a modern telecommunications system, and

WHEREAS, G.L. Allen Associates has completed such specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for furnishing all labor, tools, equipment, materials and incidentals required for the telecommunications system for the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that bid specifications shall be made available at a prebid meeting scheduled for April 28, 1995 at 11:00 A.M. and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is designated as the officer to open sealed bids for this project; said sealed bids will be opened on the 24th day of May, 1995 at 11:00 A.M. in the Council Chambers in the Town Hall.

Item No. 26 cont'd

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 24th day of May, 1995 at 11:00 A.M. Local Time, in the Town Hall, in the Town of Cheektowaga, New York, for furnishing all labor, tools, equipment, materials and incidentals required for the telecommunications system, cable plant and ancillary services or equipment complete, in place, and ready for use in accordance with the Contract Documents therefor, including diagrams, tables, specifications, Instructions to Bidders, etc. prepared by G.L. Allen Associates, Telecommunications Consultant for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications, Diagrams, Tables and Instructions to Bidders may be examined at the above office and at the office of the Telecommunications Consultant at the Council Offices at Town Hall, 2nd Floor. Copies may be secured at the April 28, 1995 pre-bid meeting, upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

In order to obtain copies of the Specifications, etc., interested bidders MUST attend a pre-bid meeting scheduled for <u>April 28, 1995</u> at 11:00 A.M. in the Town Hall Council Office Conference Room (2nd Floor), 3301 Broadway, Cheektowaga, New York, at which time and place the Specifications, etc. will be made available to bidders.

Any bidder returning such Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the

deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York, 14227 and marked as "Proposal for the New Telecommunications System, Cable Plant and Ancillary Systems."

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.

Item No. 26 cont'd

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

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the state on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 70 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

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

RICHARD M. MOLESKI Town Clerk

DATED: April 17, 1995

PUBLISHED: April 20, 1995

Upon Roll Call

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

Wielinski

NAYES:

Councilman Rogowski ABSENT:

AFFIDAVIT - NEXT PAGE

Item No. 27 Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski to adjourn the meeting in memory of Dan Sipowicz, Town Businessman and John Ponterorio, retired Town Highway Employee.

RICHARD M. MOLESKI Town Clerk

TOWN OF CHEEKTOWAGA MEETING NO. 10 MAY 1, 1995

<u>Item No. 1</u> 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 arid Union Road, in said Town on the 1st day of May, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Sal LaGreca, Chairman of Planning Board; Bruce Chamberlin, Chief of Police; Kenneth Kopacz, Director of Youth and Recreational Services; Robert Kaczmarek, Supervising Accountant; David Kulik, Director of Solid Waste; Bill Pugh, Town Engineer and Leonard Szymanski, Foreman in the Facilities Department.

I. RESOLUTIONS

<u>Item No. 2</u> Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, the Town's Amusement Arcades Ordinance mandates that a license may not be granted for any premises to be used as an amusement arcade if such premises is located within 500 feet of a school, church or R-District boundary, AND

WHEREAS, Section 12 of such ordinance authorizes an applicant to appeal to this Town Board to vary or modify this requirement if an applicant can attest to and prove certain matters, AND

WHEREAS, Robert and Billie Jo Frost have appealed to this Board from a decision of the Town Clerk to not approve an Amusement Arcade License for property located at 3015 Genesee Street in the Town, AND

WHEREAS, a hearing on this appeal/variance was held before this Town Board on the 17th day of April, 1995 at 6:30 P.M., AND

WHEREAS, this Board has considered the evidence presented and reviewed this matter thoroughly, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby affirms the decision of the Town Clerk to deny the request for an Amusement Arcade License for 3015 Genesee Street due to this Board's findings that the applicants have not shown to the satisfaction of this Town Board the following with respect to their application for the following reasons:

1. Strict application of the Amusement Ordinance would produce an excessive and unreasonable economic burden and would be physically or legally impracticable. Applicants have not presented any specifics as to what other properties they attempted to lease, the rental prices given, or locations of other properties in relation to residences. Based on review of zoning maps, this Town Board feels that there are a number of locations in the CM-General Commercial Districts of the Town where the applicants could locate their business.

- 2. There are unique circumstances or conditions peculiar with the property or type of amusement arcade. Applicants have not demonstrated that the property in question of the type of business arcade (i.e., billiard hall) warrant special consideration. The property is not unique in any way.
- 3. The issuance of a variance would not affect the character of the nearby residential neighborhood. This Board feels that the building and adjacent parking lot are far too close to the residential area to warrant approval. In addition, the proposed hours of operation would tend to create noise (from cars, patrons, etc.) late at night, thus disturbing the nearby residents. There is no screening (fencing or landscaping) shielding the residents from noise, etc. from this business. Also, applicants have not shown that they will be able to exercise any supervision/security outside of the premise. There is inadequate off-street parking for this business as well.
- 4. The issuance of a variance will not tend to depreciate the value of adjacent property. The close proximity of the proposed amusement arcade to the residences on Genesee Street and side streets would tend to depreciate the value of such adjacent properties. This, together with the late hours of operation and the lack of screening for such a business, would negatively affect the value of adjacent residential properties.
- 5. The issuance of a variance would not be contrary to protecting the morals and welfare of minors or other members of the community. Applicants have not described or committed to providing security/supervision outside of the building (i.e., parking lot) and have not suggested ways to lessen the effect of noise (i.e., from cars, patrons) on nearby residences. In addition, applicants have not indicated or proven that they or their employees have any knowledge or experience in dealing with minors in a billiard parlor setting.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, Robert Miller Construction, Inc. has made application and requested the Rezoning from M-1 Light Manufacturing District to M-2 General Manufacturing District for property located at 3813 Broadway, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 15, 1995 at 6:30 o'clock P.M., Eastern Daylight Saving time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Nicholas Lewczyk has made application and requested the Rezoning from R-Residence District to NS-Neighborhood Services District for property located at 3991 Union Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 15, 1995 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on May 15, 1995 at 7:00 P.M.,

3301 Broadway, Cheektowaga, New York for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 4th day of May, 1995, 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 public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on May 15, 1995 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

76.80 Stop intersections designated

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

<u>Street</u>	<u>Direction</u>	Entrance <u>Street</u>	Traffic <u>Stops</u>	Sign <u>Location</u>
N. Seine Dr. N. Seine Dr.	East-west East-west	Towers Blvd. Towers Blvd.	Northbound Southbound	S.E. Corner N.W. Corner



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 4a</u> Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, bids were duly received by the Town Board at a bid opening on April 19, 1995, for TOPSOIL for use by the Town of Cheektowaga, as a result of advertising thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bid for topsoil be awarded to TOM GREENAUER DEVELOPMENT, INC., P.O. BOX 250, SPRINGBROOK, NEW YORK 14140-0250, being the lowest responsible bidder meeting specifications as per schedule attached and made a part hereof, AND

BE IT FURTHER RESOLVED, that payment of topsoil be charged to the line item 0300-5110-4186.

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. 4b Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, bids were duly received on April 19, 1995 as the result of advertisement for the purchase of a step van for the Sanitary Sewer Maintenance Department, AND

WHEREAS. said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated April 26, 1995, NOW, THEREFORE, BE IT

RESOLVED, that the bid for one (1) step van for the Sanitary Sewer Maintenance Department, as recommended by the Town Engineer, be and the same is hereby awarded to:

Emerling Chevrolet 9000 Boston State Road Boston, New York 14025

Item I One 1995 Step Van \$23,414.00

\$21,914.00

said bid meeting the requirement of the specifications, AND, BE IT FURTHER

RESOLVED, that funds have been budgeted for said vehicle in Account #2500-8125-2516.

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. 5a Notice to Bidders: Purchase One (1) New and Unused Heavy Duty F-250 4X4 Plow

Truck with Plow

This item has been withdrawn.

Item No. 5b Notice to Bidders: Purchase One (1) New and Unused F-350 with 12' Stake Body and

Hydraulic Lift Gate

This item has been withdrawn.

<u>Item No. 5c</u> Notice to Bidders: Purchase One (1) New Automated One Arm Garbage Packer

This item has been withdrawn.

<u>Item No. 5d</u> Notice to Bidders: Purchase One (1) Used One Arm Garbage Packer

This item has been withdrawn.

<u>Item No. 6</u> Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, by resolution dated April 3, 1995 this Town Board awarded the contract for the replacement of existing sidewalks for the year 1995 to Arcadia Enterprises, Inc. at a total cost of \$138,570.00, AND

WHEREAS, there was a discrepancy in the bid of Arcadia Enterprises, Inc. and the contract award should have been in the amount of \$138,500.00, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution be and hereby is amended to state that the total bid award is for an amount of \$138,500.00.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

<u>Item No. 7</u> Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Department of Youth and Recreational Services has previously hired the services of Darryl L. Jones, RLA for Preliminary Design, Plans and Project Specifications, Review of Bid Proposals, Construction Coordination and On Site Inspection for the Town Park Pool Capital Improvement Project, AND

WHEREAS, additional information was required during the review process by the New York State Department of Health that would require a major modification to the project, AND

WHEREAS, it was deemed necessary to seek the additional services of a mechanical and electrical consulting engineer to refute the additional requirements as being unnecessary and capricious, BE IT

RESOLVED, that the original service agreement be amended to cover the necessary costs to pursue this additional Professional Service at a cost not to exceed \$600, 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

<u>Item No. 8</u> Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, due to concerns about pedestrian safety on Cleveland Drive at the New York State Thruway off-ramp, this Board, in 1991, requested Erie County Department of Public Works, Division of Highways, to issue the Town a permit to place "No Right on Red" signs to prohibit vehicles from turning right on red at this location, AND

WHEREAS, Erie County requested the Town to prepare a traffic study to provide that such sign was warranted, AND

WHEREAS, the Town retained EMS Consulting to prepare such traffic study and such traffic study was completed and forwarded to Erie County in October of 1993, AND

WHEREAS, Erie County still declined to issue the Town the requested permit, AND

WHEREAS, the Town Board feels that the issue of traffic safety, particularly the safety of school children at Infant of Prague School, still exists at this location and that a "No Right on Red" sign should be posted at this location, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby renews its request to the Erie County Department of Public Works, Division of Highways, to issue the Town a permit to place a "No Right on Red" sign to prohibit northbound traffic of the Thruway ramp at Cleveland Drive from making a right turn on red onto Cleveland Drive, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution, together with a copy of the October, 1993 report from EMS Consulting to David P. Comerford, Deputy Commissioner of Public Works-Highway for the County of Erie.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 9</u> Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

WHEREAS, from time to time, various groups, organizations and individuals request special permission from the Town to hold parades, festivals and other special events on highways, parks and other property owned by the Town, AND

WHEREAS, in order to protect the Town's interests, it is necessary to establish uniform guidelines for the holding of these special events in the Town, AND

WHEREAS, a Special Events Committee, composed of representatives from the Facilities, Senior Services, Law, Youth & Recreational Services and Building Inspections Departments and this Town Board met on a number of occasions to discuss a proposed policy, and has recommended that this Town Board adopt the attached Application for Permission to Hold Special Event (and instructions thereto) and the policies contained therein, NOW, THEREFORE, BE IT

RESOLVED, that, effective immediately, this Town Board hereby adopts the attached Application for Permission to Hold Special Event (and Instructions) and the policies contained therein, and BE IT FURTHER

RESOLVED, that any group, organization or individuals desiring to use Town parks or lands or hold a parade must complete such application and remit all required documentation, fees and deposits prior to holding any such special event in the Town.

Item No. 9 cont'd.



MOTION COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN ROGOWSKI TO AMEND THE ATTACHMENT AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 10</u> Motion by Councilman Blachowski, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga, as a member of the Amherst Cheektowaga-Tonawanda HOME Consortium, has submitted to the Department of Housing and Urban Development a Consolidated Plan outlining the proposed use of Community Development Block Grant and HOME Program funds, AND

WHEREAS, federal regulations require communities receiving Community Development Block Grant funding to adopt a citizen participation plan that sets forth the community's policies and procedures for citizen participation, AND

WHEREAS, the Towns of Cheektowaga, Amherst and Tonawanda have prepared said required Citizen Participation Plan, which was advertised for public comment on March 2, 1995 in the Cheektowaga Times, AND

WHEREAS, no comments were received, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves the attached Citizen Participation Plan governing the Amherst-Cheektowaga-Tonawanda HOME Consortium's Consolidated Plan.

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 Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, abandoned structure (single family dwelling) at 1432 Losson Road, Cheektowaga, New York, SBL #114.16-4-24 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessor's Office is owned by Federal Home Loan Mortgage Corporation, 4 Forest Plaza, 122 Merit Drive, Suite 600, Dallas, Texas 75751, AND

WHEREAS, these conditions require that the Town of Cheektowaga Building Inspections Department take immediate steps to board over and secure all openings in this structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that all openings in this structure be boarded over and secured and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, the Town of Cheektowaga serves as lead agency for and is a member of the Cheektowaga Action Partnership, a local coalition chartered to coordinate alcoholism and other drug abuse prevention/education programs in the community, AND

WHEREAS, the United States Public Health Service, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Prevention has made grant monies available to expand the scope and base of existing, well-developed partnerships programmatically and/or geographically; and/or enlist partnerships to join together in forming a coalition in their current area to address substance abuse and other related health and social problems, AND

WHEREAS, the Cheektowaga Action Partnership has already identified the implementation of a community wellness program as a priority during is strategic planning process, AND

WHEREAS, the Cheektowaga Action Partnership requires additional funding to implement such a program to assist members of the community in attaining wellness, including the prevention of substance abuse, AND

WHEREAS, award of this grant is an amount not to exceed \$300,000 per year for a three year period will underwrite 100% of the costs associated with this program, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates be authorized and directed to complete the necessary application, forms, etc. to be submitted to the United States Public Health Service, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Prevention for the purpose of obtaining this grant, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

<u>Item No. 12b</u> Motion by Councilman Blachowski, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to Mr. & Mrs. Kenneth Ruppert for their property located at Town of Cheektowaga, AND

WHEREAS, said owners are applying for a separate mortgage loan through the Money Store to consolidate and refinance their mortgage debt and have requested the Town to subordinate its mortgage to the Money Store, AND

WHEREAS, the Community Development Director has recommended approval of their request, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement with the Money Store, 2440 Sheridan Drive, Tonawanda, New York 14150, in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at Cheektowaga, New York.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, Aquarius Diving Systems has requested the use of the Cheektowaga Recreation Center and Town Park pool to conduct scuba diving lessons during the summer months in 1995, AND

WHEREAS, this arrangement permits the Department of Youth and Recreational Services to office scuba lessons at a discount to Town residents, AND

WHEREAS, the Director of the Youth and Recreational Services Department has reviewed the request to determine the availability of such Town facilities and has recommended approval contingent upon the signing of the agreement and payment of a \$1025 rental fee to the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the License Agreement with Aquarius Diving Systems.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 12d Motion by Councilman Johnson, Seconded by Supervisor Gabryszak

WHEREAS, a detailed drainage study for the southwest section of Town, was prepared in 1988 by the consulting engineering firm of Nussbaumer & Clarke, Inc., AND

WHEREAS, there is a need to update the Southwest Section Drainage Study Report and Individual maps and preliminary design profiles in anticipation of the scheduled 1997 Harlem Road Improvement Project by the New York State Department of Transportation as outlined in the attached memorandum of the Town Engineer dated April 27, 1995, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Nussbaumer & Clarke, Inc., dated April 25, 1995, to perform the study update as submitted to the Town Engineer be and hereby is approved and accepted, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby authorized and directed to sign said agreement with Nussbaumer & Clarke, Inc. for updating the Southwest Drainage Study Mapping and issuing a Supplementary Report, AND, BE IT FURTHER Item No. 12d cont'd.

RESOLVED, that funding in an amount not to exceed \$7,100.00 for said professional services is to be charged to Account #5905-1440-1101, Southwest Drainage Improvements.

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. 13 Motion by Councilman Blachowski, Seconded by Councilman Solecki

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

<u>Item No. 14</u> Motion by Councilman Wielinski, Seconded by Councilman Solecki

BE IT RESOLVED, that the following individuals be and hereby are terminated as

listed:

<u>EFFECTIVE</u>

SEWER DEPARTMENT

Jeffrey Rogowski 4-24-95

PERSONNEL DEPARTMENT

Tanja Zoerner 4-01-95

SANITATION DEPARTMENT Timothy Millar

Timothy Millar Immediately

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 15</u> Motion by Councilman Wielinski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the salary for all Crossing Guards be and hereby is increased \$.25 per hour to \$6.50 per hour, effective immediately.



MOTION BY COUNCILMAN WIELINSKI, SECONDED COUNCILMAN JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 15, AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

NT: 0

BE IT RESOLVED, that the salary for all Crossing Guards be and hereby is increased \$.25 per hour to \$6.50 per hour, effective immediately <u>and retroactive to January 1, 1995.</u>

AMENDED

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, this Town Board previously appointed Norbert Rutkowski to the position of Working Foreman in the Facilities Department and granted him a leave of absence from his former position of Equipment Maintenance Worker in the Sewer Maintenance Department, AND

WHEREAS, the leave of absence granted to Norbert Rutkowski expired on April 19, 1995, and Mr. Rutkowski has requested additional time for his leave of absence, NOW, THEREFORE, BE IT

Item No. 16 cont'd.

RESOLVED, that Norbert Rutkowski be and hereby is granted a leave of absence from his former position as Equipment Maintenance Worker (now known as Senior Sewage Maintenance Worker) in the Sewer Maintenance Department, effective from April 19, 1995 to April 19, 1996.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES 0 ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Public Safety Dispatcher in the Police Department, 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 individual be and hereby is appointed to the position of Public Safety Dispatcher, in accordance with the terms and conditions as setforth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association, effective May 2, 1995:

Dean Lauber

93 Shanley Street Cheektowaga, New York 14206

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 following individuals be transferred as indicated

(Seasonal):

From Rink Personnel - 7140.1611 to Softball - 7140.1633 - \$6.50 (effective immediately).

Scott Fleetwood

From Recreation Specialist X to Supervisor VIII - \$7.25 - Theater Workshop - 7140.1651 (effective May 15th)

Bonnie Nowicki

From Recreation Leader IX to Supervisor IX - \$7.50

Thomas Kazmierczak

BE IT RESOLVED, that the following individuals be transferred, with the hourly salary rate (A) indicated: (Seasonal, effective May 1st), AND

BE IT FURTHER RESOLVED, that those listed be paid a salary rate (B) for the week of August 13th-19th and revert to their hourly rate (A) effective August 20th:

TO: 1) Camp Crabapple (7310.1802) May 1st-August 12th); to: 2) Camp Aloha (7310.1802) at a salary classification for the week of August 13th-19th); to: 3) Camp Crabapple - August 20th-September 3rd.

Item No. 18 cont'd.

Deborah Ann Fleetwood Program Coordinator A. \$ 10.50 B. \$350.00

Barbara Walters Camp Nurse A. \$ 8.00

B. \$260.00

TO: 1) Camp JI-IK-DO-WAH-GAH (7310.1801) May 1st-August 12th: to: 2) Camp Aloha (7310.1802) August 13th-19th; to: Camp JI-IK-DO-WAH-GAH (7310.1801) August 20th-September 3rd.

Anne Marie Priester

Senior Recreation Supervisor VII (Assistant Program Coordinator)

A. \$ 7.50

B. \$275.00

Karen Noworyta

Supervisor V (Director III)

A. \$ 6.50

B. \$250.00

TO: Adapted Recreation Program (7310.1803) to: 1) Camp Flamingo (7310.1810) May 1st-August 12th; to: 2) Camp Aloha (7310.1802) August 13th-19th; 3) Camp Flamingo (7310.1810) August 20th-September 3rd.

Leanne Fischer

Supervisor V (Director III)

A. \$ 6.50

B. \$250.00

Janie Urbanski

Supervisor IV (Director II)

A. \$ 6.25 B. \$250.00

Angela Krause

Supervisor IV (Director II)

A. \$ 6.25 B. \$250.00

BE IT FURTHER RESOLVED, that those listed revert to their part-time status in the Adapted Recreation Program (7310.1803), effective September 5th.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES 0 ABSENT: 0

Item No. 19 Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

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:

SANITATION DEPARTMENT - \$5.00 per hour (Clerical)

<u>EFFECTIVE</u>

Amy Bollman

Immediately

AND, BE IT FURTHER Item No. 19 cont'd.

RESOLVED, that Frederick Roll, a Part-Time employee in the Facilities Department, be and hereby is transferred to the Sanitation Department, at the rate of \$6.00 per hour, effective immediately, AND, BE IT FURTHER

RESOLVED, that Francis Strong, appointed as a temporary Cleaner, be and hereby is returned to his art-Time Laborer's position, at the rate of \$5.50 per hour, effective May 1, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 20a</u> Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

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

SOCCER - 7140.1636

Recreation Attendant 1 - \$4.25 per hour

Chris Bandura Kristopher Kubiak Amy Rainville





Recreation Instructor V - \$5.50

Tim Kronenwetter



ARTS AND CRAFTS ROTATION - 7140.1648

Recreation Attendant IV - \$5.00

Shawn Ryan

SPORTS ROTATION - 7140.1645

Recreation Leader VI - \$6.50

Deborah Sokolski 1

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 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>EFFECTIVE</u>

RECYCLING DEPARTMENT - \$5.00 per hour

Dorothy Mendel

Jeffrey Rogowski

Jeffrey Helmbrecht

Michael Adamski

Kevin Zawodzinski

John Balbuzoski

Immediately

Immediately

Immediately

Immediately

Immediately

Immediately

Immediately

Immediately

TOWN CLERK'S OFFICE - \$6.00 per hour

Lori Vallon 5-22-95

FACILITIES DEPARTMENT - \$5.00 per hour

Alan Ross 6-26-95
Philip Farugia Immediately

AND, BE IT FURTHER

RESOLVED, that the starting date of Dominic Selvaggio and Michael Papero, hired as Seasonal Employees in the Facilities Department, be and hereby is amended from 5/29/95 to 5/22/95.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 21a</u> Motion by Councilman Jaworowicz, Seconded by Councilman Solecki

WHEREAS, a closing on the sale of \$4,035,000 Various Purposes Serial Bonds will take place at the offices of Hawkins, Delafield & Wood, 67 Wall Street, New York, New York an May 12, 1995, AND

WHEREAS, it is necessary that the Supervisor and the 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 \$750.00 per person out of budget line item number 0100-1910-4082.



MOTION BY COUNCILMAN WIELINSKI, SECONDED BY COUNCILMAN JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 21A, 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, a closing on the sale of \$4,035,000 Various Purposes Serial Bonds will take place at the offices of Hawkins, Delafield & Wood, 67 Wall Street, New York, New York on May 12, 1995, AND

WHEREAS, it is necessary that the Supervisor and the 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

Item No. 21a cont'd.

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 \$750.00 per person, charged to various budget accounts in the Bonded Capitol Projects.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

<u>Item No. 21b</u> Motion by Councilman Johnson, Seconded by Supervisor Gabryszak

WHEREAS, New York ReLeaf, in conjunction with the New York State Department of Environmental Conservation and other companies, is holding a seminar on "Organizing for Community Trees" on May 18, 1995 at the Chautauqua Institution, AND

WHEREAS, at such seminar, information will be made available concerning tree ordinances and other communities, experience with tree preservation, AND

WHEREAS, Michael Papero, Member of the Cheektowaga Conservation Advisory Council, and Alfred Wnek, Jr., Foreman in the Highway Department, have requested permission to attend this seminar, AND

WHEREAS, it would be advantageous to the Town to have these individuals attend said seminar, NOW, THEREFORE, BE IT

RESOLVED, that Michael Papero and Alfred Wnek, Jr. be and hereby are authorized to attend the aforementioned seminar, and BE IT FURTHER

RESOLVED, that the registration fees for such seminar for said individuals, \$6.00, shall be paid out of budget line item number 0100-7270-4387, and BE IT FURTHER

RESOLVED, that said individuals be and hereby are authorized to utilize a Town vehicle to travel to and from such seminar.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NA YES 0 ABSENT: 0

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

WHEREAS, previously, the State Department of Environmental Conservation (NYSDEC) designated the Town, and several other entities, as potentially responsible parties (PRPs) relative to costs and expenses associated with the investigation, removal and remediation of the Pfohl Brothers Landfill Site, AND

WHEREAS, a group of corporations, known as the Pfohl Brothers Landfill Site Steering Committee, as well as in negotiations with NYSDEC on the terms of a consent decree on same, AND

WHEREAS, pursuant to request, the PRP Group has furnished the Town with a variety of documents containing technical data relating to the aforesaid Landfill Site and its remediation, AND

WHEREAS, environmental legal counsel to the Town has recommended retention of AIG Consultants, Inc. (AIGC) for technical consulting services, which services will assist counsel in evaluating and understanding the aforesaid technical data, and in suggesting cost-effective approaches to the matter, AND

Item No. 22 cont'd.

WHEREAS the Town Attorney and the Town Engineer have reviewed this matter and they have also recommended approval of the proposal to retain AIGC,

NOW, THEREFORE, BE IT RESOLVED, that the proposal submitted to counsel to the Town by AIGC for professional technical consulting services be and the same is hereby accepted and approved, and BE IT FURTHER

RESOLVED, that the professional fee to be paid to AIGC not exceed the sum of \$7,500.00, plus out-of-pocket expenditures, and BE IT FURTHER

RESOLVED, that any and all amounts paid, as herein authorized, be paid from the contingency account.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 23</u> 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: 0100-7110-4491 Special Events \$ 500.00

To: 0100-7110-4071 Uniform Replacement \$ 500.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 24</u> Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

BE IT RESOLVED, that the following Vouchers and Warrants that were submitted to the Town of Cheektowaga prior to April 28, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$ 96,434.80
HIGHWAY FUND	11,450.24
TRUST & AGENCY FUND	33,429.40
PART TOWN FUND	819.62
RISK RETENTION FUND	11,308.35
CDBG HUD FUND	77,609.68
NYS HOME FUND	7,436.80
HUD REHABILITATION FUND	9,996.00
SPECIAL DISTRICTS FUND	162,702.14
CAPITAL FUND	<u>154,839.08</u>

\$566,026.11

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 25 Building Permits

Received and Filed.

Item No. 26a Minutes of Cheektowaga Public Library Board - March 22, 1995

Received and Filed.

Item No. 26b Minutes of Cheektowaga Traffic Safety Commission - March 21, 1995

Received and Filed.

Item No. 27 Supervisor's Statement of Funds - March, 1995

Received and Filed.

Item No. 28 Annual Financial Report Update Document - 1994

Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 29 Small Claims Court Summons: Alice and Raymond Molenda vs the Town of

Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney

and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 30 Notice of Claim: Johnny Ross and Theresa Ross vs the Town of Cheektowaga, City of

Buffalo, County of Erie and State of New York

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits Town Attorney;

Police Department and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 31 Request to Speak: Mr. Ronald Kaminski Regarding Billiard Rooms and Arcade

Ordinance

Received and Filed.



MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN BLACHOWSKI TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0



IV. SUSPENSION OF RULES

Item No. 32 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 Item No. 32 cont'd.

WHEREAS, since the Town Board is the Lead Agency, it must affirm, modify or reject any recommendations submitted to it by the Advisory Committee, AND

WHEREAS, an application was submitted by Dan Bolubash to construct an addition to 50 Boxwood Lane, occupied by Fibreright Mfg., AND

WHEREAS, the applicant, as part of the addition, would expand the parking area and provide new curb cuts, AND

WHEREAS, the applicant has met with the EAC, Planning Board, and Conservation Advisory Council to discuss the retention of existing trees and establishment of new plantings, AND

WHEREAS, as result of these meetings the plan was modified by eliminating a curb cut, planting additional trees and piping the existing drainage ditch, AND

WHEREAS, the final drainage plan has been filed with the Town Engineer and Highway Engineer and has been approved by them, AND

WHEREAS, the Advisory Committee, at its meeting held on April 12, 1995 rendered the determination shown on the attached memo dated April 13, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 33</u> Motion by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of those who died in the Federal Building Bomb Blast in Oklahoma City.

Richard M. Moleski Town Clerk

TOWN OF CHEEKTOWAGA MEETING NO. 11 MAY 10, 1995

<u>Item No.</u> 1 At an special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 10th day of May, 1995 at 5:45 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak

Councilman Patricia A. Jaworowicz Councilman William P. Rogowski Councilman Jacqueline A. Blachowski

ABSENT: Councilman Richard B. Solecki

Councilman Thomas M. Johnson, Jr. Councilman William L. Wielinski

Also present were: Richard M. Moleski, Town Clerk and David Kulik, Director of Solid

Waste.

I. RESOLUTIONS

<u>Item No. 2a</u> Purchase One (1) New and Unused Heavy Duty F-250 4X4 Plow Truck with Plow This item was withdrawn.

<u>Item No. 2b</u> Purchase One (1) New and Unused F-350 with 12 Foot Stake Body and Hydraulic

Lift Gate

This item was withdrawn.

Item No. 2c Purchase One (1) New Automated One Arm Garbage Packer

This item was withdrawn.

Item No. 2d Purchase One (1) Used Automated One Arm Garbage Packer

This item was withdrawn.

Item No. 3 Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski to adjourn this

meeting.

Richard M. Moleski Town Clerk

TOWN OF CHEEKTOWAGA MEETING NO. 12 May 15, 1995

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of May, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Sal LaGreca, Chairman of Planning Board; Bill Pugh, Assistant Town Engineer; John Schaller, Assistant Chief of Police; Ken Kopacz, Executive Director of Youth and Recreational Services; Robert Kaczmarek, Supervising Accountant; Dave Kulik, Working Foreman in Sanitation 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 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

76.80 Stop intersections designated

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

<u>Street</u>	<u>Direction</u>	Entrance Street	Traffic Stops Lo	<u>Sign</u> cation		
N. Seine Dr.	East-west	Towers Blvd.	Northbound	S.E. Corner		
N. Seine Dr.	East-west	Towers Blvd.	Southbound	N.W. Corner		
						

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

MEETING NO. 12 May 15, 1995

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

WHEREAS, the Town of Cheektowaga recognizes that the integrity of the bidding process is a paramount concern of taxpayers' consciousness, and

WHEREAS, numerous times throughout the year, this Town Board calls for bids for various purchases and public works projects at a cost of hundreds of thousands of dollars, and

WHEREAS, the Town does not have a director of purchase and must rely on bid specifications proposed by department heads, and

WHEREAS, it is important to this Town Board that the Town Attorney's office review these bid specifications to ensure legal compliance with the mandates of the competitive bidding laws and to ensure that bid specifications obtained are flexible, competitive and compatible, and

WHEREAS, at times, it will also be prudent to have a further technical review of bid specifications prepared by or on behalf of a Town department to ensure that the item bid is needed by the Town and that the Town receives the lowest possible bid prices for the item being bid, NOW, THEREFORE, BE IT

RESOLVED, that each department involved with the competitive bidding of purchases of public works projects shall, prior to submittal of a resolution authorizing the publication of a Notice to Bidders, submit to and receive approval as to legal content and form of the specifications for the bid item from the Town Attorney's Office, and BE IT FURTHER

RESOLVED, that from time to time, the specifications for purchases and public works projects may also be subjected to technical review by another Town department or outside consultant if deemed to be in the best interest of the Town, and BE IT FURTHER

RESOLVED, that the Town Clerk's Office be and hereby is directed to not accept any resolutions authorizing the publication of a Notice to Bidders unless the bid specifications containing the Town Attorney Office's approval as to form are attached thereto, and BE IT FURTHER

RESOLVED, that the Town Clerk's Office be and hereby is further directed to time stamp any and all resolutions authorizing Notices to Bidders and attached bid specifications prior to the filing deadline for resolutions (12:00 noon on Thursdays prior to regular Monday Town Board meetings), and BE IT FURTHER

RESOLVED that the Town Clerk shall forward a copy of this resolution to each Town department.



Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski to table 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



THE ABOVE RESOLUTION WAS TABLED.

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

WHEREAS, the Town's Amusement Arcades Ordinance mandates that a license may not be granted for any premises to be used as an amusement arcade if such premises is located within 500 feet of a school, church or R-District boundary, and Item No. 4 cont'd

MEETING NO. 12 May 15, 1995

WHEREAS, Section 12 of such ordinance authorizes an applicant to appeal to this Town Board to vary or modify this requirement if any applicant can attest to and prove certain matters, and

WHEREAS, Discovery Zone, Inc. has appealed to this Town Board from a decision of the Town Clerk to not approve an Amusement Arcade License for property located at 3755 Union Road in the Town, and

WHEREAS, a hearing on this appeal/variance was held before this Town Board on the lst day of May, 1995 at 6:30 p.m., and

WHEREAS, the applicant has shown to the satisfaction of this Town Board the following with respect to its application:

- 1. Strict application of the Amusement Arcade Ordinance would produce an excessive and unreasonable economic burden and would be physically or legally impracticable because arcade games are critical to the operation of the business,
- 2. There are unique circumstances or conditions pecular with the property or type of amusement arcade because the arcade is in a plaza and the types of games/activities are activity-oriented,
- 3. The issuance of a variance would not affect the character of the nearby residential neighborhood because the property is sufficiently screened from the adjacent neighbors and the variance is far from the residences,
- 4. The issuance of a variance will not tend to depreciate the value of adjacent property because the arcade entrance and parking lot are a distance away from residential properties,
- 5. The issuance of a variance would not be contrary to protecting the morals and welfare of minors or other members of the community because the business has safety and security measures to protect children.

NOW, THEREFORE, BE IT

RESOLVED, that the application of Discovery Zone, Inc. for a variance to allow it to obtain an Amusement Arcade License for premises located at 3755 Union Road be and hereby is granted and the Town Clerk be and hereby is directed to issue the applicant an Amusement Arcades License subject to the following conditions:

- 1. No more than 20 amusement devices may be located on the premises.
- 2. Applicant shall comply with all other provisions of the Amusement Arcades Ordinance.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0

ABSENT: 0

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

MEETING NO. 12 May 15, 1995

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Rein Road Pump Station Grade and Pavement Improvements Project, which bids were publicly opened on April 5, 1995, and

WHEREAS, said bids were referred to the Town Engineer and to Nussbaurneer & Clarke, Inc., Project Consulting Engineers, for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer dated May 9, 1995, and

WHEREAS, said report recommends that the bid for the Rein Road Pump Station Grade and Pavement Improvements Project be awarded to American Paving and Excavating, Inc. for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Rein Road Pump Station Grade and Pavement Improvements Project be and hereby is awarded to American Paving and Excavating, Inc., 5880 Thompson Road, Clarence Center, New York, 14032 for the bid price of \$17,065.00 said bid being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed and authorized to execute any and all agreements for said pump station contract on behalf of this Town Board, and BE IT FURTHER

RESOLVED, that funding for the subject project shall be chargeable to Rein Road Pump Station Account No. 5407-1440-0019, and BE IT FURTHER

RESOLVED, that the Town Engineer be and hereby is directed to submit all project documentation required under the Utility Work Agreement to the New York State Department of Transportation for reimbursement of project expenses, which funds shall be created upon receipt to Account No. 5407-1910-3089.

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. 5b Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for a fire protection sprinkler system for the Julia Boyer Reinstein Library, which bids were publicly opened on May 11, 1995, and

WHEREAS, said bids were referred to the Town Engineer and to Foit-Albert Associates, Project Architect, for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated May 12, 1995, and

WHEREAS, said report recommends that the bid for a fire protection sprinkler system at the Julia Boyer Reinstein Library be awarded to Allied Fire Protection Systems, Inc. for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the fire protection sprinkler system for the Julia Boyer Reinstein Library be and hereby is awarded to:

Allied Fire Protection Systems, Inc. 421 West Everett Street Falconer, New York 14733

for the bid price of \$35,400.00, said bid price being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED, that the Supervisor, be and hereby is authorized and directed to execute any and all agreements for said fire protection sprinkler system contract on behalf of this Town Board, and BE IT FURTHER

RESOLVED, that funding for the subject project shall be chargeable to the Losson Road Library Account No. 5403-1220-9409.

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. 6a Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga Sanitation Department desires to purchase one (1) new and unused heavy duty F-250 4 X 4 plow truck with all steel and hydraulic plow or equal, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of one (1) new and unused heavy duty F-250 4 X 4 plow truck with all steel and hydraulic plow or equal, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on May 24, 1995 at 11:00 A.M., Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 24, 1995 at 11:00 AM, Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of One (1) new and unused heavy duty F-250 4 X 4 plow truck with all steel and hydraulic plow or equal.

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

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

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

RICHARD M..MOLESKI Town Clerk

Dated: May 15, 1995

Published: May 18, 1995

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town of Cheektowaga Sanitation Department desires to purchase one (1) new and unused F-350 with 12 foot stake body and hydraulic lift gate or equal, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of one (1) new and unused F-350 with 12 foot stake body and hydraulic lift gate or equal, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on May 24, 1995 at 11:00 A.M., Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 24, 1995 at 11:00 AM, Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new and unused F-350 with 12 foot stake body and hydraulic lift gate or equal.

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

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

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

RICHARD M. MOLESKI Town Clerk

Dated: May 15, 1995

Published: May 18, 1995

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 6c</u> Motion by Councilman Solecki, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga Sanitation Department desires to purchase one (1) new automated one arm garbage packer, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of one (1) new automated one arm garbage packer, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on May 24, 1995 at 11:00 A.M., Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 24, 1995 at 11:00 AM, Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of One (1) new automated one arm garbage packer.

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

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

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

RICHARD M. MOLESKI Town Clerk

Dated: May 15, 1995

Published: May 18, 1995

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town of Cheektowaga Sanitation Department desires to purchase one (1) used automated one arm garbage packer, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of one (1) used automated one arm garbage packer, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that sealed bids will be received on May 24, 1995 at 11:00 A.M., Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 24, 1995 at 11:00 AM, Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of One (1) used automated one arm garbage packer.

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

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

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

RICHARD M. MOLESKI Town Clerk

Dated: May 15, 1995

Published: May 18, 1995

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 6e</u> Motion by Councilman Rogowski, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga requires Roof Replacement Work at the Dartwood Community Center, 222 Autumnwood Drive, Cheektowga, New York, and

WHEREAS, Scaffidi & Moore Architects has prepared plans and specifications for Roof Replacement Work at the Dartwood Community Center, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby directs the Town Clerk to publish a Notice to Bidders for Roof Replacement Work at the Dartwood Community Center, and BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5504-7110-9508.



NOTICE TO BIDDERS

Sealed bids for Roof Replacement Work at Dartwood Community Center, 222 Autumnwood Drive, Cheektowaga, New York are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on Wednesday, June 7, 1995 at 11:00 A.M. in the Cheektowaga Town Hall, corner of Broadway and Union Roads, 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 as a deposit to guarantee the safe return thereof.

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

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

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

Attention of bidders is particularly called to the requirements as to conditions of the 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: May 15, 1995



Item No. 6e cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 6f Motion by Supervisor Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga requires Roof Replacement Work at the Cheektowaga Senior Citizens Center, 3349 Broadway at Union Road, Cheektowga, New York, and

WHEREAS, Scaffidi & Moore Architects has prepared plans and specifications for Roof Replacement Work at the Senior Citizens Center, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby directs the Town Clerk to publish a Notice to Bidders for Roof Replacement Work at the Senior Citizens Center, and BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5504-7110-9509.



NOTICE TO BIDDERS

Sealed bids for Roof Replacement Work at the Cheektowaga Senior Citizen's Center, 3349 Broadway at Union, Cheektowaga, New York are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on Wednesday, June 7, 1995 at 11:00 A.M. in the Cheektowaga Town Hall, corner of Broadway and Union Roads, 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 as a deposit to guarantee the safe return thereof.

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

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

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

Attention of bidders is particularly called to the requirements as to conditions of the 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

DA TED: May 15, 1995



Item No. 6f cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 6g Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga, on February 27, 1995 previously advertised for bids to construct a waterslide at Town Park Pool, and

WHEREAS, a pro-forma regulatory review in the New York State Department of Health questioned the need for an additional water circulatory system that was not required in the original specifications, and

WHEREAS, this interpretation caused a delay in the review and bidding procedures until the questions could be resolved; NOW, THEREFORE, BE IT

RESOLVED, that the original Notice to Bidders be null and void and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to re-publish the attached Notice to Bidders in the Cheektowaga Times and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is designated as the official to open bids for such waterslide construction on May 24, 1995 at 11:00 AM in the Town Hall Council Chambers.



NOTICE TO BIDDERS

Sealed bids for the <u>Cheektowaga Town Park</u> Waterslide are invited and will be received, publicly opened and read on behalf of the Town of Cheektowaga an May 24, 1995 at 11:00

a.m. in the Town Hall, 3301 Broadway, for the installation of a new water slide and related sitework at the Town Park Pool.

Specifications (including Instructions to Bidders and Bid Form) and Plans for each project may be examined at the Town of Cheektowaga Town Clerk's Office, Town Hall, 3301 Broadway, Cheektowaga, New York 14227-1088, 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. (Contractors who have already picked up specifications for the initial notice do not have to place an additional deposit.)

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 or 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 the employment to be observed and minimum wage rates to be paid under this contract.

Item No. 6g cont'd

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: May 15, 1995

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, on June 6, 1995, the Town Board of the Town of Cheektowaga adopted an ordinance now known as Chapter 65, Article II, of the Code of the Town of Cheektowaga, setting forth specifications for the construction of sidewalks in the Town, and

WHEREAS, Section 200a of the Town Law of the State of New York authorizes a town board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks in towns between the town property owners, and

WHEREAS, this Town Board, by resolution dated September 3, 1991, adopted Local Law No. 4 of the year 1991, entitled "A Local Law Apportioning the Cost of Repairing Sidewalks", and

WHEREAS, the Town Superintendent of Highways has supplied this Town Board with the attached list of sidewalks in the Town which are in need of repair or replacement, NOW, THEREFORE, BE IT

ORDERED, that the owners of properties listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before June 18, 1995, in accordance with the Town's Streets and Sidewalks Ordinance, and BE IT FURTHER

ORDERED, that, would such property owners choose not to repair/replace their sidewalks as so notified, the Town will cause such sidewalks to be repaired/replaced, and audit and pay 50% of the expense thereof against the property which abuts such sidewalk over a period of two (2) years, with interest at the rate of 6.00%, and BE IT FURTHER

ORbERED, that the Town Clerk be and hereby is directed to notify the owners of properties, listed on the attached sheets of this order, by sending the attached Notice via certified mail addressed to each such owner at his address as it appears on the Town Assessment roll.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 8 Motion by Supervisor Gabryszak, Seconced by Councilman Jaworowicz

WHEREAS, by resolution dated April 17, 1995, this Town Board advertised for bids for the furnishing and installation of a fire protection sprinkler system for the Julia Boyer Reinstein Library, and

WHEREAS, pursuant to the Notice to Bidders, bids for such project were to be publicly opened on the 3rd day of May, 1995 at 11:00 a.m. by the Town Clerk, and

WHEREAS, the Project Engineer felt it was in the best interest of the Town to postpone the bid opening until May 11, 1995 at 11:00 a.m. and an Amended Notice to Bidders listing such postponed bid opening date was duly published in the Cheektowaga Times on May 4, 1995, and interested bidders were notified, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves and ratifies the aforementioned actions taken to postpone the bid opening on this project, and BE IT FURTHER

RESOLVED, that this Town Board hereby amends the aforementioned resolution dated April 17, 1995 and related Notice to Bidders to direct that the bid opening for this project be held on May 11, 1995 at 11:00 A.M.

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 Councilman Solecki

WHEREAS, the Town of Cheektowaga, as a member of the Amherst-Cheektowaga-Tonawanda HOME Consortium, has established a Housing Rehabilitation Loan Program under the HOME Investment Partnership Program to be administered by the Town Office of Economic and Community Development, and

WHEREAS, said Program is funded with federal HOME Program funds from the Department of Housing and Urban Development, and

WHEREAS, the primary goal of said Housing Rehabilitation Loan Program is to provide low-cost, affordable financial assistance in the form of loans to benefit income-eligible homeowner-occupants to make needed repairs and improvements and to bring their property into compliance with applicable housing codes standards, and

WHEREAS, in order to provide for the effective administration and implementation of said Program and to assure the achievement of Program goals, the Director of Community Development has recommended the adoption of guidelines for said Housing Rehabilitation Loan Program, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby adopts the attached Guidelines for the HOME Investment Partnership Housing Rehabilitation Loan 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

Item No. 10a Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, by resolution dated May 1, 1995, this Town Board adopted a Special Events policy, which requires anyone wishing to hold a special event in the Town to file an application and supporting documentation, fees, etc. to the Town Clerk prior to the special event, and

WHEREAS, the War of 1812 Board of Trustees has made application to hold a parade, services and reception on Sunday, June 11, 1995 on Aero Drive and the Town Senior Citizens Center, and

WHEREAS, this Board has reviewed the application submitted by the War of 1812 Board of Trustees, which application has been approved by the Police and Facilities Departments, and has no objection to same,

WHEREAS, due to the nature of the event and the Town's direct participation and sponsorship of the event, this Town Board hereby waives the following requirements:

- 1. Submittal of insurance certificate and signed "Insurance Required or Organizations Funded by or Using Town Facilities" form
- 2. Submittal of Security Plan
- 3 Submittal of Fire Prevention/Emergency Services Plan
- 4. Submittal of plan for sanitary facilities
- 5. Submittal of site plan
- 6. Requirement that application be made at least 60 days prior to the date of the special event

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the War of 1812 Board of Trustees for its parade, services and reception to be held on June 11, 1995, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure Compliance with Section 1660 (a) (6) of the vehicle and Traffic Law

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 10b Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, by resolution dated May 1, 1995, this Town Board adopted a Special Events policy, which requires anyone wishing to hold a special event in the Town to file an application and supporting documentation, fees, etc. to the Town Clerk prior to the special event, and

WHEREAS, the Erie County Masonic Foundation, Inc. has made application to hold a parade, on Sunday, May 21, 1995 on Dick Road from the George-Urban Plaza to the Hearthstone Manor, and

WHEREAS, this Board has reviewed the anplication submitted by the Erie County Masonic Foundation, Inc., which application has been approved by the Police and has no objection to same,

WHEREAS, due to the nature of the event, this Town Board hereby waives the following requirements:

Item No. 10b cont'd

- 1. Submittal of plan for sanitary facilities
- 2. Submittal of site plan
- 3. Requirement that application be made at least 60 days prior to the date of the special event
- 4. Submittal of security plan
- 5. Submittal of Fire Prevention/Emergency Services Plan

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Erie County Masonic Foundation, Inc. for its parade, to be held on May 21, 1995, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure Compliance with Section 1660 (a) (6) of the Vehicle and Traffic Law

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 11a Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, the County of Erie has realized a savings in the PINS/JD Diversion Program and has agreed to pass along \$10,000 to the Town of Cheektowaga to increase its service to "at risk" youth; and

WHEREAS, the Department of Youth and Recreational Services has a need to increase its services to children residing in the single parent families which comprise almost 17 percent of our total households; and

WHEREAS, the TOWN will enter into an agreement with the Be-a-Friend Program, Inc. to provide assistance to Cheektowaga youth through its Big Brother/Big Sister Program with these funds, and

WHEREAS, the TOWN Law Department has approved as to form an agreement written by the COUNTY to authorize transfer of said funds, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized and directed to sign the attached agreement between the TOWN and the COUNTY to advance said funds.

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. 11b Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga is a member of the Cheektowaga Action Partnership, a local coalition chartered to coordinate alcoholism and other drug abuse prevention/education programs in the community, and

WHEREAS, the Town of Cheektowaga, as lead agency for the Cheektowaga Action Partnership, applied for and received four grants over the past three years totaling \$2,052,058 from the United States Public Health Service, Center for Substance Abuse Prevention, Community Partnership Program, and

WHEREAS, the United States Public Health Service, Center for Substance Abuse Prevention is accepting refunding applications to continue the Community Partnership Program grant period for a fourth year, and

WHEREAS, the Cheektowaga Action Partnership requires additional funding to continue substance abuse Prevention/education activities, and

WHEREAS, award of this refunding in the amount of \$571,254 will underwrite 100% of the costs associated with this program for the fourth year of its operation, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates be authorized and directed to complete the necessary application, forms, etc. to be submitted to the United States Public Health Service, Center for Substance Abuse Prevention for the purpose of refunding this grant for the fourth program year, 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. 12 Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following recreational fees be established effective April 20, 1995 for the Summer 1995 and Fall/Winter 1995-96:

INDOOR YOUTH SERVICE

RESIDENT NON-RESIDENT

First Child	\$36.00	\$46.00
Each Additional	\$26.00	36.00
INDOOR/OUTDOOR YOUTH SOCO	CER CAMP (NEW)	

First Child \$23.00 28.00

RESIDENT

NON-RESIDENT

INDOOR ADULT SOCCER

Per Team Per Session \$325.00 \$20.00 EACH Non-Resident

INDOOR SOCCER FIELD RENTAL

Per One Hour Time Slot \$36.00

Item No. 12 cont'd

PUBLIC	SKATE			RESIDEN	IT NO	N-RESIDENT
Children 3 and Under Children 4 to 15 Adults 16 and Up Senior Citizens			Free \$1.00 \$2.00 \$1.00		\$1.00 \$2.00 \$4.00 \$2.00	
ICE RE	NTAL					
	Per Hour	Prime Time Non-Prime	-	\$115.00 \$ 85.00	And the second s	-11:00 pm -5:00 pm
ICE HO	CKEY	RESIDENT			NON-RE	SIDENT
	TRAVEL	НО	USE		TRAVEL	HOUSE

RESIDENT		l L	NON-RESIDENT		
TRAVE	L	HOUSE	TRAVEL	HOUSE	
NOVICI N/A	3	\$140	N/A	\$200	
MITE \$370	4 or more teams	\$190	\$270	\$290	
	3 or less teams	\$230		\$330	
SQUIRT \$390	T 4 or more teams	\$210	\$290	\$310	
	3 or less teams	\$250		\$350	
PEE WI \$420	EE	\$280	\$320	\$380	
BANTA \$450	М	\$310	\$350	\$410	
MIDGE \$360	Т	\$400**	\$260	\$500**	

^{**}NO TRAVEL OF HIGH SCHOOL PLAYERS

⁻⁻Second child enrolled from Family - \$25.00 Reduction --Third child enrolled from Family - \$50.00 Reduction

⁻⁻¹⁹⁹⁵⁻⁹⁶ Try-out Fee - \$5.00

OUTDOOR SUMER BASEBALL CLINICS (NEW)

RESIDENT NON-RESIDENT

Per Participant \$15.00 \$18.00

PRE-K

Resident \$237.00 Non-Resident \$287.00

INSTALLMENT PLAN

Resident \$258.00 (\$129.00 Per Session)

Non-Resident \$308.00 (\$154.00 Per Session)

Residence is defined as per Local Law No. 1 of Year 1988, which states: "Residency - The Actual Domicile of an individual, which he or she actually physically uses or occupies for living purposes, that is, where he or she normally eats, sleeps and maintains usual personal and household effects".

Item No. 12 cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, the Erie County Department of Personnel has established the position of Pump Operator to fill a vacancy at the Main Pump Station in the Town of Cheektowaga, and

WHEREAS, said Department of Personnel held a competitive examination for Pump Operator, the results of which have been released, and

WHEREAS, there is need to fill a vacancy in the Main Pump Station, NOW, THEREFORE, BE IT

RESOLVED, that Joseph Glab, who has successfully passed the examination for Pump Operator and is listed on the eligible list as submitted by the Erie County Department of Personnel, be and hereby is appointed to the position of Pump Operator at the Main Pump Station at a rate in accordance with the current bargaining agreement, said appointment effective May 22, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 14a</u> Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be hired in the Youth and Recreational Services Department as indicated (seasonal):

THEATRE - 7140.1651

Recreation Attendant II - \$4.50

Christine Cramer 1

Recreation Attendant IV - \$4.25

Eric Blodgett 1

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 14b Motion by Councilman Wielinski, 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:

RECYCLING DEPARTMENT - \$5.00 per hour (Laborer)

Jeffrey Rudnick Greg Parry



Effective Immediately Effective Immediately

Item No. 14b cont'd

MAIN PUMP STATION - \$5.00 per hour (Laborer)

Patrick Fix Effective 5/16/95

TRAFFIC MAINTENANCE DIVISION - \$6.50 per hour (Laborer)

Michael Orlando Effective Immediately

Upon Roll Call ...

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 15</u> Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

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:

POLICE DEPARTMENT.- \$5.00 per hour (Clerk)

Denille Kazmierczak



Effective 5/22/95

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0



Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski to suspend the reading of the names in the following resolution, Item #16, 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. 16 Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be transferred as indicated:

Effective May 15th

From Recreation Supervisor VII to Recreation Supervisor VIII - \$7.50 (7140.1642)

Tony Lorigo

Effective May 15th

(Part-time to Seasonal)

From Recreation Supervisor III (7140.1615) to Administrative Intern (Supervisor IV)-7310.1804)

Chris Mahalic

Item No. 16 cont'd

Effective May 22nd

(Part-time to Seasonal)

From Recreation Attendant VI (7140.1614) to Supervisor V - \$6.50 (7140.16.31 - Cedargrove

Brian Getz

From Recreation Specialist II to Recreation Specialist III - \$5.25 - (7140.1651)

Leanne Ventura

Effective May 29th

From Recreation Specialist III to Recreation Specialist IV - \$5.50 - (7140.1651)

Joanne Haas

Effective June 5th

(Part-time to Seasonal)

From Recreation Attendant I (7140.1627) to Recreation Attendant II - \$4.50 - (7140-1732 - Dartwood)

Jennifer Garrison 14227

From Recreation Attendant I (7140.1614) to Recreation Attendant II - \$4.50 - (7140.1632 - Dartwood)

Daniel Zilbauer, Jr. 14225

From Recreation Attendant II (7140.1614) to Recreation Attendant III - \$4. 75 -(7140.1632 - Dartwood)

George Hunger, Jr. 14225 Rebecca Volk 14211

From Recreation Attendant II (7140.1627) to Recreation Attendant III - \$4.75 - (7140.1632 - Dartwood)

Tammy Schumacher 14225

From Recreation Attendant IV (7140.1614) to Recreation Attendant V - \$5.25 - (7140.1631 -

<u>Cedargrove)</u>

Paul Rokitka 14225

From Recreation Attendant IV (7140.1614) to Recreation Attendant V - \$5.25 - (7140.1632 - Dartwood)

Michael Smith 14227

From Recreation Leader I (7140.1614) to Recreation Leader II - \$5.50 - (7140.1632 Dartwood)

Dawn Smith 14227

Dawn Zilbauer 14225

Effective June 5, 1995

(Part-time)

From Recreation Attendant III to Recreation Attendant IV - \$5.00 - (7140.1614)

Corinne Kindzierski

Item No. 16 cont'd

Effective May 29, 1995

(Part-time to Seasonal)

David Isch (7140.1651)

Effective June 5, 1995

(Part-time to Seasonal)

From 7310.1814 to 7140.1631 (Cedargrove)

Maria DiGiacomo

From 7140.1614 to 7140.1631 (Cedargrove)

Glen Getz Eric Meinke

From 7140.1614 to 7140.1632 (Dartwood)

Christopher Maciok

From 7310.1814 to 7140.1632 (Dartwood)

Michael Rokitka

Effective June 12th

(Part-time to Seasonal)

Joe Bucheker (7140.1651)

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 17a Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, the New York Association of Local Government Records Officers is offering a Seminar on "Records and Information Management" at the Holiday Inn in Rochester, New York from June 4-7, and

WHEREAS, the Seminar is designed to enhance knowledge, understanding and use of Records Management and Information Services, and

WHEREAS, the Town is in need of a more advanced system of Records Management, thereby making the seminar beneficial to its needs, and

WHEREAS, Richard M. Moleski, Town Clerk, has requested that Lisa-Marie DeMont attend said seminar, NOW, THEREFORE BE IT

RESOLVED, that Lisa-Marie DeMont be and hereby is authorized to attend said seminar, and BE IT FURTHER

RESOLVED, that the cost of \$295.00 be charged to the S.A.R.A. Grant, Account No. 0100-1415-9000.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 17b Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Department of Agriculture and Markets, Health and Environmental Conservation, the State University at Delhi is sponsoring the Animal Control Academy for animal control officers and animal shelter personnel. The training will be held at the State University at Delhi, May 30th thru June 2, 1995, and

WHEREAS, Chief Chamberlin is requesting authorization to send part time dog control officer Gregory Fuchs to this training. Instruction will be provided by New York State Government personnel and by faculty from the State University of Delhi Veterinary Science program. Topics will include but not be limited to State and municipal licensing, animal control and welfare laws, rabies procedures for seizure and deposition of animals. The Cheektowaga Police Department will be responsible for registration, lodging, and transportation amounting to approximately \$395.00. A Cheektowaga Town vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Mr. Gregory Fuchs to this training. The expense will be charged to line 0100-3510-4093.

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 Councilman Blachowski

WHEREAS, the Department of Community Development has earmarked up to \$20,000 in order for the Department of Youth and Recreational Services to conduct a day camp within the Cedargrove Heights community, and

WHEREAS, the purpose of this grant would be to assist income eligible families the opportunity to take advantage of an affordable day camp experience, and

WHEREAS, budget lines must be established to meet the requirement for separate financial reporting and cost centering procedures, NOW, THEREFORE, BE IT

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

EXPENSES:

7140.1631 \$12,400 7140.4516 7,600

REVENUE

7140.2168 \$20.000

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

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

part hereof:

Item No. 19 cont'd

GFNERAL FUND

FROM:	0100-7140-1613	Recreation-Playgrounds Supervisor	\$8,000.00
	0100-7140-1615	Recreation-Playgrounds Aid	8,890.00
	0100-7140-1615	Recreation-Playgrounds Aid	3,500.00
	0100-7140-4533	Theater Expenses	1,500.00
	0100-7140-4533	Theater Expenses	4,400.00
	0100-7310-4677	Catholic Charities-Dropout	5,750.56
	0100-7310-4685	Project Y.E.S.	4,453.67
	0100-7310-4687	Child & Family Services	300.00
	0100-7140-1611	Rink Personnel	3,500.00
	0100-7140-1615	Recreation Instructors	3,360.00
	0100-1415-4001	SARA Grant-Contractural Services	6,000.00
TO:	0100-7140-1632	Dartwood Camp-Salaries	\$8,000.00
	0100-7140-1632	Dartwood Camp-Salaries	8,890.00
	0100-7140-1627	Volleyball-Salaries	3,500.00
	0100-7140-4503	Concerts	1,500.00
	0100-7140-4517	Dartwood Camp-Expenses	4,400.00
	0100-7310-4671	Youth Service Projects	5,750.56
	0100-7310-4681	In-Service Training	4,453.67
	0100-7310-4675	Library Contract	300.00
	0100-7140-1631	Cedargrove Camp	3,500.00
	0100-7140-1631	Cedargrove Camp	3,360.00
	0100-1415-1500	SARA Grant-Senior Clerk	2,600.00
	0100-1410-1391	Town Clerk-Part-Time Clerical	3,400.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to May 12, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$2,687,780.00
HIGHWAY FUND	688,640.25
TRUST & AGENCY	25,959.12
PART TOWN FUND	45,050.99
RISK RETENTION FUND	649,741.31
CDBG HUD FUND	69,853.81
DEBT SERVICE FUND	849,770.00
HUD REHABILITATION FUND	1,331.00
SPECIAL DISTRICTS FUND	1,392,837.63
CAPITAL FUND	<u>617,861.79</u>
	\$7,028,825.90

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

<u>Item No. 21</u> Minutes of Cheektowaga Planning Board - April 13, 1995

Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 22a Notice of Claim - Philip Gioia vs Town of Cheektowaga

Cqpies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;

Sanitation Department; Allied Claims, Insurance Carrier.

Received and Filed.

Item No. 22b Robert Maydwell vs Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;

Chief of Police; Allied Claims, Insurance Carrier.

Received and Filed.

V. SUSPENSION OF RULFS

Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski to suspend the rules to include the following resolutions, and the voting was as follows:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 23 Mdtion by Councilman Wielinski, Seconded by Councilman Rogowski

BE IT RESOLVED that the position of Records Management Coordinator be and hereby is created in the Town Clerk's Office, pending jurisdictional classification by the Erie County Department of Personnel, effective immediately

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 24</u> Call for public hearing regarding Increase & Improvement of Facilities of Cheektowaga Town-wide drainage district

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

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

WHEREAS, moneys are available from the County of Erie to provide outreach services to the elderly and frail elderly residing within the Town of Cheektowaga, and

WHEREAS, the Town Senior Services Department has the facilities to provide such services to the elderly in the Town, and

WHEREAS, the County of Erie has prepared a contract to provide \$1,500.00 to the Town to provide such services, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the aforesaid contract with the County of Erie.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 26 Motion by Councilman Wielinski, Seconded by Councilman Johnson

WHEREAS, the Town, in its 1995 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 and 1994 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 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:

Cultural/Not-For-Profit Organization Funding Approved

Cheektowaga Patriotic Commission, Inc. \$10,000.00

Cheektowaga Art Guild \$915.00

and BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural not-for-profit organizations out of the respective cultural group budget line item in the 1995 Town budget, subject to the audit and approval of a properly signed Town voucher.

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. 27 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

WHEREA.S, 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 any recommendations submitted to it by the Advisory Committee, and

WHEREAS, an application was submitted by the Southline Athletic Association to rezone their facility at 294 North Seine Drive from R-Residential to CF-Community Facilities for expanded recreational facilities, and

WHEREAS, the applicant has met with the EAC, Planning Board and Conservation Advisory Council to discuss the proposal, and

WHEREAS, as the result of these meetings the applicant has committed to a number of items, and

WHEREAS, these commitments include eliminating any new lighting, providing the Town with an easement for the drainage channel along the East property line, submitting to the Town Engineer a drainage plan for the new diamond, committing to the installing a ten (10) foot fence along the Dartwood property line where needed to prevent intrusion of baseballs onto neighboring properties, and

WHtREAS, the applicant has further committed not to seek connection with Dartwood Drive from the expanded parking area, and

WHEREAS, the Advisory Committee, at its meeting held on May 12, 1995 rendered the determination shown on the attached memo dated May 15, 1995, and

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 28a</u> Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Southline Athletic Association, Inc. has petitioned for the rezoning from R-Residence District to CF-Community Facilities District of property owned by it and located at 294 North Seine Drive, 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 lst day of May, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and based on commitments from the application, has recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED, that the application of Southline Athletic Association, Inc. for the rezoning from R-Residence District to CF-Community Facilities District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

WHEREAS, Nicholas Lewczyk had petitioned for rezoning from R-Residential District to NS-Neighborhood Service District of property owned by him and located at 3991 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 15th day of May, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Environmental Advisory Comittee 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 Environmental Advisory Committee is recommending that the application for rezoning not be entertained or that it be denied, and

WHEREAS, their recommendation is based upon the fact that this block of Union Road is zoned residential and utilized as such, NOW, THEREFORE, BE IT

RESOLVED, that the application of Nicholas Lewczyk for the rezoning from R-Residential District to NS-Neighborhood Service District of the property specified in the attached legal description be and the same is hereby denied based on the following reasons:

- 1. Rezoning of this property would not be in accordance with a comprehensive plan and would constitute spot zoning.
- 2. Property, if rezoned, would not be compatible with the adjacent residential properties
- 3. Size of the lot is inadequate for the proposed use
- 4. There is inadequate off-street parking for the proposed use.
- 5. There is insufficient screening from the adjacent residential properties.
- 6. Property owner can still realize a reasonable return on the property.

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. 29 Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz to adjourn the meeting.

> RICHARD M. MOLESKI Town Clerk

TOWN OF CHEEKTOWAGA MEETING NO. 13 JUNE 5, 1995

Item No. 1 At an regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of June, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Sal LaGreca, Chairman of Planning Board; Bill Pugh, Assistant Town Engineer; John Schaller, Assistant Chief of Police; Robert Kaczmarek, Supervising Accountant; Bill Pugh, Town Engineer and Dave Kulik, Director of Solid Waste.

I. FROM THE TABLE

Item No. 2 Motion by Councilman Jaworowicz, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga recognizes that the integrity of the bidding process is a paramount concern of taxpayers, consciousness, AND

WHEREAS, numerous times throughout each year, this Town Board calls for bids for various purchases and public works projects at a cost of hundreds of thousands of dollars, AND

WHEREAS, the Town does not have a director of purchase and must rely on bid specifications proposed by department heads, AND

WHEREAS, it is important to this Town Board that the Town Attorney's office review these bid specifications to ensure legal compliance with the mandates of the competitive bidding laws and to ensure that bid specifications obtained are flexible, competitive and compatible, AND

WHEREAS, at times, it will also be prudent to have a further technical review of bid specifications prepared by or on behalf of a Town department to ensure that the item bid is needed by the Town and the Town receives the lowest possible bid prices for the item being bid, NOW, THEREFORE, BE IT

RESOLVED, that each department involved with the competitive bidding of purchases or public works projects shall, prior to submittal of a resolution authorizing the publication of a Notice to Bidders, submit to and receive approval as to legal content and form of the specifications for the bid item from the Town Attorney's Office, and BE IT FURTHER

RESOLVED, that from time to time, the specifications for purchases and public works projects may also be subjected to technical review by another Town department or outside consultant if deemed to be in the best interest of the Town, and BE IT FURTHER

RESOLVED, that the Town Clerk's Office be and hereby is directed to not accept any resolutions authorizing the publication of a Notice to Bidders unless the bid specifications containing the Town Attorney Office's approval as to form are attached thereto, and BE IT FURTHER

Item No. 2 cont'd.

RESOLVED, that the Town Clerk's Office be and hereby is further directed to time stamp any and all resolutions authorizing Notices to Bidders and attached bid specifications prior to the filing deadline for resolutions (12:00 noon on Thursdays prior to regular Monday Town Board meetings), and BE IT FURTHER

RESOLVED, that the Town Clerk shall forward a copy of this resolution to each Town department.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

II. PUBLIC HEARING

Item No. 3 This being the time and place advertised for a public hearing to consider said Increase and Improvement of the Cheektowaga Town-Wide Drainage District. 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 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.

III. RESOLUTIONS

<u>Item No. 4a</u> Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Bernard L. Rusiniak has made application and requested the Rezoning from M1-Light Manufacturing District to MS-Motor Services District for property located at 2200 Old Union Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 19, 1995 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 4b</u> Motion by Councilman Johnson, Seconded by Councilman Blachowski

WHEREAS, Transit Lanes, Inc. has made application and requested the Rezoning from CM-General Commercial District to MS-Motor Service District for property located at 6480 Transit Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 19, 1995 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 4c</u> Motion by Councilmen Blachowski, Seconded by Councilman Johnson

WHEREAS, Atlantic Refining and Marketing Corp. has made application and requested the Rezoning from CM-General Commercial District to MS-Motor Service District for property located at 3450 Union Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 19, 1995 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 5a</u> Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) new and unused heavy duty F-250 4X4 plow truck with all steel and hydraulic plow

for the Sanitation Department, which bids were duly received and opened at a public bid opening for that purpose, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of one (1) new and unused heavy duty F-250 4X4 plow truck with all steel and hydraulic plow be awarded to Bison Truck Center, Inc., 2370 Walden Avenue, P.O. Box 201, Buffalo, New York 14225-0201 for their bid in the amount of \$21,020.00 for one (1) new and unused heavy duty F-250 4X4 plow truck with all steel and hydraulic plow, said bid being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funding for said truck shall be chargeable to Account #5304-8160-9364.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

<u>Item No. 5b</u> Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) new and unused F-350 with 12' stake body and hydraulic lift gate for the Sanitation Department, which bids were duly received and opened at a public bid opening for that purpose, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of one (1) new and unused F-350 with 12' stake body and hydraulic lift gate be awarded to Bison Truck Center, Inc., 2370 Walden Avenue, P.O. Box 201, Buffalo, New York 14225-0201 for their bid in the amount of \$21,553.00 for one (1) new and unused F-350 with 12' stake body and hydraulic lift gate, said bid being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funding for said truck shall be chargeable to Account 5304-8160-9364.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 6 Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is sponsoring three (3) summer day camps for children (Camp Crabapple, Camp JI-IK-DO-WAH-GAH and Camp Flamingo) from July 5, 1995 to August 11, 1995, AND

WHEREAS, it is necessary that bus transportation be provided to transport these children to and from Camp Crabapple, Camp JI-IK-DO-WAH-GAH and Camp Flamingo, AND

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of the aforesaid bus transportation to be provided from July 5, 1995 to August 11, 1995; said notice shall be published in the June 8, 1995 issue of the CHEEKTOWAGA TIMES, and BE IT FURTHER

Item No. 6 cont'd.

RESOLVED, that sealed bid proposals will be accepted at the Town Clerk's office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 11:00 A.M., Wednesday, June 21, 1995, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Clerk is hereby designated to publicly open and read sealed bid proposals at 11:00 A.M. on Wednesday, June 21, 1995.



NOTICE TO BIDDERS

Sealed bid proposals will be received at the Town Clerk's office, Town Hall, Broadway and Union Road, Cheektowaga, New York, until 11:00 a.m., Eastern Daylight Savings Time, on Wednesday, June 21, 1995 for the furnishing of daily transportation to and from three day camp programs for children to be located at the Alexander Community Center, 275 Alexander Avenue (near Straley Avenue), Cheektowaga, New York. Included in the bid should be the use of four full-size school buses. Children will be transported from the Cheektowaga, Sloan and Depew area to the camp site and vice versa, Monday through Friday, beginning July 5, 1995 through August 11, 1995. Arrival time at camp is scheduled for 9:30 a.m. Dismissal and take home is scheduled for 2:30 p.m. Also included in the bid should be transportation for five weekly field trips to and from various points of interest in the western New York area.

Information for bidders may be obtained from the Camps' Program Coordinator at the Cheektowaga Youth and Recreational Services Department (275 Alexander Avenue) in said Town.

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

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

Richard 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

<u>Item No. 7a</u> 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, rezoning 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 was submitted by Robert Miller Construction, Incorporated to rezone property located 3813 Broadway from M-1 Light Manufacturing District to M2-General Manufacturing District for the purpose of constructing a 16,150 square foot truck terminal on a site 5 acres in areas, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on May 23, 1995 rendered the determination shown on the attached memo dated May 24, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 7b</u> 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, rezoning 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 was submitted by Bernard Rusiniak to rezone the property known at 2200-2210 Old Union Road from M1-Light Manufacturing District to MS-Motor Service District, AND

WHEREAS, the applicant has agreed to provide a fifty (50) foot buffer area at the west end of the property with plantings and a drainage plan as approved by the Town Engineer, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on May 23, 1995 rendered the determination shown on the attached memo dated May 24, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

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. 7c 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, rezoning 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 was submitted by Bella Vista Group to rezone a parcel of land known as 6480 Transit Road from CM-General Commercial District to MS-Motor Service District, AND

WHEREAS, an overall plan for the acreage containing said parcel was submitted and found satisfactory, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on May 23, 1995 rendered the determination shown on the attached memo dated May 24, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

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. 7d 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, rezoning 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 was submitted by Erdman, Anthony and Associates Incorporated to construct a 4,834 square foot bank on Transit Road in the Wegman's Plaza at the northwest corner of Transit and Losson Roads, AND

WHEREAS, the applicant and the representatives of Rochester Community Savings Bank have met with Town representatives in an effort to save existing trees, AND

WHEREAS, as a result of this meeting, additional trees will be saved, new trees planted around the site and additional trees be made. available for planting elsewhere in Town, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on May 23, 1995 rendered the determination shown on the attached memo dated May 24, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 7e</u> 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, rezoning 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 was submitted by Atlantic Refining and Marketing to rezone the property located at 3450 Union Road from CM-General Commercial District to MS-Motor Service District for the purpose of re-establishing an express oil change facility, AND

WHEREAS, the final landscaping plan is to be submitted to the Planning Board for their approval, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on May 12, 1995 rendered the determination shown on the attached memo dated May 15, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 7f</u> Issue Negative Declaration for 2555 Walden Avenue

This item was withdrawn.

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

WHEREAS, Robert Miller Construction Incorporated has petitioned for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District for property located at 3813 Broadway, Cheektowaga, New York, which property is particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 15th day of May, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law'), and Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga", has duly considered the application for the aforementioned rezoning and based on discussions with the applicant and revisions made to the plan, has recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED, that the application of Robert Miller Construction Incorporated for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of the property specified in the attached legal description be and the same is hereby approved, AND BE IT FURTHER

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

Upon Roll Call ...

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 8b</u> Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, 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 as 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

76.80 Stop intersections designated

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

<u>Street</u>	<u>Direction</u>	Entrance <u>Street</u>	Traffic <u>Stops</u>	Sign <u>Location</u>
N. Seine Dr.	East-west	Towers Blvd.	Northbound	S.E. Corner
N. Seine Dr.	East-west	Towers Blvd.	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.

Section 4. Publication.

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 8c</u> Adoption Bond Resolution: Increase and Improvement of Facilities of Cheektowaga Town-Wide Drainage District

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 9 Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Federal government's Defense Base and Closure Commission recently announced a list of proposed base closings, which list includes the Niagara Falls Air Force Base and the R.E.D.C.A.P. facility at Calspan in Cheektowaga, AND

WHEREAS, the Niagara Falls Air Force Reserve Base is the only base of its kind in New York State and its closing would be detrimental to the Western New York area for the following reasons:

- 1. There would be a loss of 2,500 reservists from across Western New York who are not in commuting distance to another C-130 base.
 - 2. 60% of the reservists are from Erie County.
 - 3. The Federal government has invested \$70 million in this base over the last ten years (including \$25 million the last five years) to upgrade this facility and its equipment in order to maintain operational readiness.
 - 4. The base also supports 800 civilian employees, with an annual payroll of million. \$56

- 5. The closing of this base would impact greatly (\$125 million per year) on the economy of Niagara County, Erie County and the other six counties in the Western New York region.
- 6. The C-130 Reserve Unit served our country admirably as the only reserve unit to serve directly in the Persian Gulf with 100% mission effectiveness.
- 7. The Reserve Unit based here supported all other major world-wide operations, including Hurricane Andrew, Bosnia, Haiti and the no-fly zone in Northern Iraq.

AND,

WHEREAS, Calspan's R.E.D.C.A.P. facility in Cheektowaga is the only simulated electronic warfare and missile defense system facility of its kind in the country that is equipped to allow our Air Force pilots to test themselves and their equipment against soviet-style missile defense systems, AND

WHEREAS, Calspan's R.E.D.C.A.P. facility, with 50 permanent employees, 25 support and a budget of \$900,000, has a great strategic defense impact on Western New York because of the program's unique nature and advanced technological capabilities, AND

WHEREAS, this Town Board recognizes the importance of maintaining a successful, respected Reserve Base and R.E.D.C.A.P. facility here in Western New York, and stands ready to offer support for the continued operation of such Base and facility, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby goes on record in opposition to the closing of the Niagara Falls Air Force Reserve Base and Calspan's R.E.D.C.A.P. facility in Cheektowaga, and supports the efforts of local legislators from Erie and Niagara Counties, and Congressman John LaFalce in preparing their case for the continued operation of the Air Force Base and R.E.D.C.A.P. facility, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to President Bill Clinton, U.S. Senator Alfonse D'Amato, U.S. Senator Daniel P. Moynihan, Secretary of Defense William Perry, U.S. Congressman John J. LaFalce, U.S. Congressman William Paxon, U.S. Congressman Jack Quinn, the Erie County Legislature and the Defense Base Reduction and Closure Commission.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

<u>Item No. 10a</u> Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

WHEREAS, Cub Scout Pack #618 has requested permission to conduct an overnight campout on Saturday, June 10, 1995 to Sunday, June 11, 1995 at Stiglmeier Park, AND

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, and that said waiver be extended to Cub Scout Pack #618 for use of Stiglmeier Park on June 10th and June 11, 1995, 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. 10b Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Youth and Recreational Services Department's Dartwood Travel Club program has requested permission to conduct an overnight campout on June 23rd and 24th, 1995 at the Stiglmeier Community Center, AND

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed", NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, and that said waiver be extended to the Cheektowaga Youth and Recreation's Dartwood Travel Club program for the use of the Stiglmeier Community Center and park, June 23rd and 24th, 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

<u>Item No. 11</u> Motion by Councilman Rogowski, Seconded by Councilman Johnson

WHEREAS, by resolution dated February 27, 1995, this Town Board awarded the contract for the application of chemical fertilizers and herbicides for the year of 1995 to:

Turf Tec of Western New York, Inc. 5096 Lockport Road Lockport, New York 14094

AND,

WHEREAS, the account number stated in the aforesaid resolution to which this work is chargeable is erroneous, NOW, THEREFORE, BE IT

Item No. 11 cont'd.

RESOLVED, that the resolution of February 27, 1995 be amended, AND, BE IT FURTHER

RESOLVED, that the payment for this application of chemical fertilizers and herbicides for the year of 1995 shall be charged to Account No. 5109-1440-9121.

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 Councilman Wielinski

WHEREAS, the New York State Department of Transportation is currently preparing design documents for the reconstruction and widening of 1.6 miles of Broadway, Route 130, from Harlem Road to Union Road in the Town of Cheektowaga under P.I.N. 5012.17.123, AND

WHEREAS, homeowners who reside on Town highways which intersect Broadway have requested that sidewalks be included as part of the N.Y.S.D.O.T. project for the reconstruction of Broadway, AND

WHEREAS, this Town Board recognizes the need to provide a safe area for pedestrian travel along said highway, NOW, THEREFORE, BE IT

RESOLVED, this Town Board hereby memorializes the New York State Department of Transportation to provide for the construction of sidewalks as part of the aforesaid project, on the south side of Broadway from Union Road to Harlem Road, and hereby agrees to maintain or cause to be maintained sidewalks constructed as part of said project, including the control of snow and ice, AND, BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to transmit a copy of the foregoing resolution to the:

New York State Department of Transportation ATTN: Mr. George E. Kohlbacher Jr., P.E. Assistant Regional Design Engineer 125 Main Street

Buffalo, New York 14203

Upon Roll Call ...

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, the appropriate management of local government records through their creation, use, maintenance and disposition is essential to efficient and effective government, AND

WHEREAS, local government records document the responsibilities, and prerogatives of local governments and protect the property and rights of citizens, AND

WHEREAS, the Local Government Records Management Improvement Fund was established in Chapter 78, Laws of 1989, to benefit the local governments of New York State through grants for records management and through establishment of a program of regionally-based technical assistance administered by the New York State Archives and Records Administration of the New York State Education Department, AND

Item No. 13 cont'd.

WHEREAS, the Local Government Records Management Improvement Fund has enormously benefited local governments in New York State through hundreds of vital grants and thousands of much-needed consultations and hundreds of workshops attended by near 9,000 local officials, all without the use of state tax revenues, AND

WHEREAS, the grants have supported projects to inventory records, dispose of obsolete records, plan and develop records management programs, develop programs, for the systematic management of inactive records, careful administration and protection of archival records, microfilm records and adopt and employ modern information technologies, AND

WHEREAS, the grants, consultation, workshops and other services to local governments supported by the Fund have contributed significantly to the improvement management of local government records through the state, to the availability and accessibility of those records to local officials and to citizens, and to the economical and responsive administration of local government, AND

WHEREAS, the Local Government Records Management Improvement Fund was created with a termination date of December 31, 1995, AND

WHEREAS, the demand for such grants and technical consultation remains and will remain a critical one and grants and technical advice are essential in assisting all the local governments in New York State in developing record management programs adequate to the demands of governments and citizens, NOW, THEREFORE, BE IT

RESOLVED, that the New York Association of Local Government Records Officers absolutely supports the perpetuation of the Local Government Records Management Improvement

Fund through the elimination of its sunset provision and supports its continued administration by the New York State Archives and Administration of the New York State Education Department and the oversight of that Fund by the Local Government Records, and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga absolutely supports the perpetuation of the Local Government Records Management Improvement Fund through the elimination of its sunset provision and supports its continued administration by the New York State Archives and Administration of the New York State Education Department and the oversight of that Fund by the Local Government Records Advisory Council.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 14</u> Motion by Councilman Johnson, Seconded by Councilman Wielinski

BE IT RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to install one (1) 250 watt H.P.S. luminaire and 20 foot bracket arm on Cayuga Creek Road at its intersection with Fronchowiak Avenue and Maishoss Street, P-50, L-420, replacing an existing 150 watt H.P.S. luminaire at this location in order to provide a higher degree of illumination at a severe curve on Cayuga Creek Road, at an annual increase to the General Lighting District of \$64.72 per year in accordance with the attached NYSEG Street Lighting Proposal.

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. 15a Motion by Councilman Jaworowicz, Motion by Supervisor Gabryszak

WHEREAS, the County of Erie, pursuant to the authority granted to it by Article 4.3-A of the Vehicle and Traffic Law of the State of New York, has established a special options program for driving while intoxicated ("STOP-DWI"), AND

WHEREAS, said program provides for the coordination of county, town, city and village efforts to reduce alcohol-related traffic accidents, including improvements in law enforcement and adjudication, increased education and other related activities, AND

WHEREAS, the Town of Cheektowaga is interested in availing itself of funding under the STOP-DWI program and also is desirous of coordinating its efforts to reduce alcohol-related traffic injuries and fatalities with the County of Erie, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga enter into the attached Agreement which commenced January 1, 1995 and terminates December 31, 1995 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute five (5) copies of the attached Agreement and any and all other papers necessary to implement the terms of this Agreement.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NA YES 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 15b Motion by Councilman Wielinski, Seconded by Supervisor Gabryszak

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

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

WHEREAS, the Town of Cheektowaga is in need of financial assistance to enhance safety training for programs for employees; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Labor Occupational Safety and Health Training and Education Program in an amount not to exceed \$35,000.00 for the purpose of securing this grant, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES 0 ABSENT: 0

<u>Item No. 16</u> Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

WHEREAS, by resolution dated May 1, 1995, this Town Board appointed Dean Lauber to the position of Public Safety Dispatcher, effective May 2, 1995, AND

WHEREAS, said date of hire is incorrect, NOW, THEREFORE, BE IT

RESOLVED, that said resolution be and hereby is amended to read as follows:

Dean Lauber be and hereby is appointed to the position of Public Safety Dispatcher, effective May 15, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 17a Motion by Councilman Blachowski, Seconded by Councilman Wielinski

WHEREAS, by resolution, this Town Board appointed Monica Przemielewski as a provisional candidate to the position of Housing Inspector, pending the results of a Civil Service exam for said position, AND

WHEREAS, said results have been released by the Erie County Department of Personnel, AND

WHEREAS, Monica Przemielewski is not reachable for permanent full-time appointment at this time and Civil Service regulations require that Monica Przemielewski be terminated from this provisional appointment by June 10, 1995 NOW, THEREFORE, BE IT

RESOLVED, that Monica Przemielewski be and hereby is terminated from her full-time position of Housing Inspector, effective June 10, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 17b</u> Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following SEASONAL and PART-TIME employees be and hereby are terminated as listed:

EFFECTIVE

POLICE DEPARTMENT

Lucy Skowronek	5/18/95
Share Eastmer	5/10/95
Alison Owens	2/28/95
FACILITIES DEPARTMENT	
Philip Farugia	5/15/95
Eugene Demler	5/21/95
Gordon Ganczewski	6/01/95

RECYCLING DEPARTMENT

Jeffrey Rudnick 5/15/95

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0



MOTION BY COUNCILMAN WIELINSKI, SECONDED BY COUNCILMAN JAWOROWSKI TO DISPENSE WITH READING THE NAMES IN ITEM 18 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 18</u> Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be transferred/upgraded as indicated (Part-Time to Seasonal):

Administrative Intern

7310.1804

Susan Switalski (effective June 12th)

Pre-K 7140.1664

Laila Desjardins (effective June 12th)

Pools 7180.1902

<u>Head Lifeguard to Pool Supervisor IV - \$7.65</u> Keith Stachura Item No. 18 cont'd.

Pool Supervisor to Pool Supervisor III \$7.95

Keith Sokolowski

Pool Supervisor to Pool Supervisor II \$8.65

Michelle Kunkel

Pool Supervisor to Pool Supervisor I - \$9.20

Cathy Giles

<u>Pool</u>

7180.1903

Lifeguard I to Lifeguard II - \$5.00

Timothy Isch

<u>Lifeguard II - \$5.00</u>

Dorothy Wojcik

Lifeguard II - Lifeguard III \$5.50

Kimberly Kubiak

Lifeguard III to Lifeguard IV \$6.00

Jeff Coia

Lifeguard III to Lifeguard IV WSI - \$6.25

Eric Kazukiewicz

Recreation Attendant III (Rinkguard - 7140.1611) to Lifeguard V \$6.25

Gregory Bean

Lifeguard V - \$6.25

Michael Mekarski

Basketball 7140.1654

Recreation Supervisor II (7140.1654) to Recreation Supervisor IV \$6.25

Greg Wazny

Recreation Attendant III to Recreation Instructor III - \$5.00

Peter Odrobina

Gymnastics 7140.1630

Senior Instructor to Senior Recreation Supervisor - \$10.25

Colleen Tonsoline

Assistant Supervisor to Recreation Supervisor V - \$6.50 Amy Sieczkarek Item No. 18 cont'd.

Recreation Attendant V to Recreation Instructor V - \$5.50

Cheryl Skowronski

Recreation Attendant T (Pre-K 7140.1664) to Recreation Instructor II - (Gymnastics - 7140.1630) - \$4.75

Jill Szarzynski

<u>Camps</u>

From Rinkguard (7140.1611) to Camp JI-IK-DO-WAH-GAH - 7310.1801 - Recreation Attendant I -\$4.25

Nick Logiudice

From Adapted Recreation (7310.1803) to Camp Flamingo (Alexander Summer Day Camp)

7310.1810

Recreation Attendant I (Counselor I) - \$4.25

Kelly Goldsmith

Recreation Attendant I (Counselor I) to Recreation Attendant II (Counselor II) -\$4.50

Dana Abendschein Steffanie Albano Donna Quigley

Recreation Attendant III (Counselor III) - \$4.75

Amy Conner Amy Imiola

Recreation Attendant IV (Counselor IV) - \$5.00

Julie Chiarilli

Recreation Attendant III (Counselor III) to Recreation Attendant IV (Counselor IV) \$5.00

Lori Brucato Trevor Stowell

Recreation Attendant IV (Senior Counselor IV) to Recreation Attendant V (Senior Counselor I) - \$5.25

Amy Tomaka

From Rink Personnel - 7140.1611 to Camp JI-IK-DO-WAH-GAH

7310.1801

Recreation Attendant III (Counselor III) - \$4.75

Ron Whitehead

From Adapted Recreation (7310.1803) to Camp JI-IK-DO-WAH-GAH

<u>7310.1801</u>

Item No. 18 cont'd.

Recreation Attendant IV (Counselor IV) - \$5.00

Amy Pickhardt Amy Roska Dan Quigley Maggie Wnuk

Recreation Attendant III (Counselor III) to Recreation Attendant IV (Counselor IV) \$5.00

Jennifer Golas Amanda Varney Amy Zakrzewski

From Adapted Recreation (7310.1803) to Developmentally Disabled Day Camp (Camp Crabapple)

<u>7310.1802</u>

Recreation Attendant I (Counselor I) - \$4.25

Gayle Bosiacki

Recreation Attendant II (Counselor II) - \$4.50

Sandy Bentz

Recreation Attendant III (Counselor III) to Recreation Attendant V (Counselor IV) - \$5.00

Jason Krasinski

Recreation Attendant IV (Counselor IV) to Recreation Attendant V (Senior Counselor I - \$5.25

Kim Rafanowicz Kate Mendel Amy Wetmore

BE IT RESOLVED, that the salary rate for Tony Lorigo, already performing the duties of Tennis Coordinator (Recreation Supervisor VIII - \$7.50 (7140.1642), established at the May 15th meeting, be made retroactive to January 1, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 19a Motion by Councilman Blachowski, Seconded by Councilman Wielinski

WHEREAS, a vacancy exists in the position of Housing Inspector in the Building and Plumbing Department, AND

WHEREAS, said vacant position falls within the competitive class of Civil Service, AND

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

WHEREAS, Donald Wartinger appears on said Civil Service list, has been interviewed and meets all the necessary qualifications, NOW, THEREFORE, BE IT

Item No. 19a cont'd.

RESOLVED, that Donald Wartinger of the control of the position of Housing Inspector at a salary in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 10, 1995.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 19b</u> Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

WHEREAS, a temporary vacancy exists in the position of General Mechanic in the Facilities Department, AND

WHEREAS, said vacancy was posted, AND

WHEREAS, John Ross, currently employed as a Light Motor Equipment Operator in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that John Ross of processing and the Collective Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 6, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0



MOTION BY COUNCILMAN WIELINSKI, SECONDED BY COUNCILMAN SOLECKI TO DISPENSE WITH READING THE NAMES IN ITEM 20A 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. 20a Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the individuals be hired in the Cheektowaga Youth and Recreational Services Department as indicated (Seasonal):

CHEEKTOWAGA CONSERVATION CORPS

<u>Crew Supervisor</u> - Level I \$8.10 - 7310.1811

Michael Murphy

Crew Supervisor - Level II \$8.25

Kevin Corcoran

Item No. 20a cont'd.

Youth Leaders - \$5.50

Greg Crossman Anthony Kalisz, III

John Kulesz



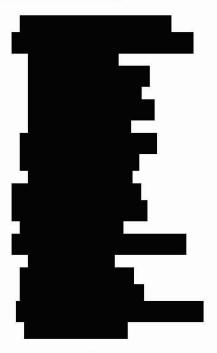
<u>Summer Trainees - Level I \$4.25 - 7310.1812</u>

Nicholas Astyk
Eric Corcoran
Neil Czerniejewski
Patrick Boland
Jennifer Knowles
Jeffrey Kosicki
Kathleen Marren

Todd Miller
John Petrocy
Dominick Selvaggio
Jason Siembida

Derek Tricoli Kyle Wagner Erin Wisniewski Melissa Zgoda Mark Znaczko Vito LaBarbara Kim Golovin

Jonathan Dutka





Summer Trainees (Alternates) - Level I - \$4.25

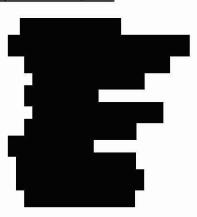
Jason Stucke Todd Corcoran Alison Huftalen

Kristopher Metzger Mike Boczar

Brian Conner
David Szczepanek
David Schaff
Rebecca Peters
Nicole Ausman

Theresa Smith

DAY CAMPS





Alexander Summer Day Camp (Camp Flamingo) - 7310.1810 Counselor I - \$4.25 Sarah Broton Stacey Getz Andrew Montroy Melissa Newhouse Danielle Pickhardt Kevin Tomaka Counselor II- \$4.50 Sara Caya John Ciesielski Kerri Rich 14225 Counselor III - \$4.75 Lynnmarie Reger James Ward Item No. 20a cont'd. Counselor IV - \$5.00 Sarah Miga 14225 Victor Nosal 14225 Samantha Schanne 14225 Jessica Wessel Camp JI-IK-D0-WAH-GAH (7310.1801) Counselor I - \$4.25 Melissa Gon Alicia Licht Wendy Poplawski Howard Schnaufer Counselor II - \$4.50 Rebecca Deuel Kelly Szczublewlski Counselor III - \$4.75 Mikal Murray James Ruzewski Counselor IV - \$5.00 Laura Dumke Laura Herko Michelle Metz Katherine Netzel **POOLS** 7180.1902 Head Lifeguard (Auxiliary Pool) - Rate I - \$7.00 Amy Garbacz Head Lifeguard (Auxiliary Pool) - Rate II - \$7.25

14225

Jackie Houser

Head Lifeguard (WSI) Town Park Pool - \$7.30

Amy Owens	
<u>Lifeguard I - 7180.1903 - \$4.75</u>	
Mike Barnhard Jenny Dembinski Deric Demyanick Kristen Howlett Beth Kaulczynski Sarah Kazukiewicz Darryl Lindell Monica Polinski Mark Przybysz Andrea Solecki Eric Springer	14225 1 14225 14225
Lifeguard I (WSI) - \$5.00 Rebecca Kirgan Item No. 20a cont'd.	1
<u>Lifeguard I Alternates) - \$4.75</u>	
Jonathan Bialek Maryann Solfrank Larry Lenz Tim Skrzydlewski	14225
<u>Lifeguard II - \$5.00</u>	
Heather DeSimone Juliette Nowak Shawn Paa Susan Wysocki	14225 14225
Lifeguard II (WSI) \$5.25	
Keith Hansen	1
Lifeguard III \$5.50	
Craig Bova Sarah Garcea Renee Kazukiewicz Jeanine Glijer Tony Pawlowski	14225 14225
<u>Lifeguard III - WSI \$5.75</u>	
Kathleen Kriel	14225
<u>Lifeguard IV - \$6.00</u>	
Margaret Brezowski Brian Gould Lisa Lewandowski Michael Wyse	14225 14225
Lifeguard V - \$6.25 Amy Dauscher Amber Gorzynski	
<u>Lifeguard VI - \$6.50</u> Edward Pawlowski	
Bathhouse Attendants - 7180.1901 - \$4.25 Nicole M. Derenda Jill Glijer	14225 14225

Jennifer Gerace Kristie Gribble Erik Hansen Sandy Kaczmarek Ginene Kazmierczak Joseph LaBarbara Todd Loos Jason Sprada Robert J. Proehl Kristy Przepiora Lori Taberski Thomas Weiner Christopher Wiepert Jeff Miller Mark Bechtel Robert Hurd Item No. 20a cont'd.		14225 14225 14225 14225
Bathhouse Attendants (Alternates) -Level	<u> 11 - \$4.25</u>	
Ryan Santarini		14225
BASKETBALL- 7140.1654		
Recreation Instructor \$4.50		
Steve Ciemcioch		
Recreation Instructor IV - \$5.00		
Dwayne Dewyea		
BASKETBALL (OUTDOORS) 7140.1813		
Recreation Supervisor III - \$6.00		
Nathan Frank		
<u>TENNIS - 7140.1642</u>		
Recreation Instructor II - \$4.75		
Heather Solecki		
Recreation Instructor V - \$5.50		
Elizabeth Snyder Martin Sypnewski Gary Tytka		1
Recreation Instructor IX \$6.50		
Caroline Burnicki		
Recreation Instructor X \$6.75		
Andrew Boczkowski		
<u>GYMNASTICS - 7140.1630</u>		
Recreation Attendant I - \$4.25		
Amy Snyder		
Recreation Instructor II - \$4.75		
Jill Sieczkarek		

Recreation Assistant X - \$6.75	
Sean Zent	14225
THEATER WORKSHOP - 7140.1651	
Recreation Attendant IV - \$5.00	
Camille A. Kazmierczak	
Recreation Attendant V - \$5.25	
Jeffrey J. Palmer <u>Item No. 20a cont'd.</u>	
ARTS AND CRAFTS ROTATION - 7140.1648	
Recreation Supervisor III - \$6.00	
Carrie Krauss	
Recreation Supervisor IV - \$6.25	
Ginger Schwartz	14225
Recreation Attendant I - \$4.25	
Julianne Astyk Stephanie King	14225
Recreation Attendant I - (Alternate) - \$4.25	
Debbie Tatko	
Recreation Attendant II - \$4.50	
Kimberly Couture Kimberly Mahoney Jill Matuszewski	14225 14225 14225
PRE-K - 7140.1664 Recreation Attendant I - \$4.25	
Corry Walter	
Recreation Attendant III - \$4.75	
Tonja Glass	
CEDARGROVE CAMP - 7140.1631 Recreation Attendant I - \$4.25	
Mary Lynn Rusinski Erica Szczublewski	14225
Recreation Attendant II - \$4.50	
Renee Szarzynski	
Recreation Attendant III - \$4.75	
Claudia Zavatti	
Recreation Attendant IV - \$5.00	
Peter Orfanos	14225

DARTWOOD CAMP - 7140.1632 Recreation Attendant IV - \$5.00

Ian Wieclawski

SPORTS ROTATION - 7140.1645

Recreation Supervisor III - \$6.00

David Backes

Item No. 20a cont'd.

Recreation Supervisor IV - \$6.25

Tammy Ozolins

Recreation Attendant II - \$4.50

Lynn Kopra
Cheryl Ostempowski
Jeff Pula
Scott Syroczynski

Recreation Attendant V \$5.25

John Walkowiak 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 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:

EFFECTIVE

SEWER MAINTENANCE DEPARTMENT - \$5.00 per hour (Laborer)

Joe Gruber
Alex Nesteruk
Aaron Vanderlip
Tim Witt

FACILITIES DEPARTMENT - \$5.00 per hour (Laborer)

Robert Stypa Immediately
John Bruso "
James Schork "

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 20c</u> Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

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

MAIN PUMP -STATION - \$5.25 per hour (Laborer)

Aaron Kuczmarski 6/06/95

Item No. 20c cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 21a</u> Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, The Western Regional Council of the New York State Government Finance Officers' Association (GFOA) will be holding its summer conference in Buffalo, New York on June 20 and 21, 1995, AND

WHEREAS, information important to the Town will be discussed at this meeting and which the Town will be required to implement, AND

WHEREAS, the Supervising Accountant, Accountant, and Junior Accountant have requested permission to attend this meeting, NOW, THEREFORE, BE IT

RESOLVED, that Robert F. Kaczmarek, A. Lynn Nenni, and Kathleen Travers be and hereby are authorized to attend the aforementioned conference, AND BE IT FURTHER

RESOLVED, that the Town shall pay all reasonable costs associated with the conference not to exceed \$265.00 out of budget line item #0100-1910-4082.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 21b Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Police S.W.A.T. Team would like to hold a training session at the Hornell Sportsman Club in Hornell, New York from June 5th-7th, 1995.

WHEREAS, Chief Chamberlin is requesting permission to send the following officers to this training: Capt. Richard Chamberlin, Lt. John Glascott, Sgt. Kenneth Hycner, Det. Russel Paul, P/O Lee Ruth, Det. Thomas Wentland, Det. Gerald Grant, Sgt. James Speyer, P/O Daniel Smith, P/O Scott Grant, P/O Thomas Allen, P/O Carl Hendel, P/O Donald Strozyk, P/O Lawrence Bauer, P/OGerald Jankowski to this training session. The Hornell Sportsman Club houses a rifle range, indoor pistol range, electronic moving target range, outdoor pistol range and a "tire house". The only other facility to have this extensive training equipment is Fort Drum, New York. The Police Department will be responsible for range, fee, meals, lodging and gasoline with the expense amounting to approximately \$2,000.00. Cheektowaga Police vehicles will be used for transportation to and from this training. NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send the above officers to this training and that the time they spend be authorized as normal duty time. The expense will be charged to line 0100-3120-4007, 0100-3120-4085 and 0600-0881.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 21c</u> Motion by Councilman Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, Ithaca College is hosting a Basic Law Enforcement Mountain Bike Patrol Course June 5-9, 1995 in Ithaca, New York.

<u>Item No. 21c cont'd.</u>

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Bike Patrol Officers Thomas Gill, Jeffrey Heisler, and Joseph Crean. The training will involve several phases including classroom, practical exercises, and riding evaluations. The instructors for this intensive course are nationally certified police bike patrol trainers. This course is also certified by the Division of Criminal Justice Services, Bureau for Municipal Police. The Police Department will be responsible for meals and transportation amounting approximately to \$225.00. The tuition and lodging amounting to approximately \$975.00 will be covered by the Bicyclist Education and Enforcement Project Grant awarded to the Police Department in December of 1994 by the Governor's Traffic Safety Committee. NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send these officers to this training, and that the time they spend there be authorized as normal duty time. The expenses will be charged to line 0100-3120-4085 and 1000-3120-4025.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 21d Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, an overnight prevention work retreat is being sponsored by the Erie County Committee of Alcoholism and Substance Abuse Professionals, June 15th and 16, 1995 at Stella Niagara Educational Park, AND

WHEREAS, Ellen Fischer, CAP Project Director is desirous of attending said retreat, NOW, THEREFORE, BE IT

RESOLVED, that Ellen Fischer be authorized to represent the Cheektowaga Action Partnership at the prevention retreat and be reimbursed for any mileage and tolls incurred. (Line item 0100-7320-4000).

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 22</u> 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:	0100-7140-1611	Rink Attendants	\$3,000.00
	0100-7140-1612	Recreation Attendants	3,000.00
	0100-7140-4025	Athletic Supplies	1,500.00
	0100-7310-4687	Child & Family Services	225.00
	0100-7310-4687	Child & Family Services	863.50
TO:	0100-7140-1664	Pre-K Salaries	3,000.00
	0100-7140-1664	Pre-K Salaries	3,000.00
	0100-7140-4536	Basketball Expenses	1,500.00
	0100-7310-4061	Publications, Dues	225.00
	0100-7310-4683	Publications, Printing	863.50

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Rogowski,

Blachowski. Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 23 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

BE IT RESOLVED, that the following Vouchers and Warrants that were submitted to the Town of Cheektowaga prior to June 2, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$ 763,064.00
TRUST & AGENCY FUND	13,649.59
PART TOWN FUND	6,895.88
RISK RETENTION FUND	14,684.35
CDBG HUD FUND	56,559.65
HIGHWAY FUND	371,259.35
HUD REHABILITATION FUND	8,894.36
SPECIAL DISTRICTS FUND	538,537.22
CAPITAL FUND	<u>438,850.89</u>
	\$2, 212,395.29

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 24 Building Permits

Received and Filed.

Item No. 25a Minutes of Cheektowaga Public Library Board of Trustees - February 22, 1995

Received and Filed.

<u>Item No. 25b</u> Minutes of Cheektowaga Public Library Board of Trustees - April 26, 1995

Received and Filed.

<u>Item No. 25c</u> Minutes of Cheektowaga Traffic Safety Commission - April 18, 1995

Received and Filed.

Item No. 25d Minutes of Cheektowaga Traffic Safety Commission - May 16, 1995

Received and Filed.

<u>Item No. 26</u> Supervisor's Statement of Funds - April, 1995

Received and Filed.

V. GENERAL COMMUNICATIONS

<u>Item No. 27a</u> Notice of Claim: Paul J. Twaragowski vs the Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;

Chief of Police and Allied Claims Insurance Carrier.

Received and Filed.

<u>Item No. 27b</u> Notice of Claim: Linda M. Snyder vs the Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;

Facilities Department (Parks) and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 27c Notice of Claim: Paul P. Grosse 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. 27d Notice of Claim: Frank Karczewski vs the 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.

<u>Item No. 27e</u> Notice of Claim: Phyllis Post, trustee for Shepard Trust vs the Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, -Supervisor; James Kirisits, Town

Attorney; Senior Services Department and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 27f Notice of Claim: Allstate Insurance Co., as subrogee of Joseph Schmitt, vs. the Town

of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;

Sanitation-Recycling Department and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 28 Designation of Restricted Highway-Route 130 (Broadway) from Route 62 (Bailey

Avenue) in the City of Buffalo to Route 240 (Harlem Road) in the Town of

Cheektowaga

Received and Filed.



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMAN JOHNSON TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0



VI. SUSPENSION OF RULES

<u>Item No. 29</u> Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, by resolution dated May 15, 1995, the position of Records Management Coordinator in the Town Clerk's Office was created, pending jurisdictional classification by the Erie County Department of Personnel, AND

WHEREAS, the Erie County Department of Personnel has reviewed the job duties for the position of Records Management Coordinator in conjunction with other job titles established in its department and has determined that the job title should be Records Inventory Clerk, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby amends the aforementioned May 15, 1995 resolution to state that the position of Records Inventory Clerk is created in the Town Clerk's Office, effective immediately.

Item No. 29 cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 30</u> Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski to adjourn this

meeting.

Richard M. Moleski Town Clerk

TOWN OF CHEEKTOWAGA MEETING NO. 14 June 19, 1995

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 19th day of June, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Bill Pugh, Assistant Town Engineer; Dave Kulik, Working Crew Chief, Sanitation Department.

I. RESOLUTIONS

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

WHEREAS, numerous times throughout each year, this Town Board calls for bids for various purchases and public works projects at a cost of hundreds of thousands of dollars, and

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires the Town to competitively bid purchases in excess of \$10,000.00 and public works projects in excess of \$20,000.00, and

WHEREAS, the only notice required by State law for competitive bidding is the publication of a notice in the official newspaper, and

WHEREAS, this Town Board feels that, for purchases over \$10,000 and public works projects over \$20,000, at least three (3) prospective bidders should be notified in writing of the Notice to Bidders for same, in order to obtain the lowest possible price for the Town, NOW, THEREFORE, BE IT

RESOLVED that effective immediately, the head of each department which is requesting a Notice to Bidders for purchases over \$10,000 or public works projects over \$20,000 shall supply the names of at least three (3) prospective bidders for such item to the Town Clerk when it submits the resolution authorizing said Notice to Bidders, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to mail a copy of the Notice to Bidders for such items to the three (3) prospective bidders identified by such department head, and BE IT FURTHER

RESOLVE that in the event the department head cannot identify three (3) or more prospective bidders for a purchase or public works project, he/she shall submit a letter to such effect to the Town Clerk and this Town Board explaining the reason(s) why, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a copy of this resolution to each Town Department Head.

Motion by Councilman Wielinski, Seconded by Councilman Solecki to table the above 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

Above resolution was tabled.

<u>Item No. 3</u> Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on July 3, 1995 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York 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 22nd day of June, 1995, 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 July 3, 1995 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 XVI

Penalties

76-160. Penalties for offenses. shall be amended to read as follows:

A. Every person convicted of a traffic infraction for a Violation of any provision of this Part, except for sections 76-130.1 or 76-150, which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof be punished by a fine of not more than fifty dollars (\$50.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine or not more than one hundred (\$100.) or by imprisonment of not more than forty-five (45) days, or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than one hundred dollars (\$100.) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

B. Every person convicted of a traffic infraction for a violation of the provisions of Section 76-130.1 or 76-150 of this Part shall, for a first conviction thereof, be punished by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine or not more than five hundred dollars (\$500.) or by imprisonment of not more than forty-five (45) days, or by both such fine and imprisonment.

Item No. 3 cont'd

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

Dated: June 19, 1995

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

<u>Item No. 4a</u> 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, rezoning 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 was submitted by Perfect Fit Glove Company, Incorporated to construct a 46,000 square foot addition to the existing facility at 85 Innsbruck Drive, and

WHEREAS, the applicant has met with residents of the area and Town representatives, and

WHEREAS, as a result of the meetings the applicant has agreed to construct a landscaped berm at the rear of the property, corrected noise and lighting problems on the site and has agreed to work with the Town if future problems develop, and

WHEREAS, the Environmental Advisory Committee at its meeting held on June 9, 1995 rendered the determination shown on the attached memo dated June 12, 1995, and

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Item No. 4b</u> 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, rezoning 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 environmental assessment application was submitted by Gibraltar to construct a 46,000 square foot addition to the facility at 2555 Walden Avenue, and

WHEREAS, Gibraltar has also made an application to the Erie County Industrial Development Agency ("ECIDA") for a \$6.2 million in tax exempt bond authority for said construction, and

WHEREAS, the Environmental Advisory Committee at its meeting held on May 23, 1995 rendered the determination shown on the attached memo dated May 24, 1995, and

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes S.E.Q.R.A. and BE IT FURTHER

RESOLVED, that this Town Board is opposed to the application for ECIDA tax exempt bond financing of the subject project.

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. 4c 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, rezoning 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 was submitted by Bern-Stan-Zyg Development Corporation to construct a 7,350 square foot building at 2912 William Street, and

WHEREAS, the building will be used for indoor volleyball basketball competition, and

WHEREAS, this building will replace the existing outdoor volleyball court, and

WHEREAS, the applicant is furnishing to the Town an easement for an existing storm sewer line serving residents to the North, and

WHEREAS, the EAC is cognizant of the fact that the applicant is seeking variances from the Zoning Board of Appeals with regard to building setbacks, and

WHEREAS, the Environmental Advisory Committee at its meeting held on May 12, 1995 rendered the determination shown on the attached memo dated May 15, 1995, and

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes S.E.Q.R.A.

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. 5a Motion by Councilman Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, sealed bid proposals were received by the Cheektowaga Town Clerk on June 7, 1995 for Roof Replacement at the Dartwood Community Center, and

WHEREAS, Scaffidi & Moore Architects and the Facilities Department Director have reviewed the bid proposals submitted, for compliance with the terms of the project plans and specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards Roof Replacement at the Dartwood Community Center to:

Grove Roofing Co., Inc. 157 Reading Street

Buffalo, New

York 14220-2197

at the Base Bid of \$29,300.00

Unit Price Bid:

Remove and Replace Metal Deck @ \$3.00 PSF

Supply and install 16 ga.

galvanized sheet @ \$1.50 PSF

and BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5504.7110.9507.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, sealed bid proposals were received by the Cheektowaga Town Clerk on June 7, 1995 for Roof Replacement at the Cheektowaga Senior Citizen's Center, and

WHEREAS, Scaffidi & Moore Architects and the Facilities Department Director have reviewed the bid proposals submitted, for compliance with the terms of the project plans and specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards Roof Replacement at the Cheektowaga Senior Citizen Center to:

Neth & Son, Inc. 146 Taylor Drive Depew, New York 14043

Base Bid \$54,875.00

Alternate Bid No. 2

Masonry repairs at Sr. Ctr. (+) 795.00

Alternate Bid No. 3

Masonry repairs at Police/Court (+) 3,290.00

TOTAL CONTRACT AMOUNT \$58,960.00

Alternate Bid No. 1 - REJECT Unit Price to remove and replace damaged wood deck @ \$1.50 PSF

and BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5504.7620.9508.

Item No. 5b cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) new automated one arm garbage packer for the Sanitation Department, which bids were duly received and opened at a public bid opening for that purpose, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of one (1) new automated one arm garbage packer be awarded to Cyncon Equipment, Inc., 6800 Henrietta Road, W. Henrietta, NY 14586 for their bid in the amount of \$58,535.00 for one (1) new automated one arm garbage packer, said bid being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED, that funding for said one (1) new automated one arm garbage packer shall be chargeable to Account No. 5304-8160-9364.



Motion by Councilman Wielinski, Seconded by Councilman Johnson to table the above item and the voting was as follows:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski

NA YES 0 ABSENT: 0

Above resolution was tabled.



Item No. 5d Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) used automated one arm garbage packer for the Sanitation Department, which bids were duly received and opened at a public bid opening for that purpose, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of one (1) used automated one arm garbage packer be awarded to Cyncon Equipment, Inc., 6800 Henrietta Road, W. Henrietta, NY 14586 for their bid in the amount of \$52,640.00 for one (1) used automated one arm garbage packer, said bid being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED, that funding for said one (1) used automated one arm garbage packer shall be chargeable to Account No. 5304-8160-9364.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 6a</u> Notice to Bidders - New/unused 1995-96 Model, Articulated Steering Tractor, Slope

Mower for Highway Mower

This item was withdrawn.

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

WHEREAS, Community Development Block Grant funds have been budgeted for providing family and youth counseling services, and

WHEREAS, a Request for Proposals has been prepared for said services, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is directed to publish the attached Notice in connection with said services in the BUFFALO NEWS and the BUFFALO CHALLENGER.



REQUESTS FOR PROPOSALS
FAMILY AND YOUTH COUNSELING SERVICES

TOWN OF CHEEKTOWAGA

The Town of Cheektowaga is accepting proposals for professional family and youth counseling services. The program's objective is to provide a system of comprehensive, centralized counseling for eligible families and youth to address specific family problems and provide referrals to other related professional services as needed.

The professional services contract will be funded with federal Community Development Block Grant funds. Those submitting proposals will be required to comply with Executive Order 11246. Criteria for evaluating proposals will include professional qualifications, experience with the types of services requested, capacity to provide the services requested and cost. Specifications for consulting services may be obtained at the Town of Cheektowaga Youth and Recreation Department, Alexander Community Center, 275 Alexander Avenue, Cheektowaga, NY 14211 between the hours of 9:00 A.M. and 4:30 P.M. on regular business days, or by calling 895-1587. Proposals should be submitted to the Youth and Recreation Department no later than 4:30 P.M. on Friday, July 7, 1995.



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town has submitted a Consolidated Plan and annual program statement to the Department of Housing & Urban Development for Community Development Block Grant funding totaling \$885,000 for the 1995 Program Year, and

WHEREAS, it will be necessary to execute a Grant Agreement with the Department of Housing and Urban Development in relation to Fiscal Year 1995 Community Development Block Grant funding upon approval of said Consolidated Plan and annual program statement by HUD, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Grant Agreement with the Department of Housing and Urban Development for the 1995 Community Development Block Grant Program Year.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0

ABSENT: 0

<u>Item No. 7b</u> Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has been designated a "Metropolitan City" by the United States Department of Housing and Urban Development and is thereby eligible to receive a formula share of Community Development Block Grant Funds, and

WHEREAS, in order to be eligible to receive said funds during the 1996, 1997 and, 1998 federal fiscal years, the Town must enter into a 3-year Cooperation Agreement with its included units of general local government, namely the Villages of Sloan, Depew and Williamsville, and

WHEREAS, the Town and the Villages wish to cooperate in obtaining and utilizing a maximum share of funds available under the Housing and Community Development Act of 1974, as amended, in order to undertake essential community development and housing activities, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized and directed to execute Cooperation Agreements, as required by the Department of Housing and Urban Development, with the Villages of Sloan, Depew and Williamsville for federal fiscal years 1996, 1997 and 1998.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 7c</u> Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, an opportunity exists for the Town to apply for funds for housing rehabilitation through the New York State Affordable Housing Corporation, and

WHEREAS, said funds can be used in conjunction with Community Development and/or HOME funds to accomplish needed rehabilitation for low-income homeowners, and

WHEREAS, the Community Development Office presently operates a housing rehabilitation program under the Community Development Block Grant and HOME programs and has the capacity to utilize additional funds for such a program for the benefit of Town home owners, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute and submit a grant application and related documents, to be prepared by the Community Development Director, to the New York State Affordable Housing Corporation for up to \$200,000 in funding for "home Item No. 7c cont'd

improvement" projects for income-eligible Town homeowner-occupants under the Affordable Home Ownership Development Program, as authorized by Section 1113(1) of the Private Housing Finance Law.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 8 Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, J.C. Penney has requested to utilize John C. Stiglmeier Park on Sunday, June 25, 1995 to hold a walk-a-thon to benefit the United Way, and

WHEREAS, J.C. Penney has submitted to the Town the requisite insurance certificate naming the Town as co-insurer, to hold the Town harmless for any injuries, etc. which might occur to participants in this walk-a-thon, NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby given to J.C. Penney to use Stiglmeier Park on Sunday, June 25, 1995 for a walk-a-thon to benefit the United Way provided the insurance certificate is acceptable to the Town Attorney and the Town's Insurance Consultant.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 9a Motion by Councilman Blachowski, seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property known as New York, SBL #91.20-2-4.1 and according to the Assessor's Office is owned by Lacasa Development Company, Incorporated, 461 Linwood Avenue, Buffalo, New York 14209-1630, and

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on vacant property located at #91.14-10-38 and according to the Assessor's Office is owned by Lester E. Mandel and Wife, Cheektowaga, New York 1 and

Item No. 9b cont'd

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 9c Motion by Councilman Johnson, Seconded by Supervisor Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant unoccupied property located at 7 Saint James Road, Cheektowaga, New York, SBL #91.78-2-24 and according to the Assessor's Office is owned by Reuben W. and Maria Dickison, Cheektowaga, New York 14225, and

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 9d Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at William Street, West of Vern Lane, Cheektowaga, New York, SBL #113.57-2-15 and according to the Assessor's Office is owned by Tarun K. Ohri, Warsaw, New York 14569-1413, and

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No.10</u> Motion by Councilman Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Town, as an integral part of its Recycling Program, removes yard waste from the solid waste stream resulting in a significant reduction in landfill and disposal costs, and

WHEREAS, the Town for several years has been utilizing an area south of the Sanitation Garage facility for a yard waste management site and staging area for the storage of yard wastes consisting primarily of grass clippings, leaves and brush, the volumes of which exceed the threshold permitted under 6 NYCRR, Part 360 for an unpermitted Solid Waste Management Facility, and

WHEREAS, the Region 9 Office of the New York State Department of Environmental Conservation has recently ordered the Town to cease its use of the aforesaid site for a yard waste staging area, and

WHEREAS, there is a need to investigate alternate sites for the establishment of a yard waste management and compost facility, and to develop a financial pro-forma for the operation of such a facility, and

WHEREAS, the Town is currently proposing the utilization of a portion of the Pfohl Brothers Superfund Site following its remediation through ongoing negotiations with the PRP Group, and

WHEREAS, there is a need to develop an interim yard waste management and composting facility pending the Town's ability to negotiate design and construct a permanent facility at the Pfohl Brothers Site, and

WHEREAS, Ciminelli Development Company has expressed an interest in negotiating with the Town, an interim agreement for the utilization of a portion of its 82+ acre parcel as a yard waste management and compost facility located north of Aero Drive, west of Scott Place, the development of which acreage has previously been assessed through various environmental studies previously prepared for Ciminelli Development Company by Pratt & Huth Associates, and

WHEREAS, the engineering consulting firm of Pratt & Huth Associates have submitted an engineering proposal to the Town Engineer dated June 7, 1995 to assess the viability of the Ciminelli Development company parcel for its use as an interim composting site, the scope of which provides for preliminary design, analysis of alternatives meeting regulatory requirements, identification of site preparation and infrastructure construction costs, operational equipment needs and operating costs and development of a detailed financial pro-forma for the development and operation of such a facility, NOW, THEREFORE, BE IT

RESOLVED, that the proposal, as submitted to the Town Engineer by Pratt & Huth Associates dated June 7, 1995 for the preparation of the above described Feasibility Study for the development of an interim yard waste management and composting site, is accepted and approved, and BE IT FURTHER

RESOLVED, that the cost of said feasibility study and preliminary design in an amount not to exceed \$9,400.00 shall be chargeable to the materials recovery facility, account #5312-8173-9368, and BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is directed and authorized to sign said proposal with Pratt & Huth Associates for the provision of professional services.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 11a Motion by Councilman Wielinski, Seconded by Councilman Solecki

WHEREAS, by resolution, this Town Board appointed Sandra Kennuth to the position of temporary Clerk-Typist in the Police Department, and

Item No. 11a cont'd

WHEREAS, this temporary position is no longer available, NOW, THEREFORE, BE IT

RESOLVED, that Sandra Kennuth be and hereby is terminated from the temporary position of Clerk-Typist in the Police Department, effective June 15, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 11b</u> Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following Youth and Recreation employees be terminated, effective immediately:

Fawn Bova
Jeff Coia
Deric Demyanick
Mark Fleetwood
Jennifer Garcea
Jeanine Glijer
Tom Goff
Kristen Gribble
Kimberly Harzynski
Jeff Jankowski
Kevin Kasprzak

Beth Kawczynski

Andrew Lenz (Alternate)

Lisa Lewandowski Deborah Loveless Andy Pagano John Prybylski Kelly Puchala Alan Ross

Maryann Solfrank (Alternate)

Richard Violanti Thomas Wasielewski

David Weber Thomas Weiner

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 11c</u> Motion by Councilman Wielinski, Seconded by Councilman Solecki

BE IT RESOLVED that the following SEASONAL and PART-TIME employees be and hereby are terminated as listed:

EFFECTIVE

RECYCLING DEPARTMENT

James Ward 05/01/95

FACILITIES DEPARTMENT

Brad Chojnacki 04/28/95

Item No. 11c cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 12a</u> Appointment to position of Coordinator of Employee Relations

This item was withdrawn.

<u>Item No. 12b</u> Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

WHEREAS, by resolution dated April 3, 1995, this Town Board appointed William Pugh to the provisional position of Town Engineer, with permanent status being subject to review by the Erie County Department of Personnel, and

WHEREAS, the Town has received certification that Mr. Pugh is eligible for a non-competitive promotion, in accordance with Section 52.7 of the Civil Service Law and Rule XII (4) of the Classified Rules of Civil Service, NOW, THEREFORE, BE IT

RESOLVED, that William Pugh be and hereby is appointed to the permanent position of Town Engineer, effective April 3, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, the Town previously appointed Joanne Orr as Payroll Clerk on a provisional basis, pending the establishment of a valid competitive Civil Service list for said position, and

WHEREAS, such competitive list has now been established by the Erie County Department of Personnel and Joanne Orr is listed as an eligible candidate, NOW, THEREFORE, BE IT

RESOLVED, that Joanne Orr be and hereby is permanently appointed to the position of Payroll Clerk in the Payroll Department, effective January 10, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 12d Motion by Councilman Blachowski, Seconded by Councilman Wielinski

WHEREAS, by resolution, this Town Board appointed Donald Wartinger to the position of Housing Inspector, effective June 10, 1995, and

WHEREAS, said resolution needs to be amended as follows:

BE IT RESOLVED that Donald Wartinger be and hereby is appointed to the position of Housing Inspector in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 15, 1995.

Item No. 12d cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. I2e</u> Motion by Councilman Wielinski, Seconded by Councilman Johnson

WHEREAS, due to a transfer, a vacancy exists in the position of Auto Mechanic's Helper in the Central Garage, 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, Joseph Dietl, currently employed as a Light Motor Equipment Operator in the Recycling Department, meets the minimum qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Joseph Dietl be and hereby is appointed to the position of Auto Mechanic's Helper in the Central Garage, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 20, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

BE IT RESOLVED that the following Youth and Recreation employees be transferred/upgraded as indicated (seasonal):

GYMNASTICS - 7140.1630

Recreation Attendant IV to Recreation Instructor IV - \$5.25

Sabrina Kotowski

SPORTS ROTATION - 7140.1645

Recreation Attendant V to Recreation Supervisor I - \$5.50

John Walkowiak

<u>CAMPS</u>

Alexander Summer Day Camp (Camp Flamingo) 7310.1810 to Developmentally Disabled Day Camp (Camp Crabapple) 7310.1802

John Ciesielski

Camp JI-IK-DO-WAH-GAH (7310.1801)

to Alexander Summer Day Camp (Camp Flamingo) 7310.1810

Nick Logiudice

POOLS - 7180.1903

Lifeguard V to Lifeguard VI - \$6.50

Mike Mekarski

Item No. 13 cont'd

Lifeguard III to Lifeguard III (WSI) \$5.75

Kimberly Kubiak

7180.1901

Lifeguard I (Alternate) to Basketchecker \$4.25

Jonathan Bialek

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0



Motion by Councilman Wielinski, Seconded by Councilman Solecki to dispense with the reading of the names in ITEM No.14 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. 14 Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be hired in the Cheektowaga Youth and Recreational Services Department as indicated, effective June 19, 1995 (seasonal):

ADMINISTRATIVE INTERNS - 7310.1804

Clerk - \$4.75

Paul Panasiewicz

CHEEKTOWAGA CONSERVATION CORPS

Supervision - 7310.1811

Crew Supervisor - Level I - \$8.10

Chris Dukat 1

Participants - 7310.1812

Summer Trainee - \$4.25 - (Alternate)

Dennis Regan

RECREATION ATTENDANTS - 7140.1614

Recreation Attendant I - \$4.75

Jennifer Stewart (part-time)

Item No. 14 cont'd

POOLS - 7180.1903

<u>Lifeguard I - \$4.75</u>

Kristopher Kubiak 1
Rachel Williams

7180.1901

Bathhouse Attendants - \$4.25

Daniel Kmiotek
Robin Knaus
Elizabeth Kreavy
Craig Mahalic
Andrea Rolfe

BASKETBALL (OUTDOORS) - 7140.1815

Recreation Attendant III - \$4.75

Craig Morris 1

14225

THEATRE WORKSHOP - 7140.1651

Recreation Attendant I - \$4.25

Elizabeth Gill
Tim Hinkley 14227
Adam A. Kowalyk 14227

LACROSSE - 7140.1625

Recreation Leader II - \$5.50

Tonja Glass 14227

Richard Hopkins Joshua Johnson





ARTS AND CRAFTS ROTATION - 7140.1648

Recreation Supervisor V - \$6.50

Ronald Schwartz 14225

CEDARGROVE CAMP - 7140.1631

Recreation Attendant I - \$4.25

Karen Magierski 14227

SPORTS ROTATION - 7140.1645

Recreation Attendant I - \$4.25

Heather Kenjockety
David Stoklosa



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

Item No. 15 Motion by Councilman Wielinski, 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:

<u>EFFECTIVE</u>

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1491)

Jason Dauscher Immediately

POLICE DEPARTMENT - \$5.00 per hour (Clerical)

Michelle Drozdowski Immediately Robin Knaus "

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 16</u> Motion by Councilman Wielinski, Seconded by Councilman Solecki

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

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1491)

Douglas Guy Robert Stoklosa Robert Stachewicz



Immediately

MAIN PUMP STATION \$5.50 per hour

James Moulder Immediately

and BE IT FURTHER

RESOLVED, that Aaron Kuczmarski incorrectly hired as a Part-time employee in the Main Pump Station be and hereby is appointed as a Seasonal employee in the Main Pump Station, effective June 6, 1995, and BE IT FURTHER

RESOLVED, that Vito LaBarbara be and hereby is transferred as a Seasonal Employee from the Youth and Recreation Department to the Main Pump Station, effective June 5, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

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

WHEREAS, funds are presently available under the Buffalo-Cheektowaga-Tonawanda Consortium, Sumer Youth Program, and

Item No. 17 cont'd

WHEREAS, the Summer Youth Program starts on June 26, 1995, personnel work a maximum of 40 hours per week, at a salary as stated, and a termination date not to exceed September 29, 1995, NOW, THEREFORE, BE IT

RESOLVED, that the following persons will be hired based on fund availability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

PRINCIPAL COUNSELOR AT \$13.89 per hour

Peter Tonsoline

SENIOR COUNSELOR AT \$12.47 per hour

Vincent Frisicaro

MONITOR at \$8.11 an hour

Kelly Jeffords

COUNSELOR at \$6.29 per hour

Jennifer DiNunzio

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0



Motion by Councilman Wielinski, Seconded by Councilman Johnson to dispense with the reading of the names of ITEM NO. 18 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 Rogowski

WHEREAS, funds are presently available under the Buffalo-Cheektowaga-Tonawanda Consortium, Summer Youth Program, and

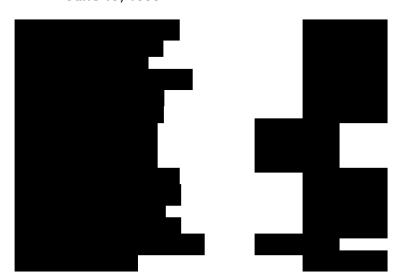
WHEREAS, the Sumer Youth Program starts on June 26, 1995, participants work a maximum of 40 hours per week at \$4.25 per hour, and a termination date not to exceed September 29, 1995, NOW, THEREFORE, BE IT

RESOLVED, that the following persons will be hired based on fund availability from the Department of Labor and that the alternate portion may be utilized to meet demographic requirements as stated in our plan submitted to the Department of Labor:



Guggemos, Robert Gurney, Christina Hamilton, Michelle Hamme, Joseph Harris, Angela Hartman, Scott Jakubczak, Nicholas Jeffrey, Alicia Jordan, Mark Knaus, Scott Kopcinski, Todd Kosmowski, Carolyn Kosmowski, Joanne Lepkyj, Mirian Lewandowski, Jeffrey Linden, Jaclyn Lindner, Joseph Long, Christopher Louie, Landon Lyons, Jeffrey Mages, Erica Majeski, Paul Mallory, Steven Item No. 18 cont'd Mantione, Christopher Mantione, Jason Mantione, Josephine Mantione, Lorena Martin, Thomas McKissack, Jessica McKissack, Kimberly McPeek, Nichole McPeek, Samuel Mead, Jamie Metros, Melanie Millet, Craig Murphy, Jason Norris, Melissa Nowicki, Stacey Parini, Nicholas Paul, Stefanie Pernick, Joseph Petronsky, Sherry Pignatora, Keith Plummer, Frank Price. David Putnam, James Quigley, David Raczyk, Jennifer Rickert, Eric Rickert, Lori Robbins, Angela Ruhlmann, Samuel Ruhlmann, Suzanne Schnaufer, Corey Schuler, Sarah Shelton, Brooke Schriver, Desirae Smith, Cheryl Smith, Theresa Stachewicz, Robert Stewart, Kelly Stone, Brian Stroh, Sandra Tabak, Christian Tolfa, Anthony Troncone, Peter Tyx, Matthew

Vasquez, Christina Walczak, Brad Walenka, Nicholas Wawrowicz, Sherry Wilkes, Ahmad Wojcicki, Jennifer Wolfe, Jason Wolfe, Mark Wolfe, Nichole Wyatt, Jason Ynhu, Tran Zelaski, Martin Zielinski, Larry Zogaria, Mark Zwirecki, Clifford



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,

Johnson and Wielinski

NAYES: 0 ABSENT: 0

<u>Item No. 19a</u> Motion by Councilman Wielinski, Seconded by Councilman Johnson

BE IT RESOLVED that the New York State Electric & Gas Corporation (NYSEG) be and hereby is authorized to connect five (5) 100 watt high pressure sodium luminaries and bracket arms on Sonwil Drive, which was accepted as a Town Highway by Town Board Resolution dated June 6, 1995, at an annual increase to the Town General Lighting District of \$635.85 in accordance with the attached NYSEG Street Lighting Proposal dated May 24, 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

Item No. 19b Motion by Councilman Johnson, Seconded by Councilman Wielinski

BE IT RESOLVED that the New York State Electric & Gas Corporation (NYSEG) be and hereby is authorized to connect three (3) 3300 lumen high pressure sodium luminaries on Wedgewood Drive at an annual increase to the General Lighting District of \$118.45 in accordance with the attached NYSEG Street Lighting Proposal dated May 25, 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

<u>Item No. 20</u> 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 \$20,000.00

TO: 0100-1430-4502 Legal Fees-Personnel \$20,000.00



Motion by Councilman Jaworowicz, Seconded by Councilman Johnson to table the above 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

The Above resolution was tabled.



Item No. 21 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 June 16, 1995 are hereby approved and part hereof:

GENERAL FUND	\$2,277,737.62
HIGHWAY FUND	471,593.98
TRUST & AGENCY FUND	78,560.22
PART TOWN FUND	51,589.38
RISK RETENTION FUND	69,643.62
CDBG HUD FUND	21,438.54
NYS HOME FUND	7,436.80
HUD REHABILITATION FUND	24,130.00
SPECIAL DISTRICTS FUND	933,491.76
CAPITAL FUND	<u>866,594.42</u>
	\$4.802.216.34

II. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Cheektowaga Planning Board - Minutes of May 11, 1995

Received and Filed.

Item No. 23 Supervisor's Statement of Funds - May, 1995

Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 24a Notice of Claim - Jerry Sprada 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. 24b Notice of Claim - Michael Brown 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. 25 Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz to adjourn

the meeting.

RICHARD M. MOLESKI Town Clerk