

MEETING NO. 7
APRIL 1, 1996

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of April, 1996 at 7:00 o'clock P.M. there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilmember Patricia A. Jaworowicz
Councilmember William P. Rogowski
Councilmember Thomas M. Johnson, Jr.
Councilmember William L. Wielinski
Councilmember Jeff Swiatek

ABSENT: Councilmember Jacqueline A. Blachowski

Also present were: Richard M. Moleski, Town Clerk; James J. Kirsits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; William Pugh, Town Engineer; Ronald Marten, Building and Plumbing Inspector; Kenneth Kopacz, Director of Youth and Recreational Services; Bruce Chamberlin, Chief of Police; and Leonard Szymanski, Working Foreman-Facilities Department.

I. FROM THE TABLE

Item No. 2 Bond Resolution - Increase and Improvement of Facilities of Consolidated Refuse and Garbage District



MOTION BY COUNCILMEMBER SWIASTEK, SECONDED BY COUNCILMEMBER JOHNSON TO REDUCE THE AMOUNT OF THIS BOND FROM \$300,000 TO \$200,000 AND THE VOTING WAS AS FOLLOWS:

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski



*SEE NEXT PAGE FOR ATTACHMENT

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Item No. 3 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

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WHEREAS, Broadway is a State highway maintained by the New York State Department of Transportation ("DOT"), AND

WHEREAS, the DOT proposes the improvement of NY Route 130, Broadway SH914 in the Town of Cheektowaga (from the Cheektowaga West Town Line to Union Road), AND

WHEREAS, the DOT will include, as part of the improvement projects for the above mentioned state highway, the planting of trees and shrubs in the area between the curblin and the Conrail right-of-way pursuant to Section 19 of the Highway Law, as shown on the contract plans relating to the project, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga approves the plantings shown on the contract plans relating to the project and that the Town of Cheektowaga will maintain or cause to be maintained the plantings constructed as above stated and as shown the contract plans, and BE IT FURTHER

RESOLVED that the clerk of this Board is hereby directed to transmit six (6) certified copies of the foregoing resolution to the State Department of Transportation.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 4 Set Fees for Youth and Recreation Programs
This item was withdrawn.

II. PUBLIC HEARINGS

Item No. 5 This being the time and place advertised for a public hearing to consider the advisability of adopting proposed Local Law Intro No. 96-2, entitled "A Local Law to Amend the Local Law for Flood Damage Prevention" hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed. A description of Local Law Intro No. 96-2 is as follows:

Town of Cheektowaga

Local Law Intro No. 96-2 of the Year 1996

A local law to amend Section 3.2 of Local Law No. 1 of the Year 1987, entitled "A Local Law for Flood Damage Prevention" to amend the areas of special flood hazard in the Town based on updated flood study findings.

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

Item No. 6 This being the time and place advertised for a public hearing to consider the advisability of adopting proposed Local Law Intro No. 96-3, entitled "A Local Law for Consent Requirements" hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed. A description of Local Law Intro No. 96-3 is as follows:

A Local law to establish an orderly procedure for utility companies to enter the premises of a Town of Cheektowaga resident for the purposes of examining its utility lines, repair, etc. while maintaining the resident's right to privacy and protection of their private property.

Item No. 6 continued

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

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closed; decision was reserved.

III. RESOLUTIONS

Item No. 7 Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

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

PART TOWN FUND

From:	0800-3620-1391	Part-Time Clerical	\$7,000.00
To:	0800-3620-1753	Part-Time Housing Aide	\$7,000.00

Upon roll call

AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES;	0
ABSENT:	Councilmember Blachowski

Item No. 8 Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED, that the following Vouchers and Warrants were submitted to the Town of Cheektowaga prior to March 29, 1996 and are hereby approved and made a part hereof:

GENERAL FUND	\$ 457,919.44
HIGHWAY FUND	218,831.12
TRUST & AGENCY	14,774.38
PART TOWN FUND	6,850.23
RISK RETENTION FUND	62,730.13
CDBG HUD FUND	21,933.27
HUD HOUSING REHABILITATION FUND	5,592.87
SPECIAL DISTRICTS FUND	809,038.86
CAPITAL FUND	<u>104,781.78</u>
	\$1,702,452.08

Upon roll call

AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES;	0
ABSENT:	Councilmember Blachowski

Item No. 9 Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following recreational fees be established for summer 1996 and fall/winter 1996-97.

PRE-K

Resident	<u>1996-97</u>	<u>1995-96</u>
	\$276.00	\$237.00
Installment Plan	(\$296.00)	(\$258.00)
	\$148.00	\$129.00
	(Due at Registration)	(Due at Registration)

Item No. 9 continued

	\$148.00	\$129.00
	(Due Feb 1)	(Due Feb 1)
Non-Resident	<u>1996-97</u>	<u>1995-96</u>

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	\$326.00	\$287.00
Installment Plan	(\$346.00)	(\$308.00)
	\$173.00 (Due at Registration)	\$154.00 (Due at Registration)
	\$173.00 (Due Feb. 1)	\$154.00 (Due Feb. 1)

INDOOR YOUTH SOCCER

	<u>1996-97</u>	<u>1995-96</u>	<u>1996-97</u>	<u>1995-96</u>
	<u>Resident</u>		<u>Non-Resident</u>	
1st Child	\$ 38.00	\$ 36.00	\$ 52.00	\$ 46.00
Each Additional	\$ 28.00	\$ 26.00	\$ 42.00	\$ 36.00

INDOOR ADULT SOCCER

Per Team Per Session	\$340.00	\$325.00	\$ 24.00 ea	\$20.00 ea
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INDOOR SOCCER FIELD RENTAL

Per One Hour Time Slot	\$ 40.00	\$ 35.00	-----	-----
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ICE RENTAL

Per Hour Prime Time 5:00 p.m. - 11:00 p.m. Weekdays and all day weekends.	\$118.00	\$115.00	-----	-----
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Per Hour Non Prime 8:00 a.m. - 5:00 p.m. Weekdays	\$ 88.00	\$ 85.00		
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ICE HOCKEY

Resident	<u>1996-97</u>		<u>1995-96</u>	
	House	Travel	House	Travel
Novice	\$160.00	NA	\$140.00	NA
Mite - 4 or more teams	\$210.00	\$310.00	\$190.00	\$270.00
3 or less teams	\$250.00	-----	\$230.00	-----
Squirt - 4 or more teams	\$230.00	\$330.00	\$210.00	\$290.00
3 or less teams	\$270.00	-----	\$250.00	-----
Bantam	\$330.00	\$380.00	\$310.00	\$350.00
Midget	\$420.00**	\$300.00	\$400.00	\$260.00
Non-Resident	<u>1996-97</u>		<u>1995-96</u>	
	House	Travel	House	Travel
Novice	\$310.00	NA	\$200.00	NA

Item No. 9 continued

Mite - 4 or more teams	\$360.00	\$460.00	\$290.00	\$370.00
3 or less teams	\$400.00	-----	\$330.00	-----
Squirt - 4 or more teams	\$380.00	\$480.00	\$310.00	\$390.00
3 or less teams	\$420.00	-----	\$350.00	-----

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Pee Wee	\$450.00	\$500.00	\$380.00	\$420.00
Bantam	\$480.00	\$530.00	\$410.00	\$450.00
Midget	\$570.00**	\$450.00	\$500.00	\$360.00

**NO TRAVEL OR HIGH SCHOOL PLAYERS
-SECOND CHILD ENROLLED FROM FAMILY \$25.00 REDUCTION
-THIRD CHILD ENROLLED FROM FAMILY \$50.00 REDUCTION
-1996-1997 TRY OUT FEE - \$7.00

RESIDENCY IS DEFINED AS PER LOCAL LAW NO. 1 OF THE 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."

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 10a Motion By Councilmember Johnson, Seconded by Councilmember Jaworowicz

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

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency in most instances, AND

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

WHEREAS, an application was submitted by Mussachio Architects as representatives of the Hy-View Fire District No. 8 to rezone from R-Residence District to CF-Community Facilities a .6 acre vacant parcel located adjacent to and east of the present fire district facility to expand parking, AND

WHEREAS, as part of the parking lot expansion there would be established a landscaped berm along the east property line, sidewalks with handicapped curb ramps installed along Airport Drive, and a fire hydrant moved to accommodate the sidewalks, AND

WHEREAS, the Advisory Committee, at its meeting held on March 13, 1996 rendered the determination shown on the attached memo dated March 15, 1996, AND

WHEREAS, this Town Board has reviewed the applications 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 SEQRA.

Item No. 10a continued

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

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Item No. 10b Motion By Councilmember Johnson Seconded by Supervisor Gabryszak

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

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WHEREAS, an application was submitted by C & S Engineers, Incorporated as representative of the Walden Commerce Exchange which is a Joint Venture between the Cheektowaga Economic Development Corporation ("CEDC") and Ciminelli Development Company, to develop 52+ acres of vacant land into a Business/Industrial Park (the "Project"), AND

WHEREAS, the land is generally bounded by Harlem Road on the East, the Conrail Frontier Yard and vacant land on the South, the City of Buffalo on the West, and Walden Avenue properties on the North, AND

WHEREAS, major revisions were made to the project scope and resubmitted to the Town for review, AND

WHEREAS, this project and revisions were referred to various agencies for comment, including the New York State Department of Environmental Conservation ("NYSDEC"), New York State Department of Transportation ("NYSDOT"), Erie County Department of Environment and Planning ("ECDEP"), AND

WHEREAS, various recommending groups within the Town have reviewed the plans, including the Environmental Advisory Committee ("EAC"), Planning Board, Traffic Safety Commission ("TSC") and Conservation Advisory Council ("CAC"), AND

WHEREAS, the agencies and recommending groups have submitted comments and/or recommendations to the Town of Cheektowaga, AND

WHEREAS, the written comments and/or recommendations include a NYSDOT acceptance of the proposed roadwork on Walden Avenue at the access points; Planning Board recommendation of approval for the concept of establishing a Business/Industrial Park and generally supportive comments were received from other reviewing agencies and committees, AND

WHEREAS, written comment was also received from the Walden Taxpayers Association and Walden Fire District No. 2, AND

WHEREAS, certain items of concern or review had been identified including truck and other traffic, landscaping/buffer, water supply, market, petroleum soils/construction demolition debris, wetlands and infrastructure finances/tax revenue, AND

WHEREAS, these items of concern or review have been summarized in the EAC minutes dated March 15, 1996 and in a document submitted by the Walden Commerce Exchange dated March 28, 1996, AND

WHEREAS, the EAC, after having reviewed the comments, concerns and project revisions submitted to the Town since April of 1994, has, at its meeting held on March 13, 1996, rendered the determination shown on the attached memo dated March 15, 1996, AND

WHEREAS, subsequent SEQRA review will be afforded within the project area - Business/Industrial Park, AND

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

Item No. 10b continued

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 SEQRA.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

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Item No. 11a Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, Hy-View Fire District No. 8 has petitioned for the rezoning from R-Residence District to CF-Community Facilities District of property owned by it and located adjacent to 8 Airport 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 the Town Board on the 1st day of April, 1996 at 6:30 P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

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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 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 Hy-View Fire District No. 8 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, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 11b Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, this Town Board held a public hearing on March 18, 1996 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE IV

Traffic Control Signals

76.40 Installation, maintenance and operation of traffic control signals.

Section 76.40 A. Traffic control signals shall be installed, maintained and operated as follows shall be amended by deleting therefrom the following:

(32) Pine Ridge at E. Delavan Avenue

(b) Normal operation: flashing red on Pine Ridge Road, flashing yellow on East Delavan Avenue

Section 76.40 A- Traffic control signals shall be installed, maintained and operated as follows shall be amended by adding thereto the following:

(32) Pine Ridge at E. Delavan Avenue

(b) Normal operation: flashing red on Pine Ridge and on East Delavan Avenue

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>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
East Delavan Ave.	East-west	Pine Ridge Road	northbound	S.E. Corner
East Delavan Ave.	East-west	Pine Ridge Road	southbound	N.W. Corner
Pine Ridge Road	North-south	East Delavan Ave.	eastbound	S.W. Corner

76.81 Yield intersections designated

Section 76.81 shall be amended by adding thereto the following:

Item No. 11b continued

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Cedargrove Cir.	East West	Shelby Drive	northbound	S.E. Corner
Cedargrove Cir.	East West	Shelby Drive	southbound	N.W. Corner
Cedargrove Cir.	East West	Elkhurst Dr.	northbound	S.E. Corner
Cedargrove Cir.	East West	Elkhurst Dr.	southbound	N.W. Corner
Cedargrove Cir.	North South	Sierra Dr.	eastbound	S.W. Corner
Cedargrove Cir.	North South	Sierra Dr.	westbound	N.E. Corner

ARTICLE X

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Parking, Standing and Stopping

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

B. No parking anytime

Smith Street	West side	from the south curblin of Genesee Street to a point 150± feet south of the south curblin of Genesee Street, for a distance of 150± feet.
Old Maryvale Drive (a Mother of Divine Grace Church)	North side	from a point 195± feet east of the east curblin of Rosary Blvd. to a point 415± feet east of the east curblin of Rosary Blvd. for a distance of 220± feet.

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, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES;	0
ABSENT:	Councilmember Blachowski

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Item No. 12a Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated September 8, 1997, Local Law No. 1 of the Year 1987, entitled "A Local Law for Flood Damage Prevention" was adopted, AND

WHEREAS, a Scajaquada Creek Flood study was prepared for the Town by the consulting engineering firm of Pratt & Huth Associates, AND

WHEREAS, based on such study, the Flood Insurance Rate Map was changed by a Letter of Map Revision ("LOMR") issued by the Federal Emergency Management Agency ("FEMA"), AND

WHEREAS, such Letter of Map Revision significantly reduced the designated floodplain for Scajaquada Creek between the New York State Thruway and Dick Road, AND

WHEREAS, the Region 9 of the New York State Department of Environmental Conservation ("DEC") notified the Town that Section 3.2 of the Town's Local Law for Flood Damage Prevention must be amended to officially adopt the LOMA, AND

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WHEREAS, a public hearing was held on the 1st day of April, 1996 at 7:00 p.m. at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 96-2 of the Year 1996, entitled "A Local Law to Amend the Local Law for Flood Damage Prevention", AND

WHEREAS, this Town Board feels it is in the public interest to adopt a Local Law to amend the Local Law for Flood Damage Prevention, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 2 of the Year 1996, entitled "A Local Law to Amend the Local Law for Flood Damage Prevention" be and the same is hereby adopted, and BE IT FURTHER

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

RESOLVED, that Local Law No. 2 of the Year 1996 shall be effective immediately upon its filing with the Secretary of State.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 12b Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, during the process of negotiating a franchise renewal agreement for cable television, community concern was expressed about utility companies entering private property without the owner's proper consent to repair utility company wires, etc., AND

WHEREAS, to address such concerns, the Cable Television Committee has proposed the adoption of a local law to require utility companies to obtain the prior consent of the owner of the property to gain access to such property, AND

WHEREAS, a public hearing was held on the 1st day of April, 1996 at 7:00 p.m. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 96-3, entitled "A Local Law for Consent Requirements, AND

WHEREAS, this Town Board feels it is in the public interest to adopt a Local Law for Consent Requirements, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 3 of the Year 1996, entitled "A Local Law for Consent Requirements" be and the same is hereby adopted, and BE IT FURTHER

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

RESOLVED, that Local Law No. 3 of the Year 1996 shall be effective immediately upon its filing with the Secretary of State.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 13a Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

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 1996, 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, 7420 Peters Road, Springville, New York 14141, said bidder being the sole and lowest responsible bidder meeting specifications and, BE IT FURTHER

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

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

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Item No. 13b Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, bids were duly received on March 12, 1996 as the result of advertisement, therefore, for the furnishing of traffic control signs, street name signs and brackets for the 1995 calendar year. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said report is hereto attached and contained in a letter to the Town Board dated March 27, 1996, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of traffic control signs, street name signs and brackets for the 1996 calendar year, per said unit prices, be awarded to the following:

Chemung Supply Corporation
P.O. Box 527
Elmira, New York 14902
(607) 733-5506
FAX (607) 732-5379

Item 1 Square and Diamond Signs - Finished CLASS A

18" x 18"	\$ 6.37
24" x 24"	\$11.33
30" x 30"	\$18.99
36" x 36"	\$24.09
48" x 48"	\$42.40

Item 2 Octagon Signs - Finished CLASS A

30" x 30"	\$18.19
36" x 36"	\$23.85

Item 3 Rectangle Signs - Finished CLASS A

12" x 18"	\$ 5.28
18" x 24"	\$ 8.28
18" x 30"	\$ 9.99
24" x 30"	\$16.48
24" x 36"	\$16.68
24" x 48"	\$21.38
30" x 36"	\$20.24
36" x 12"	\$ 8.03
36" x 48"	\$33.34

Item No. 13b continued

Item 4 Traffic Signs - Finished CLASS A

36"	\$11.24
48"	\$21.20

Item 5 Street Name Signs - Finished CLASS A

12" x 6"	\$ 1.94
18" x 6"	\$ 3.03
24" x 8"	\$ 5.39
30" x 8"	\$ 6.74
36" x 8"	\$ 7.84
42" x 8"	\$ 9.08
48" x 8"	\$10.27

Item 6 Street Sign Brackets Class A

2" Round Post - Ext/Flat	\$ 3.59
2" Square Post - Ext/Flat	\$ 3.59

Upon roll call

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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

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Item No. 14a Motion By Councilmember Jaworowicz, Seconded by Councilmember 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 1996 Season (regular, shredded and screened).

Information for bidders and specifications may be obtained from the Office of the Town Clerk, Richard Moleski, located in the Town Hall, Cheektowaga, New York 14227, between the hours of 9:00 a.m. and 4:30 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 17th, 1996.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that that Town of Cheektowaga Highway Department will receive bids for the purchase of TOPSOIL for use by various departments in the Town at a public bid opening to be held on April 17th, 1996 at 11:00 a.m. in the Town Hall Council Chambers.

Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk of the Town of Cheektowaga at the Cheektowaga Town Hall, Cheektowaga,

MEETING NO. 7
APRIL 1, 1996

New York 14227 between the hours of 9:00 a.m. and 4:30 p.m. Bids must be enclosed in an opaque envelope marked 'BIDS FOR TOPSOIL 1996'.

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

DATE: April 1, 1996

PUBLISHED: April 4, 1996

Upon roll call . . .

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

AFFIDAVIT - NEXT PAGE

Item No. 14b Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, it is in order that bids be advertised for the Replacement of the Evaporative Condenser System for the Ice Rink at the Cheektowaga Town Park on Harlem Road, AND

WHEREAS, Bid Specifications (including information for Bidders and Form of Bid) and Plans may be examined at the office of R. P. Morrow Associates, P.C., 47 Elmhurst Place, Buffalo, New York 14216 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, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Replacement of Evaporation Condenser System and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 24th day of April, 1996 at 11:00 a.m., Eastern Daylight Savings Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York.

ADVERTISEMENT TO BID

Sealed bids for the Refrigerant System work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on April 24, 1996 at 11:00 A.M. in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the Replacement of the Evaporative Condenser System for the Ice Rink at the Cheektowaga Town Park on Harlem Road.

MEETING NO. 7
APRIL 1, 1996

Specifications (Including Information for Bidders and Form of Bid) and Plans may be examined at the office of R. P. Morrow Associates, P.C., 47 Elmhurst Place, Buffalo, New York 14216 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.

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD

RICHARD M. MOLESKI, TOWN CLERK

Dated: April 1, 1996

Upon roll call . . .

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

AFFIDAVIT - NEXT PAGE

Item No. 15 Motion By Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the State Education Law currently provides that only persons authorized under the law to practice the profession of massage may use the title "masseur", "masseuse" or "massage therapist" or describe their services under the title of massage, AND

WHEREAS, a bill has been introduced in the State Assembly (#1311-A) and State Senate (#607-A) to clarify that advertisements may not be placed for massage services unless such services are performed by a person licensed or authorized to do so, AND

WHEREAS, this Town Board is in favor of this proposed legislation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Legislature and Governor to enact the above referenced legislation and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to State Assemblyman Paul a. Tokasz, State Senator William Stachowski and Governor George Patacki.

Upon roll call . . .

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 16 Motion By Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

MEETING NO. 7
APRIL 1, 1996

WHEREAS, Contract "C", Mechanical, for the Julia Boyer Reinstein Library was awarded by Town Board Resolution dated October 25, 1994 to Frank C. Kellner Company, Inc. in the amount of \$172,900.00, AND

WHEREAS, Foit-Albert Associates, Project Architect, has submitted and recommended approval of Change Order No. C-02 for the installation of fin radiation covers at six (6) locations adjacent to the perimeter book cases in the reading room areas for the Julia Boyer Reinstein Library Project as an addition to the mechanical contract, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. C-02 for the addition of six (6) fin radiation covers to the contract of

Frank C. Kellner Company, Inc.
7000 Seneca Street
Elma, New York 14059

in the amount of \$1,060.00 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-02 on behalf of this Town Board and, BE IT FURTHER

RESOLVED, that funding for Change Order No. C-02 shall be chargeable to Account No. 5403-1220-9409.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 17 Motion By Councilmember Wielinski, Seconded by Councilmember Swiatek

WHEREAS, the Niagara Frontier Transportation Authority (NFTA), under Contract "F" of the Greater Buffalo International Airport Improvement Program, proposes the replacement of highway lighting facilities on Genesee Street and on a portion of Cayuga Road, within the right-of-
Item No. 17 continued

way, which facilities are owned by the Town and by NYSEG, to accommodate the construction of sidewalks on Genesee Street and to allow the removal of overhead electric facilities to aesthetically enhance the area, AND

WHEREAS, the Town owns the existing light standards on Genesee Street and Cayuga Road and annually funds the operation and maintenance of the subject highway lighting system through the General Lighting District, AND

WHEREAS, this Town Board recognizes the benefits to be accrued through the replacement of the aforesaid highway lighting system, which following construction by the NFTA and conveyance to the Town will result in a reduction in the annual utility company billings to the Town General Lighting District, NOW, THEREFORE, BE IT

RESOLVED, that the NFTA is hereby authorized to replace those Town owned facilities within the public highway right-of-way identified on project drawings for Contract "F" on file in the office of the Town Engineer and, BE IT FURTHER

RESOLVED, that following the completion of the lighting system installation in accordance with the plans and specifications, the Town shall operate and maintain said facilities and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the attention of:

Mr. Richard R. Zynda, P.E.
NFTA Project Engineer
181 Ellicott Street
Buffalo, New York 14203

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Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 18 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the Town's Property and Boiler & Machinery Insurance expired on March 30, 1996, 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 accepts the following insurance renewals from Clauss & Company for the period March 30, 1996 to March 30, 1997:

1. Property Insurance with Hartford Fire Insurance Company at a premium of \$42,698, AND
2. Boiler and Machinery Insurance with Hartford Insurance Company at a premium of \$3,791.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 19 Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, on May 3, 1993 this Town Board awarded the contract for the Sewer Maintenance Garage Restoration Project, Contract "C", General Plumbing, to Matthew Kandefer Inc. for the total sum of \$9,932.00, AND

WHEREAS, the Town Engineer and the Project Consulting Engineer, Nussbaumer & Clarke, Inc., have determined that work completed under Contract "C" conforms with the project plans and specifications and have recommended Contract "C" acceptance, AND

WHEREAS, Matthew Kandefer Inc. has executed the project closeout documents for Contract "C" consisting of the Forms of Guarantee, Contractor's Affidavit of Release of Liens, Form of Affidavit for Final Payment, Form of Change Order (final), resulting in no net increase/decrease to the contract, Engineer's Statement of Completion and Consent of Surety for final payment, NOW, THEREFORE, BE IT

RESOLVED, that Contract "C" is hereby deemed complete in accordance with the contract plans and specifications and the Supervisor, on behalf of this Town Board, is hereby authorized and directed to execute the Statement of Completion for said Contract "C", and is further authorized to execute Change Order C-1, final, which results in a zero (0) increase/decrease to Contract "C".

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 20 Motion By Councilmember Swiatek, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Seasonal and/or Part-Time employees be and hereby are terminated as listed:

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SANITATION DEPARTMENT

EFFECTIVE

Paul Stottele	XXXXXXXXXXXXXXXXXXXXX	3/23/96
Nick Notaro	XXXXXXXXXXXXXXXXXXXXX	3/13/96

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

Item No. 21 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, there is a vacancy in the position of Town Historian created by the resignation of Rev. Michael M. Burzynski, AND

WHEREAS, pursuant to the State Arts and Cultural Affairs Law, the Supervisor may appoint a Town Historian, AND

WHEREAS, the Supervisor has interviewed interested applicants for the position and has determined that Mary F. Holtz should be appointed Town Historian, NOW, THEREFORE, BE IT

RESOLVED, that Mary F. Holtz be and hereby is appointed Town Historian for the Town of Cheektowaga, effective immediately.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

Item No. 22 Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski

WHEREAS, a vacancy exists in the position of Working Crew Chief in the Sewer Maintenance Department, AND

WHEREAS, said vacancy was posted pursuant to the agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, AND

WHEREAS, Robert Latshaw, currently employed as a Sewer Maintenance Man, bid on said vacancy, was interviewed, and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Robert Latshaw of XXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Working Crew Chief in the Sewer Maintenance Department, in accordance with the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, effective April 2, 1996.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

Item No. 23a Motion By Councilmember Swiatek, Seconded by Councilmember 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:

EFFECTIVE

FACILITIES DEPARTMENT - \$5.00/hour (0100-1625-1491)

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Susan Brudz XXXXXXXXXXXXXXXXXXXXXXXX Immediately

FACILITIES DEPARTMENT - \$5.00/hour (0100-7110-1491)

Todd Iozzia XXXXXXXXXXXXXXXXXXXXXXXX Immediately

SANITATION DEPARTMENT - \$5.00/hour

Eric Kraus XXXXXXXXXXXXXXXXXXXXXXXX Immediately

and, BE IT FURTHER

RESOLVED, that Kathleen Barry, hired as a Seasonal Employee, be and hereby is returned to her former position of Part-Time Clerk in the Justice Court, effective immediately.

Upon roll call
AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 23b Motion By Councilmember Swiatek, 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.

Item No. 23b continued

EFFECTIVE

FACILITIES DEPARTMENT - \$5.00/hour (0100-7110-1491)

Timothy Blakowski	XXXXXXXXXXXXXXXXXXXXX	4-8-96
Steven Cody	XXXXXXXXXXXXXXXXXXXXX	Immediately
David Szczepanek	XXXXXXXXXXXXXXXXXXXXX	"

FACILITIES DEPARTMENT - \$5.00/hour (0100-7110-1491)

Kevin Rydzynski XXXXXXXXXXXXXXXXXXXXXXXX Immediately

Upon roll call
AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

Item No. 24 Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be transferred as indicated (part-time to seasonal):

From Hockey - 7140.1639 to Soccer - 7140.1636 - Recreation Attendant III - \$4.75

Lynn Butts XXXXXXXXXXXXXXXXXXXXXXXX

From Rink Personnel - 7140.1611 to Soccer - 7140.1636 - Supervisor III - \$6.00

Jacques Desjardins XXXXXXXXXXXXXXXX XXXXX

Recreation Attendant IV - \$5.00

Cheryll Stucke XXXXXXXXXXXXXXXX XXXXX

APRIL 1, 1996

From Recreation Leader VI to Recreation Leader VII - Softball - 7140.1633/Rink Personnel - \$7.00

Scott Fleetwood XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXX

From Rink Personnel - 7140.1611 - to Soccer - 7140.1636 - Recreation Attendant IV - \$5.00

Joseph Marchewka XXXXXXXXXXXXX XXXXX

From Part-Time to Seasonal

Wilmer Froman XXXXXXXXXXXXXXXXXXXX XXXXX
(effective April 1st)

Greg Wazny XXXXXXXXXXXXXXXXXXXX XXXXX
(retro to March 25th)

BE IT RESOLVED, that the following individual be transferred from part-time to seasonal, effective April 1st, and revert back to his part-time status effective September 15th:

Keith Stachura XXXXXXXXXXXXXXXX XXXXX

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

Item No. 25a Motion By Councilmember Wielinski , Seconded by Supervisor Gabryszak

WHEREAS, the New York State Office of Mental Health and Commission of Correction is conducting a Suicide Prevention and Crisis Intervention Train-the-Trainer Program April 2-4, 1996 in Syracuse, New York.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Sgt. Mark Petruniak to this mandatory training. Topics to be presented include: model for understanding suicide, signs of suicide, suicide - myths and misconceptions, substance abuse and suicide, mental illness and suicide, suicide prevention screening guidelines, communications skills and suicidal inmate after cell assignment.

WHEREAS, the Police Department will be responsible for lodging, meals and travel expenses amounting to approximately \$225.00, NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send the above officer to this training. The time he spends there is authorized as normal duty time. The expenses will be charged to 0100-3120-4085.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

Item No. 25b Motion By Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the New York Upstate Chapter of the American Society of Landscape Architects is presenting a two-day workshop entitled "Walkable and Bikeable Communities" from April 18-19, 1996 in Buffalo. AND

WHEREAS, such workshop will discuss ways in which we can develop more user friendly pedestrian and bicycle environments, AND

WHEREAS, John Marriott, Chairman of the Cheektowaga Conservation Advisory Council, has requested permission to attend this seminar. AND

WHEREAS, the Town is interested in establishing pedestrian and bicycle paths throughout the Town, NOW, THEREFORE, BE IT

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RESOLVED, that John Marriott be and hereby is authorized to attend the
aforementioned workshop and, BE IT FURTHER

RESOLVED, that the workshop fee, \$85.00, shall be appropriated from the
Conservation Advisory Council budget line item number 0100-7270-4387.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski

VI. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Building Permits
Received and Filed.

Item No. 27a Supervisor's Statement of Funds - January 1996
Received and Filed.

Item No. 27b Supervisor's Statement of Funds - February 1996
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 28 Summons and Complaint: Robert Maydwell vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Chief of Police and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29 Notice of Claim: Fred Rakiski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.



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

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski,
and Swiatek
NAYES; 0
ABSENT: Councilmember Blachowski



VI. SUSPENSION OF RULES

Item No. 30 Motion By Unanimous, Seconded by Unanimous

WHEREAS, Sister Cities programs are utilized between cities and towns in different
countries to bring communities together to exchange ideas and develop friendships with their
counterparts in other cultures, AND

WHEREAS, these Sister Cities programs help the citizens of both communities to
become directly involved in international relations, resulting in unique and rewarding exchanges which
benefit everyone, AND

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WHEREAS, the City of Lowicz, Poland is interested in becoming a Sister City to the Town of Cheektowaga, AND

WHEREAS, the City of Lowicz, located in the heart of Poland between Warsaw and Lodz, with a population of 35,000, has three universities and three colleges, AND

WHEREAS, the Town of Cheektowaga and its citizens would benefit from a Sister City arrangement with the City of Lowicz by learning to better understand their own community by interpreting their way of life to the people of another culture with different traditions, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby agrees to enter into a Sister City arrangement with the City of Lowicz, Poland and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to enter into the attached Sister City Agreement with the City of Lowicz on behalf of the Town of Cheektowaga.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 31 Motion By Councilmember Jaworowicz, Seconded by Councilmember Johnson

WHEREAS, by resolution dated March 18, 1996, this Town Board rendered a non-significant environmental determination and adopted a local law relating to amendments to the Town's Zoning Law, AND

WHEREAS, the Erie County Division of Planning has issued a reply to the Town concerning this action stating that it has "no recommendation; proposed action has been reviewed and determined to be of local concern", NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby readopts and affirms the aforementioned resolutions issuing a non-significant environmental determination and adopting Local Law No. 1 of the Year 1996, entitled "A Local Law Amending a Local Law Relating to Zoning".

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmember Blachowski

Item No. 32 Motion By Supervisor Gabryszak, Seconded by Councilmember Swiatek to adjourn this meeting in memory of Edward Kowal, former Town of Cheektowaga employee, Ed Nowatka, and Joe Oddo, grandson of Joseph Oddo.

Richard M. Moleski
Town Clerk

MEETING NO. 8
APRIL 3, 1996

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of April, 1996 at 7:00 o'clock P.M. there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilmember Patricia A. Jaworowicz
Councilmember Thomas M. Johnson, Jr.

ABSENT: Councilmember Jacqueline A. Blachowski
Councilmember William P. Rogowski
Councilmember William L. Wielinski
Councilmember Jeff Swiatek

Also present were: Cable Television Committee Members: Michael Stachowski, Kevin Schenk, Ronald Marten, Andrew Kulyk and Charles Hintermeier and Adelphia Cable Communications Representatives: Tom Haywood and Gus Palmisano.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider the franchise renewal agreement proposal from International Cablevision, Inc., d/b/a Adelphia Cable Communications hereinafter more particularly described. The Supervisor directed the Deputy Town Attorney to present proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed in the Town Clerk's Office. A description of the franchise agreement between the Town of Cheektowaga and International Cablevision, Inc., d/b/a Adelphia Cable Communications is as attached.

Presentation were made by the following individuals: Dennis Gabryszak, Thomas Johnson, Jr., Kevin Schenk, Ronald Marten, and Michael Stachowski.

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.

*SEE NEXT PAGE FOR ATTACHMENT

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of April, 1996 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; William Pugh, Town Engineer; Ronald Marten, Building and Plumbing Inspector; Captain Tom Rowan, Cheektowaga Police Department; Sal LaGreca, Planning Board Chairman.

I. RESOLUTIONS

Item No. 2 Motion by Supervisor Gabryszak, seconded by Councilmember Johnson

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

SPECIAL DISTRICTS FUND

FROM: 2500-1910-2799	Appropriated Fund Balance	\$1,000.00
TO: 2500-8125-9130	Fire Loss Expense	\$1,000.00

CAPITAL FUND

FROM: 5301-1910-9399	Administration Expense	\$15,000.00
TO: 5301-3260-9601	Alexander Building Wellness Improvement	\$15,000.00

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 3 Motion by Supervisor Gabryszak, seconded by Councilmember Johnson

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to April 12, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$2,418,752.61
HIGHWAY FUND	633,296.10
TRUST & AGENCY	21,837.65
PART TOWN	41,981.21
RISK RETENTION FUND	137,780.92
DEBT SERVICE FUND	26,075.00
CDBG HUD FUND	97,006.42
HUD HOUSING REHABILITATION FUND	24,894.61
SPECIAL DISTRICTS FUND	1,160,157.40
CAPITAL FUND	60,705.65
	<u>\$4,622,487.57</u>

Item No. 3 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 4 Negative Declaration - S.E.Q.R.A. - 350 Sonwil Drive
This item was withdrawn.

Item No. 5a Motion by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, this Town Board has previously authorized the preparation of plans and specifications for the construction of modifications to the three (3) digesters at Plant No. 5, and

WHEREAS, the Town Engineer advises that plans and specifications prepared by Nussbaumer & Clarke, Inc., Consulting Engineers, have been completed and the project is ready for bidding, and

WHEREAS, funds have been budgeted for the modification to the digesters at Plant #5 including structural, electrical and mechanical improvements, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the construction of Digester Modifications at Plant #5, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 1st day of May, 1996 at 11:00 A.M., Eastern Daylight Saving Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE OF 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 1st day of May, 1996 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 the Digester Conversion at Plant No. 5, complete, in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

The Project consists of four (4) separate contracts as follows:

Contract A - General Mechanical
Contract B - Plumbing
Contract C - HVAC
Contract D - Electrical

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219. Copies may be secured at the office of Nussbaumer & Clarke, Inc., 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. Materials 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.

Item No. 5a cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

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 Digester Conversion at Plant No. 5, Contract _____".

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 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 bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

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

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

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

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes 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 150 consecutive calendar days, to begin five (5) days after the "Order of Commence Work" has been issued.

BY ORDER OF: THE TOWN OF CHEEKTOWAGA

Richard M. Moleski, Town Clerk

Dated: April 15, 1996

Published: April 18, 1996



AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

Item No. 5b Motion by Councilmember Rogowski, seconded by Supervisor Gabryszak

WHEREAS, it is in order that bids be advertised for a Preventative Maintenance and Service Agreement for Various Town Municipal Buildings, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

WHEREAS, service provided under the Preventative Maintenance and Service Agreement is to encompass building Temperature Control and Energy Monitoring Equipment; Heat, Vent, and Air Conditioning and Mechanical Equipment consisting of pumps, air handling units, fans, boilers, air conditioning equipment, thermostats, air compressors, valves and dated devices used to control HVAC equipment and generators, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Preventative Maintenance and Service Agreement, said Notice to be published in the Cheektowaga Times, and BE IT FURTHER

RESOLVED that sealed bid proposals will be received on the 8th day of May, 1996 at 11:00 a.m., Eastern Daylight Savings Time in the Cheektowaga Town Hall Council Chambers at a public bid opening to be held for said purpose.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York on the 8th day of May, 1996 at 11:00 A.M., Eastern Daylight Savings Time, in the Town Hall in the Town of Cheektowaga, New York for a Preventative Maintenance Agreement for Various Town Municipal Buildings. Work under this agreement is to encompass building temperature control and energy saving equipment, HVAC and mechanic equipment, thermostats, air compressors, valves and related devices used to control HVAC equipment in buildings throughout the Town. Work includes scheduled inspection of system components, record keeping and report generation. Work required on an "as needed" basis will include trouble-shooting and repair of system components.

Documents are on file in the offices of R.P. Morrow Associates, P.C., 47 Elmhurst Place, Buffalo, New York.

Copies of the proposed Contract Documents, and Instructions to Bidders may be examined at the above office. Specifications may be obtained from this office upon payment of \$50.00 per set of documents.

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

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

Any bidder returning the documents in good condition within 30 days following the award of the contract or rejection of the bids, will be refunded the deposit. Any bidders requesting more than one (1) set of documents may purchase the excess. No refund will be made for documents received after this thirty (30) day period.

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

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York in a sum equal to ten percent (10%) of the amount of 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.

Item No. 5b cont'd

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.

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

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

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

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

Richard M. Moleski
Town Clerk

Dated: April 15, 1996



AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 6 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, under current law, non-bank corporations can deduct interest expenses associated with purchasing or carrying of tax-exempt securities if purchased from other than borrowed funds, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

WHEREAS, President Clinton's recent budget bill contains a proposal to disallow the deduction taken by non-financial corporations for expenses incurred to hold and purchase tax-exempt securities, and

WHEREAS, corporate investors hold about 15 percent of the outstanding municipal bonds, and currently buy up to 50 percent of new issues, and

WHEREAS, President Clinton's proposal would have a profoundly negative effect on financing costs for all state and local governments, causing corporations to be unwilling to purchase tax-exempt securities, and

WHEREAS, the end result would be an increase in the cost of infrastructure repairs and construction financed by municipal tax-exempt bonds, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the U.S. Senate and House of Representatives to remove the aforementioned provision from the President's budget message, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Senator Orin Hatch (R-VT), Senator Max Baucus (D-MT), Senator Alfonse M. D'Amato, Senator Daniel P. Moynihan and Congressman Jack Quinn.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 7a Motion by Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, the Town's cable television franchise agreement with International Cablevision, Inc., d/b/a Adelphia Cable Communications ("Adelphia") has expired, and

WHEREAS, by Town Board resolution dated January 18, 1994, the Cable Television Committee was created to perform a due diligence review of Adelphia's performance and to negotiate a new franchise agreement with Adelphia, and

WHEREAS, the Cable Television Committee considered Adelphia's trouble calls, technical performance tests of Adelphia's system and Adelphia's financial information; and solicited comments from the public about Adelphia's performance, and

WHEREAS, the Cable Television Committee met numerous times on its own, with representatives of Adelphia and with representatives of the New York State Department of Public Service (formerly the New York State Commission on Cable Television) to identify the future cable related needs of the Town, to review the performance of Adelphia and to refine a franchise renewal agreement for the Town, and

WHEREAS, the Cable Television Committee completed its due diligence review of Adelphia and ascertained the future needs and expectations of the Town relative to cable television on behalf of the Town, and

WHEREAS, the Town of Cheektowaga received a proposed franchise renewal agreement from Adelphia which it feels is acceptable and in the best interest of the Town, and

WHEREAS, public notice of the receipt of a franchise proposal from Adelphia was given, and a public hearing was held on the 3rd day of April, 1996 at 7:00 P.M., at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York to discuss the proposed cable television franchise agreement submitted to the Town of Cheektowaga by Adelphia; at which hearing all interested parties were afforded an opportunity to be heard concerning the renewal and to otherwise participate in the hearing and to ask questions, NOW, THEREFORE, BE IT

Item No. 7a cont'd

RESOLVED that Adelphia and the Town of Cheektowaga have negotiated a franchise renewal agreement, agreeable to both parties, which complies with Section 595.1 of Subtitle R of title 9 of the New York Code of Rules and Regulations, and otherwise fulfills the needs of the Town with respect to cable television, and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Franchise Agreement with Adelphia, and BE IT FURTHER

RESOLVED that, within 30 days of the adoption of this resolution, Adelphia shall make application to the New York State Department of Public Service for approval of the franchise renewal.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 7b Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town has previously engaged the services of Stuart Alexander and Associates for planning and technical services for the Community Development Program, and

WHEREAS, the funds authorized under the current planning services contract have not been fully utilized, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

WHEREAS, said consultant has requested a time-only extension of the current contract to June 30, 1996 and the Town desires to retain the services of said planning consultant to fully utilize grant funds available for said services, NOW, THEREFORE, BE IT

RESOLVED that the Agreement between the Town of Cheektowaga and Stuart Alexander & Associates, dated December 1, 1994, and thereafter extended to April 30, 1996, for planning and technical services for the Community Development Block Grant Program, be and hereby is extended to June 30, 1996, said action authorizing an extension of time only without an increase to the original contract amount of \$30,000 or the existing hourly be and BE IT FURTHER

RESOLVED that the terms and conditions of the original Agreement shall remain in effect during the contract extension period, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to execute any documents necessary to affect said contract extension.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

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

RESOLVED that the recommendations of the 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.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 9 Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, on June 6, 1955 the Town Board of the Town of Cheektowaga adopted an ordinance now known as Chapter 65, Article II, of the Code of the Town of Cheektowaga setting forth specifications for the construction of sidewalks in the Town, and

WHEREAS, Section 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

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

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 May 19, 1996 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% expense thereof against the property which abuts such sidewalk over a period of two (2) years, with interest at the rate of 6.00%, and BE IT FURTHER

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

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

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

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

From Rink Personnel - 7140.1611 to Soccer 7140.1636 - Recreation Attendant IV - \$5.00 - Seasonal

Wilmer Froman
(Effective 4/1)

and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

RESOLVED that the following individuals be transferred from part-time to seasonal, effective April 15th and revert back to their part-time status, effective September 30th:

Angela Krzemien	XXXXXXXXXXXXXXXXXXXX	XXXXX
Noreen Brezowski	XXXXXXXXXXXXXXXXXXXX	XXXXX

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilmember Swiatek, Seconded by Councilmember 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:

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour

Timothy McGowan	XXXXXXXXXXXXXXXXXXXX	4/16/96
Frank K. Swiatek	XXXXXXXXXXXXXXXXXXXX	4/16/96
Kenneth Maksymik	XXXXXXXXXXXXXXXXXXXX	4/16/96

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilmember Swiatek, 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:

EFFECTIVE

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1491)

Frank LaSota	XXXXXXXXXXXXXXXXXXXX	Immediately
Ronald Banasiak	XXXXXXXXXXXXXXXXXXXX	"
Mathew Starr	XXXXXXXXXXXXXXXXXXXX	"
Randall Boersma	XXXXXXXXXXXXXXXXXXXX	"
Craig Owens	XXXXXXXXXXXXXXXXXXXX	"
Eugene Demler	XXXXXXXXXXXXXXXXXXXX	4/18/96
John Mazgaj	XXXXXXXXXXXXXXXXXXXX	4/29/96
Ronald Kaczmarek	XXXXXXXXXXXXXXXXXXXX	Immediately

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1496)

Richard Gramza	XXXXXXXXXXXXXXXXXXXX	Immediately
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Item No. 12 cont'd

FACILITIES DEPARTMENT - \$6.00 per hour (0100-7110-1496)

Gordon Hagmier	XXXXXXXXXXXXXXXXXXXX	Immediately
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RECYCLING DEPARTMENT - \$5.00 per hour

Lorin Gould	XXXXXXXXXXXXXXXXXXXX	4/22/96
Dorothy Mendel	XXXXXXXXXXXXXXXXXXXX	"
Patrick McCloskey	XXXXXXXXXXXXXXXXXXXX	"
John Balbuzoski	XXXXXXXXXXXXXXXXXXXX	"
Jeffrey Cwiklinski	XXXXXXXXXXXXXXXXXXXX	"

**TOWN OF CHEEKTOWAGA
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Joseph Walkowski XXXXXXXXXXXXXXXXXXXXXXXX “

SANITATION DEPARTMENT - \$5.00 per hour

John Strong XXXXXXXXXXXXXXXXXXXXXXXX 4/22/96

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 13a Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Police Academy is conducting a Sex Offense Seminar on April 29 - May 3, 1996 at the State Police Academy in Albany, N.Y., and

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Lt. James Morath to this seminar. Topics to be presented include: victimology, interview techniques, homicide assessment and lead tracking, false allegations, sex offender registry, rape typologies, victimization of children case preparation and legal perspectives. The seminar is intended to assist police investigative personnel in dealing with sex offense investigation issues, and

WHEREAS, the Police Department will be responsible for tuition, lodging, meals and travel expenses amounting to approximately \$500.00, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send Lt. Morath to this training. The time he spends there will be authorized as normal duty time. The expenses will be charged to lines 0100-3120-4093 and 0100-3120-4085.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the 1996 Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN) business meeting and "Violence, Hate, Terrorism in American Information Sharing Conference", is being held in Cincinnati, OH., April 29-May 3, 1996, and

WHEREAS, Lt. Jim Starr is our primary representative in MAGLOCLN and his attendance is mandatory and, MAGLOCLN 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 straining be authorized as normal duty time. This expense will be charged to line 0100-3120-4085 and 0100-3120-4093.

Item No. 13b cont'd

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 13c Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the Police Executive Research Forum (PERF) is holding the 1996 Annual Meeting on April 24-27, 1996 in San Francisco, CA, and

WHEREAS, Chief Chamberlin has been invited to speak on the topic of Police Leadership. Therefore, the Chief is requesting authorization to attend this meeting. Workshops and

**TOWN OF CHEEKTOWAGA
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guest speakers will cover topics such as dropping crime rates, evaluating personnel and departments, race related issues, ethical decision making, and Accreditation and Community Police just to name a few. The Police Department will be responsible for the registration, lodging, and travel not to exceed the amount of \$1,000.00, NOW, THEREFORE, BE IT

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

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Wielinski and Swiatek
NAYES: Councilmember Johnson
ABSENT: 0

Item No. 13d Motion by Supervisor Gabryszak, Seconded by Councilmember Wielinski

WHEREAS, the New York Association of Local Government Records is offering a conference on "Records and Information Management" at the Albany Quality Inn in Albany from June 2-5, 1996, and

WHEREAS, the New York State Telecommunications Initiative Project is offering training to create the Town's Website on the Internet at Hudson Valley Community College from June 5-6, 1996, and

WHEREAS, the Conference and Website training are 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 and Information Management, thereby making the Conference and the training session beneficial to its needs, and

WHEREAS, Richard M. Moleski, Town Clerk, has requested that Mary F. Holtz, Deputy Town Clerk, and Lisa-Marie DeMont, Records Inventory Clerk, be and hereby are authorized to attend said conference and training, NOW, THEREFORE, BE IT

RESOLVED that Mary F. Holtz and Lisa-Marie DeMont be and hereby are authorized to attend said conference and training, and BE IT FURTHER

RESOLVED that the cost of \$468.00 be charged to the S.A.R.A. Grant, Account No. 0100-1415-9000.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 13e Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, a safety training workshop is being conducted on Oxy-Fuel Safety and Welder Safety Training at Compliance Management, Inc., in Buffalo, New York on April 29, 1996,
Item No. 13e cont'd

which workshop would prove beneficial in reinforcing safe maintenance operations at the Main Pump Station, and

WHEREAS, the Superintendent of the Main Pump Station requests that the Assistant Superintendent and Maintenance Man be authorized to attend said workshop and utilize a Town vehicle to travel to and from such workshops, NOW, THEREFORE, BE IT

RESOLVED that John Nichy, Assistant Superintendent, and Edward Trzaska, Maintenance Man, be and hereby are authorized to attend said safety training workshop to be held at Compliance Management, Inc., 85 Great Arrow Avenue, Buffalo, New York 14216 on April 29, 1996 and that the cost of the workshop in the amount of \$60.00 each is to be paid for under Budget Item No. 2500-8135-4086.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek

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NAYES: 0
ABSENT: 0

Item No. 13f Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Fourteenth Annual Greater Buffalo Environmental Conference, sponsored by the New York State Department of Environmental Conservation (NYSDEC), United State Environmental Protection Agency (USEPA), 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 6 and 7, 1996, and

WHEREAS, this conference is dedicated to promoting the understanding of USEPA, NYSDEC and local regulations which effect the environment, pollution prevention and the operation of the Town's wastewater collection and conveyance systems, and

WHEREAS, Lawrence Golas, Superintendent of the Main Pump Station, and Allan Blachowski, Principal Engineer Assistant, have requested permission to attend this environmental conference, which conference will also contribute to recertification credit required by NYSDEC for the licensed wastewater treatment plant operator position, NOW, THEREFORE, BE IT

RESOLVED that Lawrence Golas and Allan Blachowski be and hereby are authorized to attend said two (2) day conference and to utilize a Town vehicle to travel to and from such conference, and BE IT FURTHER

RESOLVED that the registration fee of \$85.00 each shall be paid for under Budget No. 2500-8135-4087.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 13g Motion by Supervisor Gabryszak , Seconded by Councilmember Rogowski

WHEREAS, that Cheektowaga Action Partnership has been an active member of the Erie County Tobacco Free Coalition, and

WHEREAS, the Coalition has invited a representative of CAP to be part of a five member team attending the New York State Tobacco Control Conference, June 10th & 11th in Saratoga Springs, New York, and

WHEREAS, said conference will focus on the sharing and development of tobacco control strategies by coalitions from around the State, NOW, THEREFORE, BE IT

RESOLVED that Patricia Mack, CAP Program Coordinator be authorized to attend the State Tobacco Control Conference, with all travel and lodging expenses to be reimbursed by the New York State Department of Health's Project Assist.

Item No. 13g cont'd

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Wielinski and Swiatek
NAYES: Councilmember Johnson
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 14a Cheektowaga Planning Board - Minutes of March 14, 1996
Received and Filed.

Item No. 14b Cheektowaga Traffic Safety Commission - Minutes of March 19, 1996
Received and Filed.

**TOWN OF CHEEKTOWAGA
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Item No. 15 Office of Disaster Preparedness - Quarterly Report for January to March, 1996
Received and Filed

III. GENERAL COMMUNICATIONS

Item No. 16a Summons & Complaint - David Piech vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Chief of Police.
Received and Filed.

Item No. 16b Summons & Complaint - Robert Maydwell vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Chief of Police.
Received and Filed

Item No. 17a Notice of Claim - Martin Olszowy vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Highway Department.
Received and Filed

Item No. 17b Notice of Claim - Dennis Haslam/State Farm Ins. vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Sanitation Department
Received and Filed

Item No. 17c Notice of Claim - David Piech vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Chief of Police
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Supervisor Gabryszak , Seconded by Councilmember Rogowski
to suspend the rules to include the following items and the voting was as follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek

NAYES: 0

ABSENT: 0

Item No. 18 Motion by Councilmember Johnson, Seconded by Councilmember Wielinski

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 19, 1996 on Dick Road from the George-Urban Dick Road Plaza to the Hearthstone Manor, and

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

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

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

**TOWN OF CHEEKTOWAGA
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- 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 for its parade to be held on May 19, 1996, 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.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, bids were received and opened by the Town Clerk at a bid opening on March 20, 1996 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 CEMULINI PECORARO CONS CORP., 709 Pleasantview Dr., Lancaster, NY 14086 being the lowest responsible bidder, NOW, THEREFORE, BE IT

RESOLVED that the contract for the replacement of sidewalks for the year 1996, be awarded to Cemulini-Pecoraro Cons Corp., 709 Pleasantview Dr., Lancaster, NY 14086 being the lowest responsible bidder at a total of \$138,512.00 with the award being made at the following unit prices:

Item 1	4" thick sidewalk	\$2.37
Item 2	6" thick sidewalk	\$2.77
Item 3	Excess fill or excavation	\$40.00
Item 4	4" diameter P.V.C. under drain	\$2.50
Item 5	6" sidewalk reinforced 6 X 6 X 10	\$2.97
Item 6	Landscaping beyond Item 1	\$2.10
Item 7	Fire Asphalt mix beyond Item 1	\$11.00
Item 8	6" reinforced driveway apron	\$2.97
Item 9	Root cutting	\$1.00
Item 10	Traffic control	\$3,000.00

and BE IT FURTHER

Item No. 19 cont'd

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, NY, adopted August 6, 1990, authorizing the reconstruction of various sidewalks within said Town, line item 5503-5141-9507.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski to adjourn the meeting. Time adjourned: 7:50 P.M.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 9**

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
MAY 6, 1996**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 6th day of April, 1996 at 7:00 o'clock P.M. there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilmember Patricia A. Jaworowicz
Councilmember Thomas M. Johnson, Jr.
Councilmember William L. Wielinski
Councilmember Jeff Swiatek

ABSENT: Councilmember William P. Rogowski
Councilmember Jacqueline A. Blachowski

Also present were: Richard M. Moleski, Town Clerk; James J. Kirsits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; William Pugh, Town Engineer; Ronald Marten, Building and Plumbing Inspector; Bruce Chamberlin, Chief of Police; Sal LaGreca, Planning Board Chairman; Robert Kaczmarek, Supervising Accountant; and Michael Stachowski, Town Prosecutor.

I. RESOLUTIONS

Item No. 2 Motion by Supervisor Gabryszak, seconded by Councilmember Johnson

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

GENERAL FUND

From:	0100-7510-4052	Printing of Historical Material	\$ 500.00
	0100-7510-4375	Historical Observance	250.00
	0100-7510-4051	Microfilm	182.00
	0100-1440-1406	Assistant Town Engineer	1,500.00
	0100-1415-3500	State Aid-Archive Grant	5,762.00
	0100-1415-3500	State Aid-Archive Grant	570.00
	0100-1415-1500	Senior Clerk	8,640.00
	0100-1415-8000	Employee Benefits	350.00
	0100-1415-8000	Employee Benefits	311.00
To:	0100-7510-2201	Equipment-Town Historian	500.00
	0100-7510-2201	Equipment-Town Historian	250.00
	0100-7510-2201	Equipment-Town Historian	182.00
	0100-1440-1492	Seasonal Labor	1,500.00
	0100-1415-4001	Contractual Services	5,762.00
	0100-1415-9000	Indirect Cost Allocation	570.00
	0100-1415-4001	Contractual Expenses	8,640.00
	0100-1415-4003	Travel Expenses	350.00
	0100-1415-4001	Contractual Services	311.00

CAPITAL FUND

From:	5309-7110-0047	Park Improvements	6,975.00
	5309-1910-9399	Administration	17,000.00
	5309-1910-9399	Administration	45,000.00
To:	5309-7110-9374	Stiglmeier Park Improvements	23,975.00
	5309-7110-9602	HVAC Condenser Repair	45,000.00



Item No. 2 continued.

MEETING NO. 10
MAY 6, 1996

MOTION BY COUNCILMEMBER WIELINSKI, SECONDED BY SUPERVISOR GABRYSZAK TO AMEND THE ABOVE RESOLUTION, ITEM 2, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski



GENERAL FUND

From:	0100-7510-4052	Printing of Historical Material	\$ 500.00
	0100-7510-4375	Historical Observance	250.00
	0100-7510-4051	Microfilm	182.00
	0100-1440-1406	Assistant Town Engineer	1,500.00
	0100-1415-3500	State Aid-Archive Grant	5,762.00
	0100-1415-3500	State Aid-Archive Grant	570.00
	0100-1415-1500	Senior Clerk	8,640.00
	0100-1415-8000	Employee Benefits	350.00
	0100-1415-8000	Employee Benefits	311.00
To:	0100-7510-2201	Equipment-Town Historian	500.00
	0100-7510-2201	Equipment-Town Historian	250.00
	0100-7510-2201	Equipment-Town Historian	182.00
	0100-1440-1492	Seasonal Labor	1,500.00
	0100-1415-4001	Contractual Services	5,762.00
	0100-1415-9000	Indirect Cost Allocation	570.00
	0100-1415-4001	Contractual Expenses	8,640.00
	0100-1415-4003	Travel Expenses	350.00
	0100-1415-4001	Contractual Services	311.00

CAPITAL FUND

From:	5309-1910-9399	Administration	45,000.00
To:	5309-7110-9602	HVAC Condenser Repair	45,000.00

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 3 Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to May 6, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$ 310,895.52
HIGHWAY FUND	80,476.90
TRUST & AGENCY	214,402.16
PART TOWN	4,069.50
RISK RETENTION FUND	23,772.65
CDBG HUD FUND	28,784.09
HUD HOUSING REHABILITATION FUND	1,200.00
SPECIAL DISTRICTS FUND	258,280.15
CAPITAL FUND	16,891.16
	<u>\$ 938,772.13</u>

Item No. 3 continued

Upon roll call

**MEETING NO. 10
MAY 6, 1996**

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES: 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 4 Motion By Councilmember Jaworowicz, Seconded by Councilmember Johnson

WHEREAS, by resolution dated July 2, 1990, Saratoga Associates was retained as a consultant to the Town's Master Plan Steering Committee on the preparation of an updated master plan and zoning law, AND

WHEREAS, by resolution dated January 21, 1992, this Board adopted the Zoning Law of the Town of Cheektowaga, AND

WHEREAS, section 82-35 of the Zoning Law, as adopted, contained rather comprehensive regulations of signs, AND

WHEREAS, the Honorable William M. Skretny, Judge of the United States District Court, has determined, among other things, that in the absence of a savings clause, section 82-35 (c)(1) of the Zoning Law appears unconstitutional because it grants commercial speech greater protection than non-commercial speech, AND

WHEREAS, the Supervising Building Inspector of the Town is reviewing all matters relating to the regulation of signs, AND

WHEREAS, careful and thoughtful study on the matter of the enactment of provisions governing signs is necessary so that substantial governmental goals, like aesthetics and traffic safety, might be enhanced, fostered and promoted, AND

WHEREAS, court decisions have stated that a local legislature may, by interim or stop-gap ordinance, stop, for a reasonable time, the commencement of certain uses until proper review of zoning takes place, AND

WHEREAS, such interim or stop-gap ordinance, or the calling of a moratorium on the issuance of permits, for a period of 90 days where a zoning change and implementing legislation were under consideration has been found to be appropriate, AND

WHEREAS, this Town Board desires to temporarily stop the erection and/or placement of all signs in this Town, NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 20th day of May, 1996 at 7:00 o'clock P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether a "SIGN MORATORIUM" should be enacted, and BE IT FURTHER

RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and have a general circulation therein, not less than 10 days prior to the date of said hearing.



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway, on the 20th day of May, 1996 at 7:00 o'clock P.M. of said day for the purpose of considering the adoption of the following SIGN MORATORIUM Ordinance:

Item No. 4 continued

SIGN MORATORIUM

**MEETING NO. 10
MAY 6, 1996**

1. For a period of 90 days, the territorial boundaries of the Town of Cheektowaga, as are outside the limits of the Villages of Sloan and Depew, are declared to be a Special Review Zoning District.
2. Definitions. For the purposes of this Ordinance, the work "sign" shall have the following definition:

SIGN - a name, identification, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building, structure or pieces of land which directs attention to an object, project, service, place, activity, persons, institution, organization or business and the supporting members thereto. Signs which have no commercial message and which are the expression of free speech shall not be considered signs under this ordinance and shall be permitted.

3. All departments, agencies and authorities of the Town shall withhold the issuance of any permit for the erection of any sign of a commercial nature within the Town of Cheektowaga; and no person, firm or entity of any kind shall erect any sign of a commercial nature within the Town of Cheektowaga.

4. The Town Board of the Town of Cheektowaga shall have the power to vary or modify the application of the provisions of this Ordinance upon the Town Board's determination, in its absolute discretion, that such variance or modification is consistent with the Town's comprehensive master plan and with the health, safety, morals and general welfare of the Town.

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

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

Dated: May 6, 1996

Richard M. Moleski



Upon roll call

AYES:	Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES;	0
ABSENT:	Councilmembers Rogowski and Blachowski

AFFIDAVIT - NEXT PAGE

Item No. 5 Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, sealed bid proposals were received by the Cheektowaga Town Clerk on April 24, 1996 for Replacement of the Evaporative Condenser at the Town Park Recreation Center, AND

**MEETING NO. 10
MAY 6, 1996**

WHEREAS, R.P. Morrow Associates, P.C. and the Facilities Director have reviewed the bid proposals submitted for compliance with the terms and conditions set forth in the project manual, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards Replacement of the Evaporative Condenser at the Cheektowaga Recreation Center to:

John W. Danforth Company	- Base Bid -	\$44,477.00
1940 Fillmore Avenue		
Buffalo, New York 14214		

AND, BE IT FURTHER RESOLVED, that funds for said action are available from Capital Improvement Account #5309.7110.9602.

Upon roll call

AYES:	Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES;	0
ABSENT:	Councilmembers Rogowski and Blachowski

Item No. 6 Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, by resolution dated March 4, 1996, this Town Board awarded the contract for the application of chemical fertilizers and herbicides for the year 1996 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

RESOLVED, that the resolution of March 4, 1996 be amended, AND, BE IT FURTHER

RESOLVED, that the payment for the application of chemical fertilizers and herbicides for the year of 1996 shall be charged to Account No. 4000-8140-4588.

Upon roll call

AYES:	Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES;	0
ABSENT:	Councilmembers Rogowski and Blachowski

Item No. 7 Motion By Councilmember Jaworowicz, Seconded by Councilmember Wielinski

WHEREAS, the Town Board has previously adopted guidelines governing the Town's Housing Rehabilitation Loan Program, AND

WHEREAS, in order to continue to provide for the effective administration and implementation of said Program, and to assure the achievement program goals, the Director of Community Development has recommended the adoption of the attached amendments to said Guidelines, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby adopts the attached amendments to the Housing Rehabilitation Loan Program Guidelines, said amendments to be effective immediately.

Item No. 7 continued.

Upon roll call

AYES:	Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES;	0
ABSENT:	Councilmembers Rogowski and Blachowski

MEETING NO. 10
MAY 6, 1996

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 8 Motion By Councilmember Jaworowicz, Seconded by Councilmember Wielinski

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

**MEETING NO. 10
MAY 6, 1996**

WHEREAS, the 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 and before June 7, 1996, 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% expense thereof against the property which abuts such sidewalk over a period of two (2) years, with interest at the rate of 6.00% and, BE IT FURTHER

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

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmembers Rogowski and Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 9a Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

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 Cleveland Hill Little League has made application to hold Opening Day Ceremonies and a Parade on Saturday, May 18, 1996 at 11:00 A.M. The parade will take place on Mapleview Road, Cleveland Drive, Huth Road and Harlem Road, AND

**MEETING NO. 10
MAY 6, 1996**

WHEREAS, this Board has reviewed the application submitted by Cleveland Hill Little League, which application has been approved by the Police Department, and has no objection to same, AND

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

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 Cleveland Hill Little League to be held on May 18, 1996 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, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and

Item No. 9b Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

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 Southline Athletic Association has made application to hold Opening Day Ceremonies and Parade on May 27, 1996 at 9:00 A.M. The parade will begin at the Garden Village Plaza and go to the N. Seine diamonds, AND

WHEREAS, this Board has reviewed the application submitted by Southline Athletic Association, which application has been approved by the Police Department, and has no objection to same, AND

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

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

Item No. 9b continued.

RESOLVED, that this Town Board hereby approves the aforementioned application of the Southline Athletic Association to be held on May 27, 1996 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, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

**MEETING NO. 10
MAY 6, 1996**

NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 10 Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

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

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency in most instances, AND

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

WHEREAS, the Town of Cheektowaga Police Department has submitted an application for the purpose of establishing an outdoor firing range on property presently owned by the County of Erie at the north end of Scott Place, AND

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) and the United States Army Corps of Engineers (USACE) had been contacted due to the existence of fresh water wetlands on this site, AND

WHEREAS, these agencies have indicated there would be no impact upon these wetlands by the project, AND

WHEREAS, the site is adjacent to the inactive hazardous waste site known as the Pfohl Brothers Dump which the NYSDEC has tested for contamination and is initiating remediation action as a result, AND

WHEREAS, no testing had been conducted on the proposed firing site, AND

WHEREAS, the Erie County Department of Environment & Planning and the EAC have recommended testing be conducted to ensure no contaminants are on the site, AND

WHEREAS, further recommendations were made regarding fencing and other safeguards, AND

WHEREAS, the Advisory Committee, at its meeting held on January 11, 1996 rendered the determination shown on the attached memo dated January 11, 1996, AND

WHEREAS, this Town Board has reviewed the applications 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, provided that testing is conducted in the area of the Firing Range and no contaminants are found, and therefore issues a "Negative Declaration" for purposes of SEQRA.

Item No. 10 continued.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 10
MAY 6, 1996

Item No. 11 Acceptance of Property Located at North End of Scott Place From County of Erie
This item was withdrawn.

Item No. 12a Motion By Councilmember Wielinski, Seconded by Councilmember Jaworowicz

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

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

***** SEE ATTACHED LIST OF AMBULANCE VEHICLES FROM RURAL/METRO AMBULANCE COMPANY**

**MEETING NO. 10
MAY 6, 1996**

AND, BE IT FURTHER

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

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmembers Rogowski and Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 12b Motion By Councilmember Wielinski, Seconded by Councilmember Jaworowicz

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)/attendants(s), and has recommended that the Town Board issue such licenses.

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the 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, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

MEETING NO. 10
MAY 6, 1996

NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 13a Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga and Village of Depew presently maintain separate assessing units and departments, AND

WHEREAS, in an effort to consolidate some assessing duties and save taxpayers' money, the Village of Depew has proposed an agreement wherein the Town would perform certain assessing duties formerly performed by the Village, AND

WHEREAS, the Town of Cheektowaga, in the spirit of cooperation, wants to assist the Village of Depew and Village taxpayers, AND

WHEREAS, the Village has prepared an Agreement for Assessing Services, and the Town Assessor has reviewed same, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Agreement for Assessing Services with the Village of Depew.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

MEETING NO. 10
MAY 6, 1996

NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 13b Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski

WHEREAS, the Omnibus Transportation Employee Testing Act and regulations promulgated thereunder require employers to periodically test employees with commercial driver's licenses who drive certain vehicles for the presence of illegal drugs and alcohol, AND

WHEREAS, the Town of Cheektowaga and Village of Sloan must comply with this Act,
AND

WHEREAS, since the Village of Sloan only has 5± employees who fall within the Act, the Village has requested permission to have its employees included with the Town's employees in the pool for purposes of the random testing, AND

WHEREAS, the Village of Sloan has agreed to pay its fair share for such testing, AND

WHEREAS, the collective bargaining units representing Town employees have agreed to this arrangement, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Municipal Cooperation Agreement with the Village of Sloan.

Upon roll call

MEETING NO. 10
MAY 6, 1996

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

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

BE IT RESOLVED, that the below listed Youth and Recreation employees be terminated effective immediately:

James Brydalski	XXXXXXXXXXXXXX	XXXXX
Joe Deckop	XXXXXXXXXXXXXXXXXX	XXXXX
Michelle Diehl	XXXXXXXXXXXXXX	XXXXX
Brett Flynn	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Tom Goff	XXXXXXXXXXXXXX	XXXXX
Nick Logiudice	XXXXXXXXXXXXXX	XXXXX
Lynn Pettit	XXXXXXXXXXXXXXXXXX	XXXXX
Tom Wasielewski	XXXXXXXXXXXXXX	XXXXX

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 14b Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski

BE IT RESOLVED, that the following Seasonal and/or Part-Time employees be and hereby are terminated as listed:

MEETING NO. 10
MAY 6, 1996

EFFECTIVE

FACILITIES DEPARTMENT

Frank LaSota

Immediately

SANITATION DEPARTMENT

Eric Cadwallader

Immediately

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmembers Rogowski and Blachowski

Item No. 15a Motion By Councilmember Swiatek, Seconded by Supervisor Gabryszak

WHEREAS, the terms of Gary J. Hoey as a member of the Board of Assessment Review of the Town of Cheektowaga expired on September 30, 1995, AND

WHEREAS, Gary J. Hoey has performed his duties as a member of the Board of Assessment Review in an exemplary manner, AND

WHEREAS, this Board is desirous of retaining Gary J. Hoey as a member of the Board of Assessment Review, NOW, THEREFORE, BE IT

RESOLVED, that Gary J. Hoey of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is reappointed as a member of the Board of Assessment Review of the Town of Cheektowaga effective immediately and terminating on September 30, 2000.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmembers Rogowski and Blachowski

Item No. 15b Motion By Councilmember Wielinski, Seconded by Councilmember Jaworowicz

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 economic development within the Town, AND

WHEREAS, by resolution dated February 7, 1983, this Town Board approved the By-Laws of the Cheektowaga Economic Development Corporation, AND

WHEREAS, the aforesaid By-Laws provide that the Directors of the Cheektowaga Economic Development Corporation will be appointed by resolution of the Cheektowaga Town Board, AND

WHEREAS, the Board of Directors of the Cheektowaga Economic Development Corporation has recommended the appointment of the individuals listed below to the Board of Directors of the Cheektowaga Economic Development Corporation, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby reappointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately for a term of three years and expiring at the time of reappointment to said Board of Directors positions but no later than May 31, 1999: James Antkowiak, Amedeo Duke, Casimir Kozminski and Jack Patterson AND, BE IT FURTHER

RESOLVED, that the following individual is hereby appointed to the Board of Directors of the Cheektowaga Economic Development Corporation for a term of three years, said term effective immediately and expiring at the time of reappointment to said Board of Director position but no later than May 31, 1999: Stanley Gajewski, XXXXXXXXXXXXXXXX, Depew, New York XXXXX.

**MEETING NO. 10
MAY 6, 1996**

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 16a Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski

WHEREAS, by resolution, this Town Board appointed Kevin Gawel to the position of Real Property Appraiser in the Assessor's Office on a provisional basis, pending the establishment of a valid Civil Service list for said position, AND

WHEREAS, the Erie County Department of Personnel has been advised that Kevin Gawel is eligible for a Non-Competitive Promotion under the provisions of Section 52.7, New York State Civil Service Law, NOW, THEREFORE, BE IT

RESOLVED, that Kevin Gawel of XXXXXXXXXXXXXXXX, Depew, New York XXXXX, be and hereby is permanently appointed to the position of Real Property Appraiser in the Assessor's Office, effective immediately.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 16b Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski

WHEREAS, by resolution, this Town Board appointed Michael Gange to the position of Senior Sewage Maintenance Worker on a temporary basis, AND

WHEREAS, said position has now become permanent, NOW, THEREFORE, BE IT

RESOLVED, that Michael Gange be and hereby is permanently appointed to the position of Senior Sewage Maintenance Worker in the Sewer Maintenance Department effective immediately.

Item No. 16b continued

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 17a Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski
Councilmember Johnson

WHEREAS, a contingent/permanent vacancy exists in the position of Pump Operator in the Main Pump Station, 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, Timothy Schlegel appears on said Civil Service list, has been interviewed and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Timothy Schlegel of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the position of Pump Operator on a contingent/permanent basis, pending the results of the permanent incumbent of said position successfully being appointed to a higher ranking position, 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 May 13, 1996.

MEETING NO. 10
MAY 6, 1996

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 17b Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski
Councilmember Johnson

WHEREAS, a vacancy exists in the position of Sewer Maintenance Worker in the Sewer Maintenance Department, AND

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

WHEREAS, Paul Stallone, currently employed as a Motor Equipment Operator in the Recycling Department, bid on said vacancy, was interviewed, and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Paul Stallone, of XXXXXXXXXXXXXXXX Cheektowaga, New York XXXXX be and hereby is appointed to the position of Sewer Maintenance Worker in the Sewer Maintenance Department, in accordance with the terms and conditions as set forth in the above-mentioned collective bargaining agreement, effective May 7, 1996.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski



MOTION BY COUNCILMEMBER WIELINSKI, SECONDED BY COUNCILMEMBER SWIA TEK TO DISPENSE WITH READING OF NAMES IN THE FOLLOWING RESOLUTIONS, ITEMS 18, 19A, 19B, 19C, AND 19D AND THE VOTING WAS AS FOLLOWS:

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski



Item No. 18 Motion By Supervisor Gabryszak, Seconded by Councilmember Swiatek

BE IT RESOLVED, that the following Youth and Recreation employees be transferred, at the hourly salary rate (a) indicated: (seasonal, effective April 29th), AND

BE IT FURTHER RESOLVED, that those listed be paid a salary rate (B) for the week of August 11th-17th and revert to their hourly rate (A) effective August 18th:

From Adapted Recreation 7310.1803 to: 1) Camp Crabapple (7310.1802), April 29th - August 10th; to: 2) Camp Aloha (7310.1802) at a salary classification for the week of August 11th-17th to: 3) Adapted Recreation (7310.1803) August 18th-October 12th:

Deborah Ann Fleetwood XXXXXXXXXXXXXXXXXXXXXXXX XXXXX
Program Coordinator

MAY 6, 1996

B. \$360.00

Supervisor VI (Activity Director IV)

XXXXXXXXXXXXXXXXXXXX

XXXXXX

B. \$265.00

August 18th-October 12th:

(Assistant Program Coordinator/Nurse)

XXXXXXXXXXXXXXXXXXXX

XXXXX

B. \$275.00

Supervisor III (Activity Director I)

XXXXXXXXXXXX

XXXXX

B. \$260.00

Supervisor III (Activity Director I)

XXXXXXXXXXXXXXXXXXXX

XXXXXX

B. \$260.00

Item No. 18 continued

October 12th:

Supervisor III (Activity Director I)

[illegible]

XXXXXX

B. \$260.00

Supervisor III (Activity Director I)

XXXXXXXXXXXXXXXXXXXX

XXXXXX

B. \$260.00

Supervisor III (Activity Director I)

XXXXXXXXXXXX

XXXXX

B. \$260.00

1996.

(seasonal):

From Recreation Attendant III to Recreation Instructor III - 7140.1614 - \$5.00

Rebecca Volk

XXXXXXXXXXXXX

XXXXXX

MAY 6, 1996

From Basketball - 7140.1654 to New Programs - 7140.1813 - Recreation Supervisor III - \$6.00

Peter Odrobina XXXXXXXXXXXXXXXXXXXX XXXXX

From Part-Time to Seasonal - (7140.1612/7140.1664)

Laila Desjardins XXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES: 0

ABSENT: Councilmembers Rogowski and Blachowski

Item No. 19a Motion By Councilmember Wielinski, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are hired to the position of permanent Part-Time Police Matron, in the Police Department, at an annual salary pursuant to the Town Board resolution of January 3, 1995 as follows:

EFFECTIVE

Jacqueline Federowicz	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	3-29-96
Christine Churchill	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	"
Barbara J. Russell	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately

and, BE IT FURTHER

RESOLVED, that Lorinda Burgess of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Part-Time Police Matron on a per diem, hourly basis, effective immediately.

Item No. 19a continued

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES: 0

ABSENT: Councilmembers Rogowski and Blachowski

Item No. 19b Motion By Councilmember Swiatek, Seconded by Councilmember 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

SANITATION DEPARTMENT - \$5.00 per hour

Mike Schmidt	XXXXXXXXXXXX	Immediately
Gregory Kida	XXXXXXXXXXXXXXXXXX	"

POLICE DEPARTMENT - \$5.00

Amy Wielinski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Christine Priola	XXXXXXXXXXXXXXXXXXXX	"

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmembers Rogowski and Blachowski

Item No. 19c Motion By Supervisor Gabryszak, Seconded by Councilmember Swiatek

MEETING NO. 10
MAY 6, 1996

BE IT RESOLVED, that the following individuals be hired as seasonal employees in the Youth and Recreation Department at the titles and salaries indicated, effective immediately:

Recreation Attendants - 7140.1612 - Recreation Instructor VII - \$6.00/Pre-K - 7140.1664 - Recreation Attendant I - \$4.25

Kim Kurdys	XXXXXXXXXXXXXXXXXX	XXXXX
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Soccer - 7140.1636

Recreation Attendant I - \$4.25

Mark Klaczyk	XXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant II - \$4.50

Amy Rainville	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
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Administrative Intern - 7310.1804 - Clerk - \$5.00

Hope Christine Szarpa	XXXXXXXXXXXXXXXXXX	XXXXX
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Theater Workshop - 7140.1651 - Recreation Attendant III - \$4.75

Christine Cramer	XXXXXXXXXXXXXXXXXX	XXXXX
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Upon roll call . . .

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: Councilmembers Rogowski and Blachowski

Item No. 19d Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski

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)

Brian Papero	XXXXXXXXXXXXXXXXXX	Immediately
Aaron Witherell	XXXXXXXXXXXXXXXXXX	"
Daniel Stypa	XXXXXXXXXXXXXXXXXX	"
Larry Alessi	XXXXXXXXXXXX	"

MAIN PUMP STATION - \$5.75 per hour (Laborer)

Aaron Kuczmarski	XXXXXXXXXXXXXXXXXX	Immediately
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MAIN PUMP STATION - \$5.50 per hour (Laborer)

Jason Kolburn	XXXXXXXXXXXXXXXXXX	Immediately
Todd Kopcinski	XXXXXXXXXXXXXXXXXX	"

FACILITIES DEPARTMENT - \$6.00 per hour (0100-7110-1623)

Walter Gardon	XXXXXXXXXXXXXXXXXX, Cheek. XXXXX	Immediately
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FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1496)

Peter Flannery	XXXXXXXXXXXXXXXXXX, Cheek. XXXXX	Immediately
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FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1491)

Justin Keating	XXXXXXXXXXXXXXXXXX, Cheek. XXXXX	Immediately
Jarrett Sinclair	XXXXXXXXXXXXXXXXXX, Cheek. XXXXX	"
Kenneth Bednasz	XXXXXXXXXXXXXXXXXX, Cheek. XXXXX	"

Alexander Nwora XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Robert Stypa	XXXXXXXXXXXXXXXXXXXXX, Cheek. XXXXX	5/20/96
Michael Papero	XXXXXXXXXXXXXXXXXXXXX, Cheek XXXXX	"

Jason Ozolins	XXXXXXXXXXXXXXXXXXXXX, Cheek XXXXX	Immediately
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RESOLVED, that John Strong, mistakenly hired as a seasonal employee in the Sanitation Department, be and hereby is hired as a seasonal employee in the Recycling Department effective April 22, 1996.

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES: 0

ABSENT: Councilmembers Rogowski and Blachowski

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 18 and 19, 1996, AND

WHEREAS, information important to the Town will be discussed at this meeting and which the Town will be required to implement, AND

RESOLVED, that Robert E. Kaczmarek, A. Lynn Nenni, and Kathleen Travers be and hereby are authorized to attend the aforementioned conference and, BE IT FURTHER

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES: 0

ABSENT: Councilmembers Rogowski and Blachowski

WHEREAS, the Renesselaer County Sexual Trauma and Recovery Team is sponsoring a two-part conference on child sexual abuse on May 9, 1996 at the NYS Police Academy in Albany, New York.

RESOLVED, that Chief Chamberlin is authorized to send the above detectives to this conference, and their time is authorized as normal duty time. The expense will be charged to line 0100-3120-4085.

21

**MEETING NO. 10
MAY 6, 1996**

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 20c Motion By Councilmember Jaworowicz, Seconded by Councilmember Wielinski

WHEREAS, the Director of Community Development has requested permission to attend a one-day workshop pertaining to the HOME Program in Syracuse, New York on May 15, 1996, AND

WHEREAS, said workshop is being sponsored at no cost to participants by the New York State Rural Housing Coalition, NOW, THEREFORE, BE IT

RESOLVED, that Jerome Gabryszak be and hereby is authorized to attend said HOME Program workshop on May 15, 1996 in Syracuse, New York, and be reimbursed from the Community Development Program Budget for reasonable and necessary expenses, not to exceed \$120, incurred in attending said workshop.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

Item No. 21 Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, by resolution dated November 6, 1995, this Town Board petitioned the New York State Legislature and Governor George Pataki to enact certain legislation clarifying and/or defining the limits of the tax exemption legislatively granted to the Niagara Frontier Transportation Authority (NFTA) by section 1299-o of the Public Authorities Law, AND

WHEREAS, New York State Senator William T. Stachowski and New York State Assemblyman Paul Tokasz have reacted positively on the Town's request for legislation, as aforesaid, by introducing bills numbered S-6005 and A-8740, AND

WHEREAS, the NFTA has submitted a memorandum in opposition to the Town's request for legislation and the legislation introduced in response thereto, AND

WHEREAS, the Town must act reasonably and responsibly in advancing its long-standing interest and concern on fair tax enactments and exemptions on behalf of all town residents, AND

WHEREAS, given the complexities of this matter, it is in the best interests of the Town to retain special counsel to the Town Attorney, for the submission of a memorandum to the State Legislature in furtherance of the Town's position.

NOW, THEREFORE, BE IT RESOLVED, that Peter M. Kooshoian, Esq. who has previously performed specialized legal research and appellate services on behalf of the Town, be and he hereby is retained as special counsel to the Town Attorney on the aforementioned matter and, BE IT FURTHER

RESOLVED, that the reasonable fee of the above-named special counsel, not exceeding \$2,000.00 without prior written authority from the Board, be paid from budget line item 0100.1355.4561, along with all necessary disbursements; such fee and disbursements shall be monitored and approved by the Town Attorney.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SWIATEK TO AMEND THE ABOVE RESOLUTION, ITEM 21, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

MEETING NO. 10
MAY 6, 1996

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski



AMENDED

WHEREAS, by resolution dated November 6, 1995, this Town Board petitioned the New York State Legislature and Governor George Pataki to enact certain legislation clarifying and/or defining the limits of the tax exemption legislatively granted to the Niagara Frontier Transportation Authority (NFTA) by section 1299-o of the Public Authorities Law, AND

WHEREAS, New York State Senator William T. Stachowski and New York State Assemblyman Paul Tokasz have reacted positively on the Town's request for legislation, as aforesaid, by introducing bills numbered S-6005 and A-8740, AND

WHEREAS, the NFTA has submitted a memorandum in opposition to the Town's request for legislation and the legislation introduced in response thereto, AND

WHEREAS, the Town must act reasonably and responsibly in advancing its long-standing interest and concern on fair tax enactments and exemptions on behalf of all town residents, AND

Item No. 21 continued

WHEREAS, given the complexities of this matter, it is in the best interests of the Town to retain special counsel for the purpose of providing legal research and analysis to the Town Attorney, so that he will be prepared to take appropriate action to advance the Town's position on this matter,

NOW, THEREFORE, BE IT RESOLVED, that Peter M. Kooshoian, Esq. who has previously performed specialized legal research and appellate services on behalf of the Town, be and he hereby is retained as special counsel to the Town Attorney on the aforementioned matter and, BE IT FURTHER

RESOLVED, that the reasonable fee of the above-named special counsel, not exceeding \$2,000.00 without prior written authority from the Board, be paid from budget line item 0100-1355-4561, along with all necessary disbursements; such fee and disbursements shall be monitored and approved by the Town Attorney.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

II. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Building Permits
Received and Filed.

Item No. 23a Minutes of Cheektowaga Planning Board - April 11, 1996
Received and Filed.

Item No. 23b Minutes of Cheektowaga Public Library Board of Trustees - February 28, 1996
Received and Filed.

Item No. 24 Supervisor's Statement of Funds - March 1996
Received and Filed.

MEETING NO. 10
MAY 6, 1996

Item No. 25 Annual Financial Report - 1995
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 26a Summons & Complaint: Johnny Ross and Theresa Ross vs the Town of Cheektowaga, City of Buffalo and County of Erie
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Police Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26b Summons & Complaint: Gloria J. and John Shields vs the Town of Cheektowaga, Erie County Water Authority, and Michael J. Adymy and Susan Adymy
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26c Summons & Complaint: Jean Rebholz, Individually and as Parent/Guardian of Carl Rebholz vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 27a Notice of Claim: Jeffrey S. McCrossan vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Building Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 27b Notice of Claim: Robert W. Zielinski, as Administrator of the Estate of Michelle Eckert vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Police Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 27c Notice of Claim: State Farm Fire and Casualty Company as subrogee of Mr. & Mrs. Richard Wyse vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Sewer Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 27d Notice of Claim: Patricia A. and James P. Brydalski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Parks Department and Allied Claims Insurance Carrier.
Received and Filed.



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER SWIATEK TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND THE VOTING WAS AS FOLLOWS:

Upon roll call . . .

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski



IV. SUSPENSION OF RULES

**MEETING NO. 10
MAY 6, 1996**

Item No. 28 Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, by Town Board resolution dated April 15, 1996 this Town Board authorized the issuance of a Notice to Bidders for the Construction of Modifications to the Three Digesters at Plant #5, Contract A - General Mechanical, Contract B - Plumbing, Contract C - HVAC and Contract D - Electrical, with a bid opening scheduled for May 1, 1996, AND

WHEREAS, on May 1st bids were received and publicly opened for the aforesaid project, AND

WHEREAS, a sole bid was received for Contract A - General Mechanical and a sole bid was received for Contract C - HVAC, both of which exceeded the engineer's estimate, AND

WHEREAS, the consulting firm of Nussbaumer & Clarke and the Town Engineer have reviewed said bids and recommend the rejection of the sole bids for the respective contracts and the rebidding of Contract A and Contract C, NOW, THEREFORE, BE IT

RESOLVED, that the sole bid submission for Contract A - General Mechanical and the sole bid for Contract C - HVAC be and hereby are rejected and, BE IT FURTHER

Item No. 28 continued

RESOLVED, that Contracts A and C be rebid and that the Town Clerk be directed to publish a Notice to Bidders for the construction of Digester Modifications at Plant #5, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 22nd day of May, 1996 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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 22nd day of May, 1996 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 the Digester Conversion at Plant #5, complete, in place and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

The project rebid consists of two (2) separate contracts, as follows:

Contract A - General Mechanical
Contract C - HVAC

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219. Copies may be secured at the office of Nussbaumer & Clarke, Inc., 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.

MEETING NO. 10
MAY 6, 1996

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 Digester Conversion at Plant #5, Contract _____."

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 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 bid 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. 28 continued

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 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 150 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

Dated: May 6, 1996

Published: May 9, 1996

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and Swiatek

NAYES: 0

ABSENT: Councilmembers Rogowski and Blachowski

AFFIDAVIT - NEXT PAGE

MEETING NO. 10
MAY 6, 1996

Item No. 29 Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

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

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency in most instances, AND

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

WHEREAS, an application was submitted by Sonwil Distribution Center to construction a 41,000 square foot warehouse/office to be known as 350 Sonwil Drive on a three (3) acre site, AND

WHEREAS, the applicant will extend Sonwil Drive and its utilities, including installation of a hydrant, and will dedicate this to the Town when completed, AND

WHEREAS, the Environmental Advisory Committee, at its meeting held on March 27, 1996 rendered the determination shown on the attached memo dated March 28, 1996, AND

WHEREAS, this Town Board has reviewed the applications 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 SEQRA.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers, Jaworowicz, Johnson, Wielinski, and
 Swiatek
NAYES; 0
ABSENT: Councilmembers Rogowski and Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

**MEETING NO. 10
MAY 6, 1996**

Item No. 30 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz to adjourn this meeting. The time adjourned was 8:35 P.M.

Richard M. Moleski
Town Clerk

MEETING NO. 11
May 20, 1996

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 20th day of May, 1996 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; William Pugh, Town Engineer; Ronald Marten, Building and Plumbing Inspector; William Conway, Sole Assessor; Sal LaGreca, Chairman of Planning Board; Michael Stachowski, Deputy Town Attorney; Captain Tom Rowan, Police Department; Len Szymanski, Working Foreman-Facilities Department.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting a SIGN MORATORIUM Ordinance. The Supervisor directed the Town Clerk to present proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.



SIGN MORATORIUM

1. For a period of 90 days, the territorial boundaries of the Town of Cheektowaga, as are outside the limits of the Villages of Sloan and Depew, are declared to be a Special Review Zoning District.

2. Definitions. For the purposes of this Ordinance, the work "sign" shall have the following definition:

SIGN - a name, identification, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building, structure or pieces of land which directs attention to an object, project, service, place, activity, persons, institution, organization or business and the supporting members thereto. Signs which have no commercial message and which are the expression of free speech shall not be considered signs under this ordinance and shall be permitted.

3. All departments, agencies and authorities of the Town shall withhold the issuance of any permit for the erection of any sign of a commercial nature within the Town of Cheektowaga; and no person, firm or entity of any kind shall erect any sign of a commercial nature within the Town of Cheektowaga.

4. The Town Board of the Town of Cheektowaga shall have the power to vary or modify the application of the provisions of this Ordinance upon the Town Board's determination, in its absolute discretion, that such variance or modification is consistent with the Town's comprehensive master plan and with the health, safety, morals and general welfare of the Town.



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. 11
May 20, 1996

Item No. 3 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

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

GENERAL FUND

FROM: 0100-3310-4471	Signs & Street Markings	\$4,000.00
0100-9501-9131	Serial Bonds	500.00
TO: 0100-3310-4561	Contracted Services	\$4,000.00
0100-7110-4433	Land Rental-Cayuga Rd.	500.00

CAPITAL FUND

FROM: 5110-1910-5031	Transfers-In	\$9,003.46
TO: 5110-1910-9102	Wedgewood Road Construction	\$9,003.46

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 4 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to May 17, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$3,343,237.58
HIGHWAY FUND	1,083,897.03
TRUST & AGENCY FUND	38,088.80
PART TOWN FUND	57,945.32
RISK RETENTION FUND	184,937.19
DEBT SERVICE FUND	26,075.00
CDBG HUD FUND	8,058.58
HUD HOUSING REHABILITATION FUND	36,947.48
SPECIAL DISTRICTS FUND	2,506,724.74
CAPITAL FUND	<u>135,999.12</u>
	\$7,421,910.84

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the Payroll Section of the Accounting Department has certain old and outstanding payroll checks from 1992 and 1993, and

WHEREAS, the time for cashing these checks with Chase Bank has expired, and

WHEREAS, the Supervising Accountant is requesting that the following checks be voided and such funds returned to their respective funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervising Accountant be hereby authorized to void these old outstanding payroll checks, return such funds to the respective funds so designated, and BE IT FURTHER

Item No. 5 cont'd

RESOLVED that such funds shall be deposited in account number xxxx-1910-2701 "Recoveries of prior years expense" of the respective funds:

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General Fund

<u>Check #</u>	<u>Amount</u>
97200	\$ 20.00
98349	195.87
99412	139.09
109424	.76
113406	241.92
125186	15.00
133112	62.51
135575	3.75
136039	15.00
144734	62.34
157600	55.41
162086	24.24
165230	2.95
168141	.77
170695	195.19
176430	77.57

Building & Plumbing

146310	6.94
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Recycling

170957	6.16
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 6 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, by resolution dated July 2, 1990, Saratoga Associates was retained as a consultant to the Town's Master Plan Steering Committee on the preparation of an updated master plan and zoning law, and

WHEREAS, by resolution dated January 21, 1992, this Board adopted the Zoning Law of the Town of Cheektowaga, and

WHEREAS, Section 82-35 of the Zoning Law, as adopted, contained rather comprehensive regulations of signs, and

WHEREAS, the Hon. William M. Skretny, Judge of the United States District Court, has determined, among other things, that in the absence of a savings clause, section 82-35 (c) (1) of the Zoning Law appears unconstitutional because it grants commercial speech greater protection than non-commercial speech, and

WHEREAS, the Supervising Building Inspector of the Town is reviewing all matters relating to the regulation of signs, and

WHEREAS, careful and thoughtful study on the matter of the enactment of provisions governing signs is necessary so that substantial governmental goals, like aesthetics and traffic safety, might be enhanced, fostered and promoted, and

Item No. 6 cont'd

WHEREAS, court decisions have stated that a local legislature may, by interim or stop-gap ordinance, stop, for a reasonable time, the commencement of certain uses until proper review of zoning takes place, and

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WHEREAS, such interim or stop-gap ordinance, or the calling of a moratorium on the issuance of permits, for a period of 90 days where a zoning change and implementing legislation were under consideration has been found to be appropriate, and

WHEREAS, this Town Board desires to temporarily stop the erection and/or replacement of all signs in this Town, and

WHEREAS, in accordance with the provisions of the Town law of the State of New York, a public hearing was held on the 20th day of May, 1996 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens had an opportunity to be heard concerning whether a "SIGN MORATORIUM" should be enacted, and

WHEREAS, this Town Board feels that it is in the public interest to enact the "SIGN MORATORIUM" ordinance, NOW, THEREFORE, BE IT

RESOLVED that the "SIGN MORATORIUM", as attached hereto, be and the same is hereby adopted, and BE IT FURTHER

RESOLVED that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on May 20, 1996; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and an affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED that the "SIGN MORATORIUM" ordinance shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry in the minutes.



SIGN MORATORIUM

1. For a period of 90 days, the territorial boundaries of the Town of Cheektowaga, as are outside the limits of the Villages of Sloan and Depew, are declared to be a Special Review Zoning District.

2. Definitions. For the purposes of this Ordinance, the work "sign" shall have the following definition:

SIGN - a name, identification, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building, structure or pieces of land which directs attention to an object, project, service, place, activity, persons, institution, organization or business and the supporting members thereto. Signs which have no commercial message and which are the expression of free speech shall not be considered signs under this ordinance and shall be permitted.

3. All departments, agencies and authorities of the Town shall withhold the issuance of any permit for the erection of any sign of a commercial nature within the Town of Cheektowaga; and no person, firm or entity of any kind shall erect any sign of a commercial nature within the Town of Cheektowaga.

4. The Town Board of the Town of Cheektowaga shall have the power to vary or modify the application of the provisions of this Ordinance upon the Town Board's determination, in its absolute discretion, that such variance or modification is consistent with the Town's comprehensive master plan and with the health, safety, morals and general welfare of the Town.



Item No. 6 cont'd

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**MEETING NO. 11
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AFFIDAVIT - NEXT PAGE

Item No. 7 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, a Notice to Bidders was duly published for receipt of bids for a three (3) year Preventative Maintenance and Service Agreement for Heat, Ventilation, Air Conditioning and Generators at various Town owned buildings, which bids were received and publicly opened on May 8, 1996, and

WHEREAS, bids were reviewed by R.P. Morrow Associates, P.C. for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Facilities Department, and

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WHEREAS, said report recommends that the bid be awarded to Davis Refrigeration Co., 120 W. Tupper Street, Buffalo, New York 14201, for the Base Bid total price of \$175,947.00, NOW, THEREFORE, BE IT

RESOLVED that the bid for a three (3) year Preventative Maintenance and Service Agreement for Heat, Ventilation, Air Conditioning and Generators at various Town-owned buildings be and hereby is awarded to Davis Refrigeration Co., at a total Base Bid price of \$175,947.00, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a contract for such services with Davis Refrigeration Co., and BE IT FURTHER

RESOLVED that funds for said action are available from Facilities Department accounts 0100-1625-4432 and 0100-7110-4451, and Libraries Account 0100-7410-4439.

**See next page(s) for attachments

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 8a Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the Town Engineer and Sewer Maintenance Department Working Foreman have recommended the installation of additional sanitary sewer manholes in the Windwood Court area of Cedargrove Heights to facilitate the proper maintenance of the Town's sanitary sewer system, and

WHEREAS, monies have been budgeted under the Community Development Block Grant Program to provide for the installation of additional sanitary sewer manholes, and the Town Engineer has advised that plans and specifications have been completed and that the project is ready to solicit competitive bids, NOW, THEREFORE, BE IT

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RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the Installation of Sanitary Sewer Manholes in Windwood Court, said notice to be published in the CHEEKTOWAGA TIMES, the CHALLENGER, and THE BUFFALO NEWS, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 5th day of June, 1996 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers 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 5th day of June, 1996 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 the Installation of Sanitary Sewer Manholes and Restoration of Affected Areas in Windwood Court in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., 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. Copies may be secured at the Town Clerk's Office, Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York 14227 upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids will be refunded the full amount of the deposit. 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, 3301 Broadway Street, Cheektowaga, New York 14227 and marked as "Proposal for Installation of Cleanout Manholes and Restoration of Affected Areas in Windwood Court".

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 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.

Item No. 8a cont'd

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

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

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

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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 of Commence Work" has been issued.

BY ORDER OF: Richard M. Moleski
Town Clerk
Town of Cheektowaga

Dated: May 20, 1996



AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 8b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is sponsoring five (5) summer day camps for children (Camp Crabapple, Camp JI-IK-DO-WAH-GAH, Camp Flamingo and the Dartwood and Cedargrove Heights Variety Pak Camps), from July 8, 1996 through August 23, 1996, 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, Camp Flamingo, and the Dartwood and Cedargrove Heights Variety Pak Camp, 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 8, 1996 to August

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23, 1996; said notice to be published in the May 23, 1996 issue of the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bid proposals will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 11:00 a.m., Tuesday, June 4, 1996, 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 Tuesday, June 4, 1996.



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 Tuesday, June 4, 1996 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 8, 1996 through August 9, 1996. 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 the Alexander Day Camp's five weekly field trips to and from various points of interest in the Western New York area.

This packet also contains transportation requirements for the Cedargrove Heights, (located at the Cheektowaga Masonic Center, 97 Lucid) and the Dartwood Variety Pak camps (located at 222 Autumnwood). The transportation shall consist of one bus per site for seven weekly field trips to and from various points of interest in the Western New York area.

Also included in the Variety Pak Day Camp bid shall be daily bus transportation to and from the respective sites to the nearest town pool.

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 THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

Richard M. Moleski
Town Clerk



Item No. 8b cont'd

AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

MEETING NO. 11
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Item No 9 Motion by Councilmember Johnson, Seconded by Councilmember Wielinski

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on June 3, 1996 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 23rd day of May, 1996, said amendments being set forth in the Notice of Hearing.



NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on June 3, 1996 at 7:00 P.M., to consider the advisability of adopting amendments to

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Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

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

C. No parking here to corner

Hoerner Avenue East Side from the north curb line and south curblines of Doat Street to a point 40± feet north and south of the curblines of Doat Street for a distance of 40± feet.

ARTICLE XV

Truck Route System

§76-150. Trucks permitted

Section 76-150 shall be amended by deleting the following:

A. Delete the words "having a total gross weight in excess of five (5) tons"

B. Delete the words "having a total gross weight in excess of five (5) tons"

Section 76-150 shall be amended by adding thereto the following:

A. Add the words "having a total gross vehicle weight rating in excess of five (5) tons"

B. Add the words "having a total gross vehicle weight rating in excess of five (5) tons"

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

Dated: May 20, 1996.

RICHARD M. MOLESKI
Town Clerk



Item No. 9 cont'd

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
 Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

MEETING NO. 11
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Item No. 10 Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, on June 6, 1955 the Town Board of the Town of Cheektowaga adopted an ordinance now known as Chapter 65, Article II, of the Code of the Town of Cheektowaga setting forth specifications for the construction of sidewalks in the Town, and

WHEREAS, Section 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 22, 1996 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

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50% expense thereof against the property which abuts such sidewalk over a period of two (2) years, with interest at the rate of 6.00%, and BE IT FURTHER

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



NOTICE OF ADOPTION OF ORDER
OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE that, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on May 20, 1996, YOU ARE HEREBY ORDERED to repair the sidewalk in front of your property.

Such work must be completed on or before **June 22, 1996**.

In the event you choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done, and will audit and pay the expense of doing such work and assess 50% of the expense thereof (including interest at the rate of 6.00%) against your property in two (2) annual installments; this amount will be added to your Town tax bills for the next (2) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so on or before October 15, 1996. You will be notified of the amount you owe for sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$24.00 per 20-square foot block of sidewalk, which amount is one-half of the estimated total cost per block.

If you choose to perform the work yourself or have a contractor perform such work, be advised that you will be responsible for paying 100% of the cost of the sidewalk work (the Town will not pay 50% of the cost).

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

Dated: May 20, 1996

RICHARD M. MOLESKI
Town Clerk

Item No. 10 cont'd

AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES:	0
ABSENT:	0

**See next page(s) for attachments

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Item No. 11 Motion by Councilmember Jaworowicz, Seconded by Councilmember Wielinski

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation Loan to the owner of the property at 73 Marne Rd., Cheektowaga, New York, and

WHEREAS, said owner has applied for a mortgage loan through Fleet Bank for the purpose of refinancing his existing first mortgage, and

WHEREAS, Fleet Bank has conditioned its approval of the owner's mortgage on the subordination of the Town's mortgage to that of Fleet Bank, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Fleet Bank, 2825 Niagara Falls Blvd., Amherst, NY, 14228, in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at Marne Rd., Cheektowaga, NY 14215.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz
Councilmember Johnson

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WHEREAS, commercial development and redevelopment is continuously taking place in the Town of Cheektowaga, and various Town department, boards and committees must perform review of such proposed developments, and

WHEREAS, the Town Board has requested the Town Petitions Committee to study the development review process and to develop a flow chart which more clearly defines the development review process and depicts areas of responsibility and time lines for various involved departments, agencies, boards and committees, and

WHEREAS, the Petitions Committee has completed such study and has recommended approval of the attached flow chart which defines areas of responsibility and time frames for review, and, and

WHEREAS, this Town Board feels that this flow chart provides for a thorough development review while, at the same time, enhancing levels of communication and clearly defining the development review process to the business community and others, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby adopts the attached Development Review Process flow chart, to be used as a guide for developers and Town departments, committees, etc. to follow for the review of developments proposed in the Town of Cheektowaga.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 13 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, development and redevelopment of properties is continually taking place in the Town of Cheektowaga, and

WHEREAS, to protect the health, safety and welfare of Town residents and to enhance the aesthetics of the Town, Town laws provide for the review of such development/redevelopment by Town departments, boards and committees, and

WHEREAS, the Planning Board is tasked with the review and/or approval of site plans and landscape plans, and

WHEREAS, at present, no fee is charged to an applicant for this review, and

WHEREAS, the Town Petitions Committee has discussed the imposition of fees for landscape and site plan review, and has recommended that this Town Board establish the fees listed for such review, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby adopts and approves the following fees to be charged to developers/applicants for landscape/site plan review:

Parcels under five (5) acres	\$100 fee
Parcels five (5) to Ten (10) acres	\$200 fee
Parcels over ten (10) acres	\$300 fee

and BE IT FURTHER

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RESOLVED that these fees shall be effective immediately

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilmember Johnson, Seconded by Councilmember Wielinski

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 Cheektowaga Southside Little League has made application to hold a parade on Saturday, June 1, 1996 on William Street at Medina Street; then proceeding east on William Street to Standard Parkway; then proceeding north on Standard Parkway to Wojcik Street; then right on Wojcik Street to ITT Standard property, and

WHEREAS, this Board has reviewed the application submitted by Cheektowaga Southside Little League, which application has been approved by the Police Department, and has no objection to same, and

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

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 Cheektowaga Southside Little League for its parade to be held on June 1, 1996, and BE IT FURTHER

Item No. 14 cont'd

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.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, by resolution dated October 16, 1995, the Town entered into an agreement with the County of Erie for the lease of 55± acres owned by the County and located on Cayuga Creek Road around the Overflow Retention Facility, and

WHEREAS, said resolution stated that the annual rental fee of \$500.00 would be appropriated from budget line item number 0100-7170-4387, NOW, THEREFORE, BE IT

RESOLVED that said resolution dated October 16, 1995 be and hereby is amended to state that the account number to be charged for the annual rental fee shall be 0100-7110-4433.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

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

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WHEREAS, the Youth and Recreational Services Department's Dartwood Travel Club program has requested permission to conduct an overnight campout on June 14th and 15th, 1996 at the Alexander Community Center, and

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed", NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, and that said waiver be extended to the Cheektowaga Youth and Recreation's Dartwood Travel Club Program for the use of the Alexander Community Center and park, June 14th and 15th, and BE IT FURTHER

RESOLVED that a copy of said resolution be forwarded to the Chief of Police, Patrol Lieutenants (4:00 p.m. - midnight; midnight to 8:00 a.m.) and the Facilities Department.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilmember Wielinski, Seconded by Councilmember Swiatek

BE IT RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to remove one (1) 8500 lumen, 100 watt H.P.S. luminaire on Pheasant Lane L-3474, P-10-1 replacing same with a 14,400 lumen 150 watt H.P.S. luminaire, to improve the illumination of the cul-de-sac resulting in an annual increase to the General Lighting District in the amount of \$26.02 in accordance with the attached NYSEG proposal dated April 30, 1996.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

*See next page(s) for attachment

Item No. 18a Motion by Councilmember Swiatek, Seconded by Councilmember Wielinski

WHEREAS, the Town of Cheektowaga has served with an improper practice charge by the Town of Cheektowaga Employees Association and such matter is pending before the Public Employees Relations Board (PERB Case No. U-17728), and

WHEREAS, the Town is in need of special counsel to handle this matter, which requires special expertise in the area of labor law, and

WHEREAS, the law firm of Ferrara, Fiorenza, Larrison, Barrett & Reitz, P.C., possesses the necessary expertise and experience in handling matters before PERB and has submitted a proposal to the Town to represent the Town in this matter, NOW, THEREFORE, BE IT

RESOLVED that the firm of Ferrara, Fiorenza, Larrison, Barrett & Reitz, P.C., 5010 Campuswood Drive, East Syracuse, New York 13057 be and hereby is retained to represent the Town in PERB Case No. U-17728, as per the terms of the attached letter dated May 8, 1996, and BE IT FURTHER

RESOLVED that moneys for such legal services shall be appropriated from budget line item number 0100-1430-4502.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

* See next page(s) for attachments

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Item No. 18b Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Town annually performs maintenance and improvements projects on Slate Bottom Creek, Scajaquada Creek, Cayuga Creek, Ellicott Creek, various detention basins and a number of drainage tributaries utilizing the Equipment & Operators for Maintenance and Installation of Drainage and Erosion Control Projects Bid, in order to maintain the flood carrying capacity and efficiency of these drainage systems, and

WHEREAS, the Town of Cheektowaga further has an agreement with the New York State Department of Environmental Conservation for the maintenance of Scajaquada Creek and its tributaries, mandating annual erosion control activities, and

WHEREAS, there is a continuing need for the services of an erosion control specialist to effectively assess and implement a successful erosion control and drainage system maintenance and improvement program, and

WHEREAS, Merriman Conservation Consultants has been found to be qualified to perform such services, 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 (\$30.00) per hour for said services, and BE IT FURTHER

RESOLVED that payment for said professional service in an amount not to exceed \$11,500 shall be made only where authorized by the Town Engineer and that services are chargeable to Account No. 4000-8140-4581 and BE IT FURTHER

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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.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilmember Swiatek, Seconded by Councilmember Wielinski

BE IT RESOLVED that the following Seasonal and/or Part-Time employees be and hereby are terminated as listed:

EFFECTIVE

RECYCLING DEPARTMENT

Joseph Walkowski XXXXXXXXXXXXXXXX Immediately

POLICE DEPARTMENT

Laurie Imiola XXXXXXXXXXXXXXXXXXXX 5/8/96

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilmember Swiatek, Seconded by Councilmember Wielinski

WHEREAS, the Cheektowaga Action Partnership has received funding through the U.S. Department of Health and Human Services Center for Substance Abuse Prevention under the Suburban Wellness Coalition Grant (Grant #SPO7663-01) for the creation of the position of Project Director, and

IT WHEREAS, said grant requires the creation of said position, NOW, THEREFORE, BE

RESOLVED that the position of Project Director under the Suburban Wellness Coalition Grant, be and hereby is created for the Cheektowaga Action Partnership, effective immediately.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 21a Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Real Property Appraiser Technician in the Assessor's Office, and

WHEREAS, notice of said vacancy was posted pursuant to the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, and

WHEREAS, there is no valid Civil Service list for the title of Real Property Appraiser Technician, and

WHEREAS, Dennis G. Kryzstofowicz applied for said vacancy, was interviewed and meets the qualifications for said position, NOW, THEREFORE, BE IT

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RESOLVED that Dennis G. Krysztofowicz of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Real Property Appraiser Technician in the Assessor's Office, on a provisional basis, pending the establishment of a valid Civil Service examination list for said position, and as set forth by the terms and conditions of the agreement between the Town and the Town of Cheektowaga Employees Association, effective May 21, 1996.



Motion by Councilmember Wielinski, Seconded by Councilmember Jaworowicz to amend the above resolution, and the voting was as follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Amended resolution is as follows:



Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Real Property Appraiser Technician in the Assessor's Office, and

WHEREAS, notice of said vacancy was posted pursuant to the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, and

Item No. 21a cont'd

WHEREAS, there is no valid Civil Service list for the title of Real Property Appraiser Technician, and

WHEREAS, Dennis G. Krysztofowicz applied for said vacancy, was interviewed and meets the qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that Dennis G. Krysztofowicz of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Real Property Appraiser Technician in the Assessor's Office, on a provisional basis, pending the establishment of a valid Civil Service examination list for said position, and as set forth by the terms and conditions of the agreement between the Town and the Town of Cheektowaga Employees Association, effective May 28, 1996.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 21b Motion by Councilmember Swiatek, Seconded by

WHEREAS, a vacancy exists in the position of laborer in the Sanitation Department, and

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

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

RESOLVED that Timothy Jaworowicz of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Laborer in the Sanitation Department in

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accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective May 21, 1996.



Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Amended resolution is as follows:



Motion by Councilmember Swiatek, Seconded by Councilmember Wielinski

WHEREAS, a vacancy exists in the position of laborer in the Sanitation Department,
and

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

WHEREAS, Timothy Jaworowicz, a permanent Town employee, currently employed
as a temporary Laborer in the Sanitation Department, bid on said vacancy and meets all the necessary
qualifications, NOW, THEREFORE, BE IT
Item No. 21b cont'd

RESOLVED that Timothy Jaworowicz of XXXXXXXXXXXXXXXX, Cheektowaga, New
York XXXXX be and hereby is appointed to the position of Laborer in the Sanitation Department in
accordance with the terms and conditions of the Town's collective bargaining agreement with the Town
of Cheektowaga Employees Association, effective May 21, 1996.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski
to dispense with the read of the names on the following resolution, Item No. 23, and
the voting was as follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Item No. 22 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following employees be transferred as indicated:

POOLS

Beach and Pool Supervisor - 7180.1902

From Supervisor IV to Supervisor V - \$8.00 (Town Park)

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Keith Stachura XXXXXXXXXXXXXXXXXXXXXXXX

Special Program Director - \$9.60

Catherine Giles XXXXXXXXXXXXXXXXXXXXXXXX

From Part-time to Seasonal
(Effective May 27th)

Beach and Pool Supervisors - 7180.1902

Supervisor - (Maryvale) - \$8.90

Michelle Kunkel XXXXXXXXXXXXXXXXXXXXXXXX

THEATRE WORKSHOP

7140.1651

From Part-time to Seasonal
(Effective May 20th)

From Recreation Supervisor IX to Recreation Supervisor X - \$7.75

Thomas T. Kazmierczak XXXXXXXXXXXXXXXXXXXXXXXX

From Recreation Supervisor VIII to Recreation Supervisor IX - \$7.50

Bonnie Nowicki XXXXXXXXXXXXXXXXXXXXXXXX

Item No. 22 cont'd

From Recreation Specialist III to Recreation Specialist IV - \$5.50

Leanne Ventura XXXXXXXXXXXXXXXXXXXXXXXX

From Part-time to Seasonal
(Effective June 10th)

Joe Bucheker XXXXXXXXXXXXXXXXXXXXXXXX

From Recreation Attendant IV to Recreation Attendant V - \$5.25

Camille Kazmierczak XXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant I to Recreation Attendant II - \$4.50

Tim Hinkley XXXXXXXXXXXXXXXXXXXXXXXX

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek

NAYES: 0

ABSENT: 0

Item No. 23 Motion by Councilmember Swiatek, Seconded by Councilmember Wielinski

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

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1491)

John Topolski XXXXXXXXXXXXXXXXXXXX, Depew, XXXXX Immediately

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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak
To dispense with the reading of the names in the following resolution, Item No. 24a,
and the voting was as follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Item No. 24a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be hired as seasonal employees in the
Youth and Recreation Department, effective May 20, 1996:

Item No. 24a cont'd

POOLS

Beach and Pool Supervisors - 7180.1902

Head Lifeguard - \$7.00
(Dingens)

Kimberly Kubiak XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Head Lifeguard - \$7.30

Amy Garbacz XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Supervisor - \$7.35
(Dingens)

Kurt Hansen XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Head Lifeguard - \$7.50

Jackie Hauser XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Supervisor - \$7.65
(Town Park)

Brian Gould XXXXXXXXXXXXXXXXXXXXXXXX

Lifeguards - 7180.1903

Level I - \$4.75

Penny Armitage	XXXXXXXXXXXXXXXXXXXXXXXXXX
Cathleen Cramer	XXXXXXXXXXXXXXXXXXXXXXXXXX
Jennifer Garcea	XXXXXXXXXXXXXXXXXXXXXXXXXX
Jill Glijer	XXXXXXXXXXXXXXXXXXXXXXXXXX
Erik Hansen	XXXXXXXXXXXXXXXXXXXXXXXXXX
Julie Isch	XXXXXXXXXXXXXXXXXXXXXXXXXX

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Stephanie Ketterl	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Tamara Krawczyk	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Sharon Kreil	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Lori Owens	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jason Peters	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jennifer Sielski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Elizabeth Senski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Alexandra Ziolo	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Level I (WSI) - \$5.00

Elizabeth Czajkowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Level I - \$4.75 - (Alternates)

Sharon Noworyta	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Darcy Ragione	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jonathan Owens	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jonathan Bialek	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kenneth Duke	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Juliette Nowak	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Glen Kowalski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Carisa Nowak	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Item No. 24a cont'd

Level II - \$5.00

Mike Barnhard	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jennifer Dembinski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kristen Howlett	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Beth Kawczynski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kristopher Kubiak	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Darryl Lindell	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Mark Przybysz	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Tim Skrzydlewski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Level III - \$5.50

Heather DeSimone	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Dorothy Wojcik	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Level IV - \$6.00

Sara Garcea	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Renee' Kazukiewicz	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Tony Pawlowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Level IV (WSI) - \$6.25

Kathleen Kriel	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Level V - \$6.25

Margaret Brezowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Michael Wyse	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Level V (WSI) - \$6.50

Eric Kazukiewicz	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Level VI - \$6.75

Greg Bean	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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YCC - SUPERVISION

Crew Supervisor - Level I - \$8.10 - (7310.1811)

Kristy Szprygada XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Crew Supervisor - Level II - \$8.25

Chris Dukat XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Michael Murphy XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Youth Leaders - \$5.60

Anthony Kalisz, III XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
John Kulesz XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Erin Wisniewski XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Item No. 24a cont'd

DAY CAMPS

Camp Flamingo - 7310-1810

Recreation Attendant I (Counselor I) - \$4.25

Kathryn Astran XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Breanne Blachura XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Stacy Buda XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Natalie Brucz XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Emily Caya XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Mindy Kieser XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Nicole Pokorski XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Sara Sinclair XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Daniel Shantler XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant II (Counselor II) - \$4.50

Sarah Broton XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Stacey Getz XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Howard Schnauffer XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kevin Tomaka XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant III (Counselor III) - \$4.75

Rebecca Deuel XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jennifer Popiela XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kerrie Rich XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kelly Szczublewski XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant IV (Counselor IV) - \$5.00

Mikal Murray XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Joy Piwowarski XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Camp JI-IK-DO-WAH-GAH - 7310.1801

Recreation Attendant II (Counselor II) - \$4.50

Melissa Gon XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Andy Montroy XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

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Recreation Attendant III - (Counselor III) - \$4.75

Sara Caya	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jeffrey Hendel	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Donna Quigley	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant IV - (Counselor IV) - \$5.00

Amy Conner	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Camp Crabapple - 7310.1802

Recreation Attendant IV - (Counselor IV) - \$5.00

Donna Jurykowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Dartwood Camp - 7140.1632

Recreation Attendant I (Counselor I) - \$4.25

Tracy L. Liegl	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Item No. 24 cont'd

Recreation Attendant II (Counselor II) \$4.50

Shannon DiSanto	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Gina Indelicato	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant IV (Counselor IV) - \$5.00

Angela Wojcik	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Claudia Zavatti	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Cedargrove - 7140.1631

Recreation Attendant I (Counselor I) - \$4.25

Jamielynn Hoffman	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Recreation Attendant II (Counselor III) - \$4.50

Karen Magierski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Julie Stetter	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant III (counselor III) - \$4.75

Christine Schwartz	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Renee Szarzynski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

THEATRE WORKSHOP - 7140.1651

Recreation Attendant II - \$4.50

Adam Andrew Kowalyk	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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SOCCER - 7140.1636

Recreation Attendant I - \$4.25

Marisa Fallacaro	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
David Kurneta	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant II - \$4.50 (7140.1636)

Chris Bandura	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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NEW PROGRAMS - 7140.1813

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Recreation Attendant I - \$4.25

Teri-Ann Duszynski XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant IV - \$5.00

Steve Ciemcioch XXXXXXXXXXXXXXXXXXXXXXXXXXXX

TENNIS - 7140.1813

Program Coordinator II - \$6.75

James R. Domzalski XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Instructor VII - \$6.00

Elizabeth Snyder XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Item No. 24a cont'd

LACROSSE - 7140.1625

Program Coordinator I - \$6.50 - (Part-time)

Patrick Lally XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Leader III - \$5.75 (Part-time)

Joshua Johnson XXXXXXXXXXXXXXXXXXXXXXXXXXXX

and BE IT FURTHER

RESOLVED that the following individual, presently employed in line item 7140.1664 also be hired as indicated (seasonal, effective May 27th):

NEW PROGRAMS - 7140.1813

Recreation Attendant IV - \$5.00)

Tammy Ozolins XXXXXXXXXXXXXXXXXXXXXXXXXXXX

and BE IT FURTHER

RESOLVED that the following individual, presently employed in line item 7140.1614 also be hired as indicated (seasonal, effective May 27th):

DAY CAMPS

Dartwood - 7140.1632

Supervisor V (Activity Director III) - \$6.50

Michael Smith XXXXXXXXXXXXXXXXXXXXXXXX

and BE IT FURTHER

RESOLVED that the following individual, presently employed in line item 7140.1613 also be hired as indicated (seasonal, effective May 27th):

Cedargrove - 7140.1631

Supervisor V (Activity Director III) - \$6.50

Shawn Ryan XXXXXXXXXXXXXXXXXXXXXXXX

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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 24b Motion by Councilmember Swiatek, Seconded by Councilmember Wielinski

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)

Keith Hansen	XXXXXXXXXXXXXXXXXXXX Depew, XXXXX	Immediately
Christian Wojciechowski	XXXXXXXXXXXXXXXXXXXX, Depew, XXXXX	Immediately

Item No. 24b cont'd

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 25a Motion by Councilmember Wielinski, 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, NY on May 28 and May 29, 1996, and

WHEREAS, Chief Chamberlin is requesting permission to send the following officers to this training: Lt. John Glascott, Sergeants Jerry Jankowski and Jim Speyer; Detectives Jerry Grant, Tom Wentland and Russ Paul; Police Officers Dan Smith, Dan Kean, Don Strozyk, Larry Bauer, Scott Grant, Tom Allen, Carl Hendel and Lee Ruth 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, NY. The Police Department will be responsible for range fee, meals, lodging and travel expenses amounting to approximately \$1,000.00. 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 and 0100-3120-4085.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 25b Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, Ithaca College is hosting Basic Law Enforcement Mountain Bike Patrol training on June 3 - 7, 1996 at Ithaca College in Ithaca, NY, and

WHEREAS, Chief Chamberlin is requesting authorization to send Bike Patrol Officers Donald Strozyk and Scott Scharlau to this training. 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.

WHEREAS, the police department will be responsible for meals, transportation and certification fees amounting to approximately \$235.00. The tuition and lodging amounting to \$475.00 will be covered by the Bicyclist Education and Enforcement Project Grant awarded to the Police Department by the Governor's Traffic Safety Committee, NOW, THEREFORE, BE IT

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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 0100-3120-4025 and 0100-3120-4085.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 25c Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, the International Hazardous Material Spills Conference will be conducted in New Orleans, LA on June 26 through June 27, 1996, and

WHEREAS, Matthew D. Kawczynski, Fire Inspector for the Town of Cheektowaga, has requested permission to attend such conference on June 25-28, 1996, and

Item No. 25c cont'd

WHEREAS, such conference will provide the Town's Fire Inspector with up-to-date information and legislation on fire prevention and control of hazardous materials, and

WHEREAS, Matthew D. Kawczynski will attend such conference at no cost to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Matthew D. Kawczynski be and is hereby authorized to attend the International Hazardous Material Spills Conference on June 25-28, 1996.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 25d Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

WHEREAS, the South Central Research Library Council is offering a seminar on "An Introduction to Arrangement and Description of Historical Records" at the South Central Research Library Council Annex in Ithaca, NY from June 18-19, 1996, and

WHEREAS, the seminar training is designed to enhance the knowledge, understanding and use of Records and Archival Management, and

WHEREAS, the Town is in need of a more enhanced system of the management of archival records, thereby making the seminar beneficial to its needs, and

WHEREAS, Richard M. Moleski, Town Clerk has requested that Mary F. Holtz, Deputy Town Clerk and Lisa-Marie DeMont, Records Inventory Clerk, attend said seminar, NOW, THEREFORE, BE IT

RESOLVED that Mary F. Holtz and Lisa-Marie DeMont be and hereby are authorized to attend said conference, and BE IT FURTHER

RESOLVED that the cost of said conference will not exceed \$250.00 for hotel accommodations, registrations, meals and mileage to be charged to the S.A.R.A. Grant, Account No. 0100-1415-9000.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Supervisor's Statement of Funds - April, 1996
Received and Filed

**MEETING NO. 11
May 20, 1996**

Item No. 27 Cheektowaga Traffic Safety Commission - Minutes of April 6, 1996
Received and Filed

IV. GENERAL COMMUNICATIONS

Item No. 28a Notice of Claim - Elizabeth Reed vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Sanitation Department.
Received and Filed.

Item No. 28b Notice of Claim - Nationwide Ins., subrogee of David & Susan Taggart vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Sanitation Department.
Received and Filed.

Item No. 28c Notice of Claim - Carol Klepfer vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Sewer Maintenance Department; Highway Department.
Received and Filed.

Item No. 28d Notice of Claim - Donald Rockey vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Allied Claims, Insurance Company, Sewer Maintenance Department.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Supervisor Gabryszak, Seconded by Councilmember Blachowski to suspend the rules to include the following two (2) items and the voting was as follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Item No. 29 Motion by Supervisor Gabryszak, Seconded by Councilmember Wielinski

WHEREAS, Cub Scout Pack #618 has requested permission to conduct an overnight campout on Saturday, June 1, 1996 to Sunday, June 2, 1996 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 1, 1996 and June 2, 1996, and BE IT FURTHER

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

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0

MEETING NO. 11
May 20, 1996

ABSENT: 0

Item No. 30 Motion by Supervisor Gabryszak, Seconded by Councilmember 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 North Cheektowaga Amateur Athletic Association has made application to hold a parade on Sunday, June 2, 1996 on Nagel Drive from the Maryvale Primary

Item No. 30 cont'd

School to George Urban Boulevard; thence west on George Urban Boulevard to the Tops Supermarket Plaza back parking lot, and

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Amateur Athletic Association, which application has been approved by the Police Department, and has no objection to same, and

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

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 North Cheektowaga Amateur Athletic Association for its parade to be held on June 2, 1996, 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.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Supervisor Gabryszak, Seconded by Councilmember Wielinski to adjourn the meeting in memory of James Matecki, Director of Facilities Department Town of Cheektowaga., and Jean Wisniewski, Seniors Group Leader, South Branch Library.
Meeting was adjourned at 8:45 P.M.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
JUNE 3, 1996**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of June, 1996 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirsits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; William Pugh, Town Engineer; Ronald Marten, Building and Plumbing Inspector; William Conway, Sole Assessor; Robert Kaczmarek, Supervising Accountant and Kenneth Kopacz, Director of Youth and Recreational Services.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

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

C. No parking here to corner

Hoerner Avenue East Side from the north curb line and south curblane of Doat Street to a point 40± feet north and south of the curblane of Doat Street, for a distance of 40± feet.

ARTICLE XV

Truck Route System

§76-150. Trucks permitted

Section 76-150 shall be amended by deleting the following:

A. Delete the words "having a total gross weight in excess of five (5) tons"

B. Delete the words "having a total gross weight in excess of five (5) tons"

Section 76-150 shall be amended by adding thereto the following:

A. Add the words "having a total gross vehicle weight rating in excess of five (5) tons"

B. Add the words "having a total gross vehicle weight rating in excess of five (5) tons"

Item No. 2 cont'd.

MEETING NO. 12
June 3, 1996

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

II. RESOLUTIONS

Item No. 3 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

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

GENERAL FUND

From:	0100-1415-4001	Purchased Services/Sara Grant	\$ 5,151.00
	0100-9501-9211	Bond Interest	300.00
To:	0100-1415-2000	Equipment/Sara Grant	\$ 5,151.00
	0100-6510-4311	Veterans Services	300.00

CAPITAL FUND

From:	5309-1910-9399	Administration	\$13,000.00
To:	5309-7110-9374	Stiglmeier Park Improvement	\$13,000.00

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski, and Swiatek

NAYES: 0

ABSENT: 0

Item No. 4 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to May 31, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$254,665.50
HIGHWAY FUND	65,309.52
TRUST & AGENCY FUND	20,126.33
PART TOWN FUND	6,807.74
RISK RETENTION FUND	5,979.00
CDBG HUD FUND	118.85
HUD HOUSING REHABILITATION FUND	1,117.00
SPECIAL DISTRICTS FUND	100,220.37
CAPITAL FUND	<u>12,275.08</u>
	\$466,679.39

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek

NAYES: 0

ABSENT: 0

Item No. 5 Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, by Town Board resolution dated May 21, 1984, Local Law No. 2 of the Year 1984 entitled "A Local Law Relating to Sewer Use" was adopted, AND

WHEREAS, in order that the provisions of this local law be consistent with current regulations and specifications developed by the Erie County Department of Environment and Planning, Division of Sewage Management, in County Sewer District No. 1 pertaining to the

Item No. 5 cont'd

construction of building service laterals, the Town Engineer and Plumbing Inspector have recommended that this local law be amended, AND

MEETING NO. 12
June 3, 1996

WHEREAS, a draft of such amendment in line with the County regulations, has been prepared by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 17th day of June, 1996 at 7:00 PM at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law to Amend A Local Law Relating to Sewer Use" and, BE IT FURTHER

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



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that pursuant to the Municipal Home Rule Law of the State of New York a Public Hearing will be held before the Town Board of the Town of Cheektowaga, on the 17th day of June, 1996 at 7:00 p.m. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 96-4 of the Year 1996, entitled "A Local Law to Amend the Local Law Relating to Sewer Use." A brief description on the contents of Local Law Intro No. 4 of the Year 1996 is as follows:

Town of Cheektowaga

Local Law Intro No. 96-4 of the Year 1996

A local law to amend Section 6 of the Local Law Relating to Sewer Use, entitled "Building Sewer Elevation" to provide that the building sewer lateral shall be brought to a building through the foundation wall above the basement floor.

A copy of the complete text of "Local Law Intro No. 96-4 of the Year 1996" shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

Dated: June 3, 1996

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

RICHARD M. MOLESKI
Town Clerk



Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 6 Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Digester Conversion Project at Plant #5, which bids were duly received and opened on May 1, 1996, AND

MEETING NO. 12
June 3, 1996

WHEREAS, said bids were referred to the Town Engineer and to Nussbaumer & Clarke, Inc., Project Consulting Engineers, for analysis, tabulation and report, which analysis, tabulation and report outlined the receipt of one (1) bid for Contract "A" (General Construction), one (1) bid for Contract "C" (Heating, Ventilating & Air Conditioning), two (2) bids for Contract "B" (Plumbing) and two (2) bids for Contract "D" (Electrical), AND

WHEREAS, by resolution dated May 6, 1996 this Town Board rejected the bids for Contract "A" (General Construction) and for Contract "C" (HVAC) and authorized the rebid of said contracts, AND

WHEREAS, a Notice to Bidders was published for the rebid of Contracts "A" and "C" with bids being received on May 22, 1996 at 11:00 A.M., AND

WHEREAS, the Town received two (2) bids for Contract "A" (General Construction) and two (2) bids for Contract "C" (HVAC), AND

WHEREAS, said bids were referred again to the Town Engineer and to Nussbaumer & Clarke, Inc., Consulting Engineers, for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated May 29, 1996, AND

WHEREAS, said report recommends that Contract "A" (General Construction) be awarded to The Chesley Corporation, 28 Garden Avenue, West Seneca, New York 14224, Contract "B" (Plumbing) be awarded to M.K.S. Plumbing Corporation, 19 Ransier Drive, West Seneca, New York 14224, Contract "C" (HVAC) be awarded to Peerless Air Conditioning and Heating Company, 24 Lansing Street, Buffalo, New York 14207 and Contract "D" (Electrical) be awarded to Lackawanna Electric & Construction Company, Inc., 3021 Baker Road, Orchard Park, New York 14127 for their submission of the lowest bids meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that Contract "A" (General Construction) be and is hereby awarded to The Chesley Corporation at a bid price of \$107,300.00 said bid being the lowest meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that Contract "B" (Plumbing) be and hereby is awarded to M.K.S. Plumbing Corporation for the bid price of \$4,789.00, said bid being the lowest meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that Contract "C" (HVAC) be and hereby is awarded to Peerless Air Conditioning & Heating Company at a bid price of \$17,467.00, said bid being the lowest meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that contract "D" (Electrical) be and hereby is awarded to Lackawanna Electric & Construction Company, Inc. for the bid price of \$31,343.00, said bid being the lowest meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute said agreements with The Chelsey Corporation for Contract "A", with M.K.S. Plumbing Corporation for Contract "B", with Peerless Heating and air Conditioning Company for Contract "C" and with Lackawanna Electric & Construction Company, Inc. for Contract "D" and, BE IT FURTHER

RESOLVED, that funding for said project shall be chargeable to Account #5806.8135-1100 for said digester conversion work.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski, and Swiatek

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7 Motion By Councilmember Johnson Seconded by Councilmember 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

MEETING NO. 12
June 3, 1996

WHEREAS, the War of 1812 Board of Trustees has made application to hold a parade and commemoration activities on Sunday, June 9, 1996 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, AND

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

1. Submittal of insurance certificate and signed "Insurance Required of Organizations Funded by or Using Town Facilities" for
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 and commemoration activities to be held on June 9, 1996, 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, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 8 Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, with respect to an addition constructed in 1994 to a building at 3370 Broadway, the Town Planning Board, pursuant to the landscaping provisions of the Zoning Law, required the owner of such property to post certified funds in the amount of \$2,500.00 to guarantee completion of the required landscaping on such property, AND

WHEREAS, such landscaping work was never completed, AND

WHEREAS, the owner of such property initiated an action in Small Claims Court to obtain the return of his landscape deposit, and the Court awarded a judgment in favor of the owner and against the Town, AND

WHEREAS, the Supervising Building and Plumbing Inspector has recommended that this matter be appealed, NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney's Office be and hereby is authorized and directed to take all necessary steps to appeal the decision rendered in Small Claims Court with respect to the above matter.

Item No. 8 cont'd.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

MEETING NO. 12
June 3, 1996

Item No. 9 Motion By Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga, as a member of the Amherst-Cheektowaga-Tonawanda HOME Consortium, has budgeted funds for a First-Time HomeBuyers Program under the HOME Investment Partnership Program, AND

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

WHEREAS, the goal of the First-Time HomeBuyers Program is to expand homeownership opportunities for credit-worthy low-to-moderate income households, 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 First-Time HomeBuyers Program, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby establishes a First-Time HomeBuyers Program under the HOME Investment Partnership Program and adopts the attached Guidelines for said Program.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 10 Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, Sonwil Distribution, Inc. has made application to the Town for a building Permit to construct a manufacturing/warehouse building at 350 Sonwil Drive in the Town, AND

WHEREAS, the portion of Sonwil Drive on which the proposed building would front has not yet been improved or accepted as a Town highway, AND

WHEREAS, sanitary sewers are already constructed along Sonwil Drive in front of 350 Sonwil Drive, AND

MEETING NO. 12
June 3, 1996

WHEREAS, Section 13-13 of the Building Construction Administration Ordinance states that no building permit shall be issued unless a public highway and a waterline are in place, or, in lieu of such utilities being in place, the applicant must submit the following to the Town:

1. a surety bond in an amount fixed by the Town Board guaranteeing that the highway will be constructed within six (6) months after the issuance of the building permit and that all other provisions of Chapter 13 of the Town Code will be fully complied with;
2. satisfactory proof that a contract has been entered into with the Erie County Water Authority ("ECWA") for the construction of a waterline in the highway;

AND,

WHEREAS, pursuant to the terms of an agreement dated February 7, 1994, plans and specifications for this portion of Sonwil Drive were approved, AND

WHEREAS, the owners of the property had heretofore submitted a performance bond in the amount of \$24,500.00 to guarantee construction of the extension of Sonwil Drive and required utilities, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, based on authority found in Section 13.13.B. of the Building Construction Administration Ordinance, approves the issuance of a building permit to Sonwil Distribution, Inc. for the construction of a manufacturing/warehouse building at 350 Sonwil Drive, conditioned on the following:

1. Proof of agreement with the Erie County Water Authority for the installation of water lines;
2. Approval of plans by the Town Building Inspector;
3. This extension of Sonwil Drive shall be completed and conveyed to the Town within six (6) months from the date of this resolution.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES: 0
ABSENT: 0

Item No. 11 Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Public Improvement Permit Ordinance of the Town of Cheektowaga requires that all improvements that are to be dedicated to the Town and be maintained by the Town be installed under a Public Improvement Permit, AND

WHEREAS, Sonwil Distribution, Inc. ("Sonwil"), the developer of the Sonwil Industrial Park, has submitted the required Public Improvement Permit application, plans and specifications for the construction of the extension of Sonwil Drive to service 350 Sonwil Drive, AND

WHEREAS, pursuant to the terms of an agreement between the Town and Sonwil Distribution, Inc. dated February 7, 1994, the PIP fees for such roadway extension are to be waived due to the fact that Sonwil's engineers, Nussbaumer & Clarke, Inc., will provide the necessary certification to the Town, NOW, THEREFORE, BE IT

Item No. 11 cont'd.

RESOLVED, that this Public Improvement Permit be approved for the extension of Sonwil Drive to service 350 Sonwil Drive and, BE IT FURTHER

RESOLVED, that, based on the applicant's engagement of an engineering consultant for the provision of inspection and certification acceptable to the Town Engineer and Town Superintendent of Highways, and in accordance with the February 7, 1994 agreement, the permit fee which is meant to reimburse the Town for inspection shall therefore be waived.

Upon roll call

MEETING NO. 12
June 3, 1996

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 12 Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, abandoned structure (single family dwelling) at 1689 Kensington Avenue, Cheektowaga, New York, SBL #79.20-8-4 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors Office is owned by Shamrock Enterprises Incorporated, 1689 Kensington Avenue, Buffalo, New York 14215-1412, AND

WHEREAS, these conditions require that the Town of Cheektowaga Building Inspections Department take immediate steps to safeguard and secure east side entrance door in this vacant 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, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 13 Motion By Councilmember Swiatek, Seconded by Councilmember Jaworowicz

WHEREAS, the Cheektowaga Engineering Department has requested authorization to purchase one (1) Oldsmobile Ciera, to replace a 1985 Chevrolet Celebrity, as specified in State Contract No. P010667, in the total amount of \$13,082.20, AND

WHEREAS, funds for said purchase have been budgeted and are available from Account No: 2500-8125-2516, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Engineering Department to purchase one (1) Oldsmobile Ciera from

Allstar Motor Car Corp.
2202 Route 50 South
Saratoga Springs, New York 12866

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 14a Motion By Councilmember 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 1996, AND

WHEREAS, this arrangement permits the Department of Youth and Recreational Services to offer 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 attached agreement and payment of a \$725.00 rental fee to the Town, NOW, THEREFORE, BE IT

MEETING NO. 12
June 3, 1996

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

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 14b Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth and Recreation Department is sponsoring the Cedargrove Heights Variety Pak Camp, a day camp for children in the Cedargrove and surrounding areas, AND

WHEREAS, the Camp is being held in the Cheektowaga Masonic Center, 97 Lucid Drive, Cheektowaga, New York 14225, BE IT

WHEREAS, the Youth and Recreation Department and the Cheektowaga Masonic Center have agreed to terms of a rental fee of \$1,500.00 for the seven week period, BE IT

RESOLVED, that the Supervisor be authorized to sign an agreement between the Town of Cheektowaga and the Cheektowaga Masonic Center for the period of July 8, 1996 - August 23, 1996.

MEETING NO. 12
June 3, 1996

BUDGET LINE: 7140.4516

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 14c Motion By Councilmember Jaworowicz, 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 of 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 located at 14 Ming Court in an amount not to exceed \$36,000, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement, and any other necessary related documents, with the owner of 14 Ming Court, Cheektowaga, New York, for a housing rehabilitation loan in an amount not to exceed \$36,000.00

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 15 Motion By Councilmember Wielinski, Seconded by Councilmember Jaworowicz

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)/attendants(s), and has recommended that the Town Board issue such licenses.

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the 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.

Item No. 15 cont'd.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 12
June 3, 1996

Item No. 16a Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be terminated from the Youth and Recreational Services Department (seasonal/part-time):

Scott Callen
Brooke Nagowski
James Ruzewski
Constance Stewart

Upon roll call

AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski, and Swiatek
NAYES;	0
ABSENT:	0

Item No. 16b Motion By Councilmember Swiatek, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the following Seasonal and/or Part-Time employees be and hereby are terminated as listed:

EFFECTIVE

RECYCLING DEPARTMENT

Christian Wojciechowski	XXXXXXXXXXXXX	Immediately
John Strong	XXXXXXXXXXXXXXXXX	"

SANITATION DEPARTMENT

Mike Schmidt	XXXXXXXXXXXXXXXXX	Immediately
Kenneth Maksymik	XXXXXXXXXXXXXXXXX	"

FACILITIES DEPARTMENT

Dawn Matecki	XXXXXXXXXXXXXXXXX	Immediately
John Topolski	XXXXXXXXXXXXXXXXX	"
Kenneth Bednasz	XXXXXXXXXXXXXXXXX	"

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: 0



MOTION BY COUNCILMEMBER ROGOWSKI, SECONDED BY SUPERVISOR GABRYSZAK TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 17, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek

NAYES; 0

ABSENT: 0



Item No. 17 Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be transferred/upgraded as indicated (seasonal, effective June 10th):

DAY CAMPS

From Adapted Recreation - 7310.1803 to Camp Flamingo - 7310.1810

Recreation Attendant IV (Counselor - \$5.00)

Timothy Isch	XXXXXXXXXXXXXXXXX	XXXXX
Ronn Whitehead	XXXXXXXXXXXXXXXXX	XXXXX

Recreation Attendant V (Senior Counselor I) \$5.25

Amy Zakrzewski	XXXXXXXXXXXXXXXXX	XXXXX
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From Adapted Recreation - 7310.1803 to Camp Crabapple - 7310.1802

Recreation Attendant II (Counselor II) - \$4.50

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Gayle Bosiacki	XXXXXXXXXXXXXXXXXXXX	XXXXX
<u>Recreation Attendant IV (Counselor IV) - \$5.00</u>		
Sara Miga	XXXXXXXXXXXXXXXXXXXX	XXXXX
<u>Recreation Attendant V (Senior Counselor I) - \$5.25</u>		
Daniel Quigley	XXXXXXXXXXXXXXXXXXXX	XXXXX
<u>From Adapted Recreation - 7310.1803 to Camp JI-IK-DO-WAH-GAH - 7310.1801</u>		
<u>Recreation Attendant III (Counselor III) - \$4.75</u>		
Dana Abenschein	XXXXXXXXXXXXXXXXXXXX	XXXXX
Stephanie Albano	XXXXXXXXXXXXXXXXXXXX	XXXXX
Sandra Bentz	XXXXXXXXXXXXXXXXXXXX	XXXXX
<u>Recreation Attendant V - (Senior Counselor I) - \$5.25</u>		
Samantha Schanne	XXXXXXXXXXXXXXXXXXXX	XXXXX
<u>ADMINISTRATIVE INTERNS - 7310.1804</u>		
<u>Supervisor V - \$6.50</u>		
Christopher Mahalic	XXXXXXXXXXXXXXXXXXXX	XXXXX
<u>GYMNASTICS - 7140.1630</u>		
<u>Recreation Assistant I - \$6.75</u>		
Cheryl Skowronski	XXXXXXXXXX	XXXXX
<u>Senior Recreation Supervisor - \$10.50</u>		
Colleen Tonsoline	XXXXXXXXXXXXXXXXXXXX	XXXXX
<u>POOLS</u>		
(Effective June 3, 1996		
<u>From Part-time to Seasonal</u>		
<u>Item No. 17 cont'd.</u>		
<u>Bathhouse Attendants - 7180.1901 - \$4.25</u>		
Rachel Spradlin	XXXXXXXXXXXXXXXXXXXX	XXXXX
<u>Lifeguards - 7180.1903</u>		
<u>Level II - \$5.00</u>		
Sarah Kazukiewicz	XXXXXXXXXXXXXXXXXXXX	XXXXX
Andrea M. Solecki	XXXXXXXXXXXXXXXXXXXX	XXXXX
Rachel A. Williams	XXXXXXXXXXXXXXXXXXXX	XXXXX
WHEREAS, a vacancy exists in the position of Recreation Supervisor - Special Events.		
BE IT RESOLVED, that Cathy Giles, transferred to the position of Special Program Coordinator at the May 20th board meeting, be elevated to the position of Recreation Supervisor - Special Events at the rate of \$9.75 per hour, effective June 3rd (7180.1902).		
Upon roll call		

MEETING NO. 12
June 3, 1996

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0



MOTION BY COUNCILMEMBER ROGOWSKI, SECONDED BY COUNCILMEMBER BLACHOWSKI
TO DISPENSE WITH READING THE NAMES IN RESOLUTIONS, ITEMS 18A AND 18B, AND THE
VOTING WAS AS FOLLOWS:

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0



Item No. 18a Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be hired as seasonal employees in
the Youth and Recreation Department, effective June 3, 1996:

DAY CAMPS

CAMP JI-IK-DO-WAH-GAH - 7310.1801

Recreation Attendant I (Counselor I) - \$4.25

Kimberly Popiela	XXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant III (Counselor III) - \$4.75

Jay Paradowski	XXXXXXXXXXXXXXXXXX	XXXXX
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Cedargrove - 7140.1631

Recreation Attendant I (Counselor I) - \$4.25

Brian Miller	XXXXXXXXXXXXXXXXXX	XXXXX
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Item No. 18a cont'd.

POOLS

Bathhouse Attendants - 7180.1901 - \$4.25

Mary Bellante	XXXXXXXXXXXXXXXXXX	XXXXX
Ronald Borowski	XXXXXXXXXXXXXXXXXX	XXXXX
Melissa Campbell	XXXXXXXXXXXXXXXXXX	XXXXX
Kellie Gallagher	XXXXXXXXXXXXXXXXXX	XXXXX
Joseph Hamme	XXXXXXXXXXXXXXXXXX	XXXXX
Ginene Kazmierczak	XXXXXXXXXXXXXXXXXX	XXXXX
Ann Marie Kiszewski	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Christina Klaffka	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Jennifer Kreavy	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Jennifer Lizak	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Stacey Lubacz	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Karen Malkiewicz	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Erica Meyers	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Rebecca Miller	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Michael Miszewski	XXXXXXXXXXXXXXXXXX	XXXXX
Linda Pieczynski	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Kristy Przepiora	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Mary Beth Rokitka	XXXXXXXXXXXXXXXXXXXXXX	XXXXX

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Victoria Somogye	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Kelly Stewart	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Bathhouse Attendants (Alternate) - 7180.1901 - \$4.25

Samantha Banks	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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CONSERVATION

YCC - Participants - 7310.1812

Participants - \$4.25

Tony Astran	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Michael Cercone	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Neil Czerniejewski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Luke Garcea	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Donna Griese	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Jeffrey Kosicki	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Joseph LaBarbara	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Sarah Lazarrero	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Christopher Long	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Brandon Metz	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Rick Minotti	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Paul Ray	XXXXXXXXXXXXXXXXXXXXX	XXXXX
John Rivers	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Michael Schieda	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Norm Smith	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Dominic Vaccaro	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Shawn Wnek	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Participants - (Alternates) - \$4.25

Daniel Pickhardt	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Dennis Regan	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Kyle Wagner	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Scott Knaus	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Eric Kotowski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Adam Kehrer	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Karl Kurz	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Nick Poules	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Item No. 18a cont'd.

GYMNASTICS - 7140.1630

Recreation Attendant I - \$4.25

Kim Arnold	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Monica Elbersen	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Attendant II - \$4.50

Andrea Rolfe	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant IV - \$5.00

Robin Thompson	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant VI - \$5.50

Sabrina Kotowski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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SPORTS ROTATION - 7140.1645

Recreation Attendant I - \$4.25

Lisa Santomaggio	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant II - \$4.50

Craig Mahalic	XXXXXXXXXXXXXXXXXXXX	XXXXX
Amy Wojdyla	XXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Attendant III - \$4.75

David Stoklosa	XXXXXXXXXXXXXXXXXXXX	XXXXX
Scott Syroczyński	XXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Supervisor IV - \$6.25

David Backes	XXXXXXXXXXXXXXXXXXXX	XXXXX
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ARTS AND CRAFTS ROTATION - 7140.1648

Recreation Attendant I - \$4.25

Jessica Boersma	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant II - \$4.50

Karen Tripp	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant III - \$4.75

Kimberly Mahoney	XXXXXXXXXXXXXXXXXXXX	XXXXX
Paula Panasiewicz	XXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Supervisor III - \$6.00

Valerie Wurst	XXXXXXXXXXXXXXXXXXXX	XXXXX
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THEATRE - 7140.1651

Recreation Attendant I - \$4.25

Anne Marie Perdziak	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Item No. 18a cont'd.

TENNIS - 7140.1642

Recreation Instruction II - \$4.75

Jonathan Blank	XXXXXXXXXXXXXXXXXXXX	XXXXX
Alan Jackimiak	XXXXXXXXXXXXXXXXXXXX	XXXXX
Amy Snyder	XXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Instructor III - \$5.00

Heather Solecki	XXXXXXXXXXXXXX	XXXXX
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LACROSSE - 7140.1625

Recreation Leader IV - \$6.00 (Part-Time)

Jeffrey W. Kandefer	XXXXXXXXXXXXXXXXXXXX	XXXXX
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BE IT RESOLVED, that the following Youth and Recreation employees, presently employed in Line Item 7140.1614, also be hired as indicated (seasonal, effective June 10th):

DAY CAMPS

Dartwood - 7140.1632

Recreation Attendant II - (Counselor II) - \$4.50

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Christopher Maciock	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant III (Counselor III) - \$4.75

Jennifer Garrison	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant IV (Counselor IV) - \$5.00

Ian Wienclawski	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Leader II - \$5.50

Dawn Zilbauer	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Cedargrove - 7140.1631

Recreation Attendant III - (Counselor III) - \$4.75

Daniel Zilbauer	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant IV (Counselor IV) - \$5.00

Tammy Schumacher	XXXXXXXXXXXXXXXXXXXX	XXXXX
Becky Volk	XXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Attendant V (Senior Counselor I) - \$5.25

Paul Rokitka	XXXXXXXXXXXXXXXXXXXX	XXXXX
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SPORTS ROTATION - 7140.1645

Recreation Supervisor III - \$6.00

Cheryl Ostempowski	XXXXXXXXXX	XXXXX
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BE IT RESOLVED, that the following individuals, presently employed in Line Item 7140.1613, also be hired as indicated (seasonal, effective June 10th);
Item No. 18a cont'd.

DAY CAMPS

Cedargrove Camp - 7140.1631

Recreation Leader II - \$5.50

Dawn Smith	XXXXXXXXXXXX	XXXXX
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SPORTS ROTATION - 7140.1645

Recreation

Lynn Kopra	XXXXXXXXXXXXXXXXXXXX	XXXXX
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ARTS AND CRAFTS ROTATION - 7140.1648

Recreation Attendant III - \$4.75

Stephanie King	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Supervisor III - \$6.00

Jill Marie Matuszewski	XXXXXXXXXXXXXXXXXXXX	XXXXX
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BE IT FURTHER RESOLVED, that the following individual, presently employed in Line Items 7140.1614 and 1740.1654 also be hired as indicated (seasonal, effective June 10th):

Recreation Supervisor IV - \$6.25 (7140.1627/7140.1614/1740.1654

III. DEPARTMENTAL COMMUNICATIONS

- Item No. 20 Building Permits
Received and Filed.
- Item No. 21a Minutes of Cheektowaga Planning Board - May 9, 1996
Received and Filed.
- Item No. 21b Minutes of Cheektowaga Public Library Board - April 24, 1996
Received and Filed.

IV. GENERAL COMMUNICATIONS

- Item No. 22a Notice of Claim: Robert Malicki 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.
- Item No. 22b Notice of Claim: Raymond C. Heimbach, III, Individually and as Father and Natural Guardian of Kristen M. Heimbach, an Infant vs the County of Erie and the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 22c Notice of Claim: Katherine J. Heimbach vs the County of Erie and 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. 22d Notice of Claim: Amy Overton 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. 22e Notice of Claim: Thomas Doody 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. 22f Notice of Claim: Michael Brown vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 22g Notice of Claim: Katherine Bays, as Parent and Natural Guardian of Matthew Bays and Adam Bays 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.



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER WIELINSKI TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND THE VOTING WAS AS FOLLOWS:

Upon roll call

MEETING NO. 12
June 3, 1996

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0



V. SUSPENSION OF RULES

Item No. 23 Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, the 1994 Transportation Systems Management Study (TSMS) Areawide Report prepared on behalf of the Town of Cheektowaga by EMS Consulting identified goals and objectives directed toward the improvement of traffic operations and safety within the Town, AND

WHEREAS, in order for the Town to effectively implement a uniform multi-year program to address deficiencies noted in the (TSMS), and to further assess and implement a program to correct operational deficiencies associated with outdated traffic signals, it is necessary to periodically rely on traffic engineering consultant technical assistance, AND

WHEREAS, the engineering consulting firm of EMS Consulting has been found qualified to perform such services, NOW, THEREFORE, BE IT

RESOLVED, that the agreement for general traffic engineering services for 1996, as submitted by the consulting firm of EMS Consultants, is approved and accepted and, BE IT FURTHER

RESOLVED, that the professional fees shall be based on the hourly rates established in the agreement and shall be chargeable to Account No. 0100-3310-4561 as budgeted and, BE IT FURTHER

Item No. 23 cont'd.

RESOLVED, that the Supervisor is directed and authorized to sign said agreement for professional services with:

EMS Consulting
1863 Clinton Street
Buffalo, New York 14206

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 24 Motion By Councilmember Rogowski, Seconded by Councilmember Johnson

WHEREAS, the Veterans Affairs Committee of the Town of Cheektowaga has proposed the erection of American flags on NYNEX and NYSEG poles along Harlem Road, from Central Boulevard to Walden Avenue, during certain times of the year, (i.e., Flag Day, Fourth of July) to honor this country and its veterans and to show our patriotism, AND

WHEREAS, individual veteran's groups in the Town will be donating money to the Town to purchase flags to be erected along this portion of Harlem Road, AND

WHEREAS, NYSEG and NYNEX have agreed, at no expense to the Town, to allow the Town to erect its flags, flag poles and flag pole brackets on its poles along this portion of Harlem Road, AND

WHEREAS, NYSEG requires that the Town execute a Pole Attachment Permit and NYNEX requires that the Town execute a Pole Attachment Agreement before it can place its flags on the poles, NOW, THEREFORE, BE IT

MEETING NO. 12
June 3, 1996

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned Permit and Agreement with NYSEG and NYNEX, subject to approval of the form of such documents by the Town Attorney.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 25 Motion By Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, pursuant to Lease Agreements entered into between the Erie County Industrial Development Agency (the "Agency") and Dynamic Enterprises, Inc. (the "Company") and Affordable Hospitality, Inc. ("Affordable"; the Company and Affordable are herein collectively called the "Companies"), the Companies agreed to make certain payments in lieu of taxes ("PILOTs") to the County of Erie, the Town and others, certain of which are currently due and owing; AND

WHEREAS, an agreement has been entered into between the Company and certain of the lenders which hold its senior mortgage debt whereby any action by such lenders with respect to possible defaults under the loan documents between the parties, and any disruption to the business operated by the Company, will be averted; AND

WHEREAS, the County has negotiated a further Agreement for the payment of the Companies' County PILOTs due and owing and indicated that it is prepared to accept same upon the acceptance of a similar Agreement by the Town, AND

WHEREAS, in the event that such PILOT repayment Agreements between the County, the Town and the Companies not be concluded, it appears unlikely that such PILOTs due and owing could be recovered, NOW, THEREFORE, BE IT

Item No. 25 cont'd.

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to execute and deliver the Deferral Agreements and any and all further documents or instruments as may be necessary or convenient to effectuate the same, all of the foregoing such documents to be in such form as the Town Attorney may approve.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski, and Swiatek
NAYES; 0
ABSENT: 0

Item No. 26 Motion By Councilmember Johnson, Seconded by Councilmember Swiatek to adjourn this meeting. The meeting adjourned at 8:10 p.m.

Richard M. Moleski
Town Clerk

MEETING NO. 13
June 17, 1996

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of June, 1996 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; William Pugh, Town Engineer; Ronald Marten, Building and Plumbing Inspector; Robert Kaczmarek, Supervising Accountant, Kenneth Kopacz, Director of Youth and Recreational Services; Leonard Szymanski, Foreman in Facilities Department; David Kulik, Working Foreman-Sanitation Department; Chris Kowal, Highway Superintendent; Mike Stachowski, Prosecutor; Sal LaGreca, Planning Board Chairman; John Schaller, Assistant Chief of Police.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 96-4 of the Year 1996 entitled "A Local Law to Amend the Local Law Relating to Sewer Use". A brief description on the contents of Local Law Intro No. 4 of the Year 1996 is as follows:

Town of Cheektowaga

Local Law Intro No. 96-4 of the Year 1996

A Local law to amend Section 6 of the Local Law Relating to Sewer Use entitled "Building Sewer Elevation" to provide that the building sewer lateral shall be brought to a building through the foundation wall above the basement floor."

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

II. RESOLUTIONS

Item No. 3 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

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

GENERAL FUND

FROM:	0100-6510-2655 Veterans Contributions	\$ 600.00
	0100-9501-9131 Bond Principal	\$4,000.00
TO:	0100-6510-4311 Veterans Services	\$ 600.00
	0100-1910-4610 Soil Testing	\$4,000.00

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek

NAYES: 0

ABSENT: 0

Item No. 4 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

MEETING NO. 13
June 17, 1996

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to June 14, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$2,232,971.46
HIGHWAY FUND	705,989.79
TRUST & AGENCY	51,263.35
PART TOWN FUND	49,471.46
RISK RETENTION FUND	96,074.68
CDBG HUD FUND	16,737.14
HUD HOUSING REHABILITATION FUND	21,160.50
SPECIAL DISTRICTS FUND	2,902,253.05
CAPITAL FUND	<u>94,565.65</u>
	\$5,902,487.08

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, by Town Board resolution dated October 25, 1994, this Town Board awarded multiple contracts for the construction of the Julia Boyer Library to the below listed firms:

<u>CONTRACT</u>	<u>FIRM</u>	<u>BID AMOUNT</u>
A - General	Nichter Construction Co, Inc. 344 Vulcan Street Buffalo, NY 14207	\$1,663,000
C - HVAC	Kellner Mechanical (HVAC) 7000 Seneca Street P.O. Box 122 Elma, NY 14059	\$ 172,900
D - Electrical	CIR Electrical Co. 1067 Harlem Road Buffalo, NY 14227	\$ 256,300

AND,

WHEREAS, the aforesaid contracts included work items associated with the installation of the air conditioning system as detailed in the project plans, specifications and contract documents prepared by the Foit Albert Associates, Architecture, Engineering and Surveying P.C., Project Architect, AND

WHEREAS, Foit Albert Associates has prepared an amended design for the relocation of the 10 ton and 40 ton air conditioning condensing units, removing said units from the 50 foot setback as required under the Town Zoning Ordinance, which relocation will also provide for the aesthetic enhancement of the project, AND

WHEREAS, the project architect has further prepared change order documents for work items related to the relocation of the condensing units, to be performed under the retrospective contracts, and has further agreed to fund the total cost associated with said relocation work detailed in the change order documents, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. A-03 in the amount of \$4,076.00 as an addition to the contract of:

Nichter Construction Co., Inc.
344 Vulcan Street, Buffalo, NY 14207

Item No. 5 cont'd

that Change Order No. C-03 in the amount of \$26,179.00 as an addition to the contract of

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June 17, 1996

Kellner Mechanical
7000 Seneca Street, Elma, NY 14059

and that Change Order No. D-04 in the amount of \$7,900.00 as an addition to the contract of

CIR Electrical Co.
1069 Harlem Road, Buffalo, NY 14227

for work items associated with the relocation of air conditioning equipment be and hereby are approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute the aforesaid Change Orders No. A-03, No. C-03 and No. D-04 on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that payment for work to be performed under the above described change orders totaling \$38,155.00 shall be made to the respective contractors by the Town following completion of the work, and following the submission of funds TOTALING \$38,155.00 by the project architect, which funds shall be deposited in, and disbursed from Accounts No. 5403-1220-9409.



Motion by Councilmember Jaworowicz, Seconded by Councilmember Johnson to amend the above resolution, and the voting was as follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, by Town Board resolution dated October 25, 1994, this Town Board awarded multiple contracts for the construction of the Julia Boyer Library to the below listed firms:

<u>CONTRACT</u>	<u>FIRM</u>	<u>BID AMOUNT</u>
A - General	Nichter Construction Co, Inc. 344 Vulcan Street Buffalo, NY 14207	\$1,663,000
C - HVAC	Kellner Mechanical (HVAC) 7000 Seneca Street P.O. Box 122 Elma, NY 14059	\$ 172,900
D - Electrical	CIR Electrical Co. 1067 Harlem Road Buffalo, NY 14227	\$ 256,300

AND,

WHEREAS, the aforesaid contracts included work items associated with the installation of the air conditioning system as detailed in the project plans, specifications and contract documents prepared by the Foit Albert Associates, Architecture, Engineering and Surveying P.C., Project Architect, AND

Item No. 5 cont'd

WHEREAS, Foit Albert Associates has prepared an amended design for the relocation of the 10 ton and 40 ton air conditioning condensing units, removing said units from the 50 foot setback as required under the Town Zoning Ordinance, which relocation will also provide for the aesthetic enhancement of the project, AND

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WHEREAS, the project architect has further prepared change order documents for work items related to the relocation of the condensing units, to be performed under the retrospective contracts, and has further agreed to fund the total cost associated with said relocation work detailed in the change order documents, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. A-03 in the amount of \$4,076.00 as an addition to the contract of

Nichter Construction Co., Inc.
344 Vulcan Street, Buffalo, NY 14207

that Change Order No. C-03 in the amount of \$26,179.00 as an addition to the contract of

Kellner Mechanical
7000 Seneca Street, Elma, NY 14059

and that Change Order No. D-04 in the amount of \$7,900.00 as an addition to the contract of

CIR Electrical Co.
1069 Harlem Road, Buffalo, NY 14227

for work items associated with the relocation of air conditioning equipment be and hereby are approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute the aforesated Change Orders No. A-03, No. C-03 and No. D-04 on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that payment for work to be performed under the above described change orders totaling \$38,155.00 shall be made to the respective contractors by the Town following completion of the work, and following the submission of funds TOTALING \$38,155.00 by the project architect, **Engineer, and or their Insurance Carrier**, which funds shall be deposited in, and disbursed from Accounts No. 5403-1220-9409.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 6a Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, by Town Board resolution dated May 21, 1984, Local Law No. 2 of the Year 1984 entitled "A Local Law Relating to Sewer Use" was adopted, and

WHEREAS, in order that the provisions of this Local Law be consistent with current regulations and specifications developed by the Erie County Department of Environment and Planning, Division of Sewage Management, in County Sewer District No. 1 pertaining to this construction of building service laterals, the Town Engineer and Plumbing Inspector have recommend that this local law be amended, and

WHEREAS, a draft of such amendment in line with the County regulations, has been prepared by the Town Engineer, and

WHEREAS, a public hearing was held on the 17th day of June, 1996 at 7:00 p.m. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law Relating to Sewer Use", and

Item No. 6a cont'd

WHEREAS, this Board feels it is in the public interest to adopt such local law, NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 4 of the Year 1996, entitled "A Local Law to Amend a Local Law relating to Sewer Use" be and the same is hereby adopted, and BE IT FURTHER

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RESOLVED that, within twenty (20) days of its adoption, the Town Clerk shall file one (1) certified copy in the office of the Secretary of State, and BE IT FURTHER

RESOLVED that Local Law No. 4 of the Year 1996 shall be effective immediately upon its filing with the Secretary of State.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 6b Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, this Town Board held a public hearing on June 3, 1996 at 7:00 P.M., to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof:

NOW, THEREFORE, BE IT RESOLVED as follows:

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June 17, 1996

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

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

C. No parking here to corner

Hoerner Avenue East Side from the north curb line and south curblane of Doat Street to a point 40+ feet north and south of the curblane of Doat Street, for a distance of 40+ feet.

ARTICLE XV

Truck Route System

§76-150. Trucks permitted

Section 76-150 shall be amended by deleting the following:

- A. Delete the words "having a total gross weight in excess of five (5) tons"
- B. Delete the words "having a total gross weight in excess of five (5) tons"

Section 76-150 shall be amended by adding thereto the following:

- A. Add the words "having a total gross vehicle weight rating in excess of five (5) tons"
- B. Add the words "having a total gross vehicle weight rating in excess of five (5) tons"

Section 2. Time to take effect.

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

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application

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

Item No. 6b cont'd

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and 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.

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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 7a Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, by resolution dated January 21, 1992, Local law No. 1 of the Year 1992 of the Town of Cheektowaga, entitled "A Local Law Relating to Zoning" was adopted, and

WHEREAS, the Building Inspections Department and the Petitions Committee of the Town of Cheektowaga have recommended various amendments to the Local Law Relating to Zoning, and

WHEREAS, a draft of such amendments has been prepared and has been forwarded to various other governmental agencies for comment, NOW, THEREFORE, BE IT

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RESOLVED, that a public hearing be held on the 1st day of July, 1996 at 7:00 PM at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law to Amend A Local Law Relating to Zoning" and, BE IT FURTHER

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

RESOLVED that the Town Clerk be and hereby is directed to forward copies of this resolution and the attached Notice of Hearing to the Erie County DEP, the City of Buffalo, and the Towns of West Seneca, Amherst and Lancaster, and the Villages of Sloan and Depew.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that pursuant to the Municipal Home Rule Law of the State of New York a Public Hearing will be held before the Town Board of the Town of Cheektowaga, on the 1st day of July, 1996 at 7:00 p.m. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 96-5 of the Year 1996, entitled "A Local Law to Amend the Local Law Relating to Zoning." A brief description of the contents of Local Law Intro No. 96-5 of the Year 1996 is as follows:

Town of Cheektowaga

Local Law Intro No. 96-5 of the Year 1996

A local law to amend various sections of the Local Law Relating to Zoning in various zoning districts, including, but not limited to provisions relating to intent, signs, permitted uses, setbacks for front yards, side yards and rear yards, site plan review, size and height limitations, parking and fences.

A copy of the complete text of "Local Law Intro No. 96-5 of the Year 1996" shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

Dated: June 17, 1996

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

RICHARD M. MOLESKI
Town Clerk



AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga, New York, requires that unsafe structures be repaired, demolished or removed, and

WHEREAS, records kept by the Office of the Assessor identify the Benenson Capital Company, 708 Third Avenue, New York as the owner of a structure located at 1231 and 1235 French Road, Cheektowaga, New York, and

WHEREAS, an inspection of such premises was conducted on May 23, 1996 by the Office of the Building and Plumbing Inspections, and

WHEREAS, such inspection found the fence structure to be deteriorated, a hazard, a detriment to property values and a danger to the safety and well being of others, and

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WHEREAS, notice was sent to the owner that demolition and removal of the fence structure is necessary, and

WHEREAS, such notice further stated that upon the neglect or refusal of the owner, the Town of Cheektowaga will demolish and remove the fence structure with all cost assessed against the land on which the structure is located, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Unsafe Building and Collapsed Structures Ordinance of the Town of Cheektowaga, New York, a hearing be held on the 1st day of July at 7:00 o'clock P.M., Eastern Daylight Saving Time at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest shall have an opportunity to be heard.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

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

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

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency in most instances, AND

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

WHEREAS, an application was submitted by Monroe Tractor to construct a 7,500 ± square foot addition to 5054 Genesee Street, and

WHEREAS, the applicant will comply with Local Law known as Chapter 21A "Drainage Systems" and Chapter 30 "Flood Damage Prevention" of the Code of the Town of Cheektowaga, and

WHEREAS, a section of the existing drainage ditch will be piped to the specifications of the Town Engineer and the New York State Department of Transportation ("NYSDOT"), and

WHEREAS, a drainage maintenance easement will be provided, and

WHEREAS, the Advisory Committee, at its meeting held on May 29, 1996 rendered the determination shown on the attached memo dated May 30, 1996, AND

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

Item No. 8a cont'd

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 SEQRA.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

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

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

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency in most instances, AND

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

WHEREAS, an application was submitted by Richard Smith to construct a 4,000 square foot addition to 82 Holtz Road, and

WHEREAS, the Advisory Committee, at its meeting held on June 13, 1996 rendered the determination shown on the attached memo dated June 14, 1996, AND

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WHEREAS, this Town Board has reviewed the applications 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 SEQRA.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 8c Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

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

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency in most instances, AND

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

WHEREAS, an application was submitted by the Town of Cheektowaga Engineering Department to construction three (3) parking lots for a total of seventy-seven (77) spaces at Stiglmeier Park, and

WHEREAS, the locations of the lots did not require the removal of any trees or other sensitive vegetation, and

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WHEREAS, the locations did not directly intrude upon any of the natural resources in the park or affect any of the recreational services provided at the park, and

WHEREAS, the Advisory Committee, at its meeting held on June 13, 1996 rendered the determination shown on the attached memo dated June 14, 1996, and recommends that no further paving of facilities be undertaken, and

WHEREAS, this Town Board has reviewed the applications 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 SEQRA.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 8d Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

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

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency in most instances, AND

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

WHEREAS, an application was submitted by the Pyramid Company of Buffalo to construct a two (2) story 80,000 square foot addition to the Walden Galleria Mall, and

WHEREAS, this proposal was referred to the agencies which reviewed the mall when the mall was first proposed, and

WHEREAS, those agencies that commented have found no adverse impact associated with the addition, and

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WHEREAS, the applicant had a Traffic Impact Study ("TIS") performed for the project,
and

WHEREAS, the "TIS" indicated that a traffic signal was needed at Galleria Drive and
the East ring road, and

WHEREAS, the applicant has committed to installing the traffic signal and maintaining
the signal in the same manner as the signal at Galleria Drive and the West ring road, and

WHEREAS, the applicant has also committed to improving traffic movements on the
East ring road by adjusting stacking lanes and allowing the United States Post Office to connect with
the ring road thereby eliminating a driveway to Galleria Drive and improving traffic safety in that area,
and

WHEREAS, the applicant has committed to provide easements at the Galleria Drive
basin and at the intersection of Galleria Drive and Walden Avenue, and

WHEREAS, the applicant has committed to participate with easements in the Rails-To-
Trails Project promoted by the Town, and

WHEREAS, the Advisory Committee, at its meeting held on May 15, 1996 rendered
the determination shown on the attached memo dated May 17, 1996. and

WHEREAS, this Town Board has reviewed the applications 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
SEQRA.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 9a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the
furnishing of bus transportation for the Cheektowaga Department of Youth and Recreational Services,
and

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

RESOLVED that the bid be awarded to the following bidder meeting specifications
(see attached):

National School Bus
2306 Walden Avenue
Cheektowaga, New York 14225

and BE IT FURTHER

RESOLVED that the costs resulting from the awarding of this bid be funded through
line items:

--7310.4611
--7310.4671
--7310.4698

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--7140.4601

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 9b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, bids were duly received on March 13, 1996 as a result of advertisement for the purchase of refuse containers for the Sanitation Department, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated June 11, 1996 from Principal Engineer, Allan B. Blachowski, NOW, THEREFORE, BE IT

RESOLVED that the bid for the purchase of refuse containers for the Sanitation Department, as recommended by the Town Engineer, be and the same is awarded for the period covering 1996, 1997, 1998 to the following:

<u>Bidder</u>	<u>Item</u>	<u>Quantity</u>	
Plastopan North America, In. 812 East 59th Street Los Angeles, CA 90001	1-A	500-999	\$33.55
	1-B	1000-2999	\$33.55
	1-C	3000-4999	\$33.55
	1-D	5000-6000	\$33.55
Otto Industries, Inc. 12700 General Drive Charlotte, NC 28273	11-A	500-999	\$40.72
	11-B	1000-2999	\$40.72
	11-C	3000-4999	\$40.72
	11-D	5000-6000	\$40.72

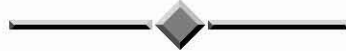
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and BE IT FURTHER

RESOLVED that the funds have been budgeted in account #5906-7310-9601 and the initial purchase of refuse containers will be as follows:

Item I	64 Gallon Containers Quantity <u>1600</u>	Plastopan North America, Inc. Total Bid Price <u>\$50,325.00</u>
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Item II	95 Gallon Containers Quantity <u>775</u>	Otto Industries, Inc. Total Bid Price <u>\$31,558.00</u>
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Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz to table the above item and the voting was as follow:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

THE ABOVE RESOLUTION WAS TABLED.

Item No. 9c Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, bids were received and opened on June 5, 1996 at 11:00 A.M. by the Town Clerk for the installation of Sanitary Sewer Manholes on Windwood Court, and

WHEREAS, the Engineering Department has reviewed the bids and recommended that the bid be awarded to Mar-Wal Construction Company, Inc. for their submission of the lowest bid, NOW, THEREFORE, BE IT

RESOLVED that the bid for the Installation of Sanitary Sewer Manholes on Windwood Court., 440 Gould Avenue, Depew, New York 14043 for the bid price of \$49,700.00, which was the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

Item No. 9c cont'd

RESOLVED that the Supervisor be and hereby is directed and authorized to sign any and all agreements for said Sanitary Sewer Manhole Installation on Windwood Court on behalf of this Town Board, and BE IT FURTHER

RESOLVED that funding for said sanitary sewer manhole installation shall be chargeable to Community Development Funds.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

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

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 alcohol 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 a grant last year in the amount of \$300,000 from the United States Public Health Service, Center for Substance Abuse Prevention, Community Partnership Demonstration Program to expand the scope and base of existing, well-developed partnerships to join together in forming a coalition known as the Suburban Wellness Coalition to address substance abuse and other related health and social problems, and

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WHEREAS, the United States Public Health Service, Center for Substance Abuse Prevention is accepting refunding applications to continue the Community Partnership Demonstration Program grant period for a second year, and

WHEREAS, the Suburban Wellness Coalition requires additional funding to continue its activities, and

WHEREAS, award of this refunding in the amount of \$313,403 will underwrite \$100% of the costs associated with this program for the second 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 second program year, and BE IT FURTHER

RESOLVED that Robert J. Miller and Associates be authorized and directed to complete the necessary application, forms, etc. to be submitted to the United States Public Health Service, Center for Substance Abuse Prevention for the purpose of refunding this grant for the second 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 for an acquisition of said funding.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 10b Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga, as a member of the Amherst-Cheektowaga-Tonawanda HOME Consortium, has established a First-Time Homebuyers Program under the HOME Investment Partnership Program, and

WHEREAS, said Program is funded with federal HOME Program funds from the Department of Housing and Urban Development, NOW, THEREFORE, BE IT
Item No. 10b cont'd

RESOLVED that the Supervisor be and hereby is authorized to sign any loan agreement, mortgage discharge or other pertinent documents necessary to implement the Town's First-Time Homebuyers Program in conjunction with the Amherst-Cheektowaga-Tonawanda HOME Consortium pursuant to federal regulations and Program guidelines adopted by the Town Board.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

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

NOW, THEREFORE, BE IT RESOLVED that the recommendations of the 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.

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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 12a Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 1689 Kensington Avenue, Cheektowaga, New York, SBL#79.20-8-4 and according to the Assessor's Office is owned by Shamrock Enterprises Incorporated, 1689 Kensington Avenue, Buffalo, New York 14215-1412, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds 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.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 12b Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 50 Olcott Place, Cheektowaga, New York, SBL# 101.36-3-6 and according to the Assessor's Office is owned by Kevin C. Fisher and Wife, 10190 Pratham Road, Glenwood, New York 14069-9609, 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

MEETING NO. 13
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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.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, the Housing Standards of the Town of Cheektowaga, State of New York, requires that unsafe structures be repaired, demolished or safeguarded and all nuisances abated, and

WHEREAS, records kept by the Office of the Assessor identify Kevin C. Fisher and Wife, 10190 Pratham Road, Glenwood, New York, as the owner of premises located at 50 Olcott Place, Cheektowaga, New York, and

WHEREAS, an inspection of such premises was conducted on June 7, 1996 by the Office of the Building and Plumbing Inspections, and

WHEREAS, such inspection found the accessory structure to be deteriorated, a hazard, and a danger to the safety and well being of others, and

WHEREAS, notice was sent to the owner that safeguarding all openings in the structure is necessary and extermination of bees is necessary, and

WHEREAS, such notice further stated that upon the neglect or refusal of the owner, the Town of Cheektowaga will safeguard all openings in the accessory structure and exterminate the bees from the accessory structure to protect the health and safety of others with all cost assessed against the property on which the structure is located, NOW, THEREFORE, BE IT

Item No. 13 cont'd

RESOLVED that in accordance with the relative provisions of the Housing Standards of the Town of Cheektowaga, State of New York, that all openings in the accessory structure be boarded over and secured; and bees exterminated and all costs incurred be assessed against the property herein before described.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilmember Swiatek, Seconded by Councilmember Blachowski

BE IT RESOLVED that the following Seasonal and/or Part-Time employees be and hereby are terminated as listed:

FACILITIES DEPARTMENT

Alexander Nwora
Felix Lampke
Peter Flannery
Eugene Czajkowski

EFFECTIVE

Immediately
"
"
"

SANITATION DEPARTMENT

Timothy McGowan

Immediately

POLICE DEPARTMENT

Richard Ford

5/31/96

MEETING NO. 13
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilmember Swiatek, Seconded by Councilmember Rogowski

BE IT RESOLVED that the position of Recreation Leader be and hereby is created in the Youth & Recreational Services Department effective immediately.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilmember Swiatek, Seconded by Councilmember Blachowski

WHEREAS, due to retirement, a permanent vacancy exists in the position of Working Crew Chief in the Sanitation/Recycling Departments, and

WHEREAS, notice of said vacancy was posted pursuant to agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, and

WHEREAS, Frank C. Max, Jr., applied for said position, was interviewed and meets all the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that Frank C. Max, Jr., of XXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX be and hereby is appointed to the position of Working Crew Chief in the Sanitation/Recycling Departments, in accordance with the terms and conditions as setforth in the collective bargaining

Item No. 16 cont'd

agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, effective June 24, 1996.

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

Item No. 17 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following Youth and Recreation employees be transferred as indicated:

From Basketball - 7140.1654 to New Programs - 7140.1813
From Recreation Instructor III to Recreation Instruction IV - \$5.25

Scott Morris XXXXXXXXXXXXXXXXXXXX XXXXX

ADMINISTRATIVE INTERNS
7310.1804

From Recreation Leader I to Recreation Leader II - \$6.00

Tracey Frank XXXXXXXXXXXXX XXXXX

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



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Motion by Supervisor Gabryszak , Seconded by Councilmember Rogowski
to dispense with the reading of the names in Item No. 18a and 18b and the voting
was as follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Item No. 18a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be hired as seasonal employees in the
Youth and Recreation Department, effective June 17, 1996:

NEW PROGRAMS
7140.1813

Recreation Attendant I - \$4.25

Jason Wheeler	XXXXXXXXXXXXXXXXXX	XXXXX
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ARTS AND CRAFTS ROTATION
7140.1648

Recreation Attendant I - \$4.25

April Rusch	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Nicole D'Amico	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Item No. 18a cont'd

Recreation Supervisor III - \$6.00

Costanza Longo	XXXXXXXXXXXXXXXXXX	XXXXX
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SPORTS ROTATION
7140.1645

Recreation Attendant I - \$4.25

Mindy Greenauer	XXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Supervisor III - \$6.00

Richard Gorzynski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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LACROSSE
7140.1625

Recreation Leader III - \$5.75

Mark DiPasquale (part-time)	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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DAY CAMPS

Cedargrove
7140.1631

Recreation Attendant IV (Counselor IV) - \$5.00

Danielle Lynn Janiszewski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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POOLS

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Batthouse Attendants - \$4.25
7180.1901

Robert Proehl	XXXXXXXXXXXXXXXXXX	XXXXX
Courtney Silva	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Anthony Grisanti	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Lifeguard - 7180.1903
Level I - \$4.75

Jeffrey Bartel	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Aaron R. Grupka	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Jennifer Wierzbicki (Alternate)	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Lifeguard IV - \$6.00

Craig Bova (alternate)	XXXXXXXXXXXXXXXXXX	XXXXX
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 18b Motion by Councilmember Swiatek, Seconded by Councilmember Wielinski

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
Item No. 18b cont'd

listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1491) EFFECTIVE

David Michalski	XXXXXXXXXXXXX, Chktg., XXXXX	Immediately
James Bonito	XXXXXXXXXXXXX, Chktg., XXXXX	"
James Kazmierczak	XXXXXXXX, Chktg., NY XXXXX	"

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1496)

Paul Ivanowski	XXXXXXXXXXXXX, Depew, XXXXX	Immediately
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ENGINEERING DEPARTMENT - \$7.50 per hour

James Rogowski	XXXXXXXXXXXXX, Depew, XXXXX	Immediately
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RECYCLING DEPARTMENT - \$5.00 per hour

Martin Gabryszak	XXXXXXXXXXXXX, Chktg., XXXXX	Immediately
Andrew Cianflone	XXXXXXXXXXXXX, Depew, XXXXX	"

Sewer Department - \$5.00 per hour

Daniel Wierzbowski	XXXXXXXXXXXXX Depew, XXXXX	Immediately
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

MEETING NO. 13
June 17, 1996

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

SANITATION DEPARTMENT - \$5.00 per hour

Stanley Krzywowiaza XXXXXXXXXXXXXXXX, Sloan, XXXXX Immediately

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Motion by Supervisor Gabryszak , Seconded by Councilmember Rogowski
to dispense with the reading of the names in Item No. 20 and the voting was as
follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0



Item No. 20 Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

WHEREAS, funds are presently available under the Buffalo-Cheektowaga-Tonawanda Consortium, Summer Youth Program, and

WHEREAS, the Summer Youth Program starts on June 24, 1996, participants work a minimum of 32 hours per week, \$4.25 per hour, unless stated differently, and a termination date not to exceed August 30, 1996, 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:

Altemoos, Rebecca	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Barbaritz, Sandra Lee	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Benitez, Melissa	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Binga, Corey	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Bogacz, Jeremy	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Bonus, Christopher	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Bonus, Jason	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Borucki, Pamela	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Brockner, Andrew	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Broniszewski, Angel	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Broton, Keith	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Brucato, Anthony	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Bryant, Carolyn	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Bryan, Mark	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Carlisle, Jamie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Cascio, Joseph	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Chmura, Amelia	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Ciesielski, Kurt	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
DeFields, David Jr.	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Delvalle, Felicia	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Dequino, Amber	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Diebold, Tabitha	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
DiNunzio, Jennifer (\$6.60)	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
(Counselor)		
Donaldson, Connie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Dunning, Jason	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX

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Dura, Michael	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Ebersson, Valerie	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Forkl, Kristie	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Frank, Alexis	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Frisicaro, Vincent (\$13.09) (Senior Counselor)	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Gaffney, Joel	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Gallagher, Christine	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Gallagher, James	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Gallagher, Lisa	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Giudice, Timothy	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Gretch, Tammi	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Gurney, Christina	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Hamilton, Michelle	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Harris, Angela	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Hofbauer, Nicholas	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Hofbauer, Richard	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Hubert, Lori	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Klaczky, Barbara	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Knaus, Scott	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lach, Stacy	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lasota, Brandon	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lepkyj, Mirian	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lewandowski, Jeffrey	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Linden, Jaclyn	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Linden, Jessica	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lindfors, Audra	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
<u>Item No. 20 cont'd</u>		
Lindner, Joseph	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Long, Christopher	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Majeski, Paul	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Mamon, Rebecca	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Mamon, Theresa	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Mantione, Salvatore	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Marrelli, Mark	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
May, Melanie	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
McPeck	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
McPeck	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Murphy, Jason	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Nowicki, Stacey	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Oquendo, Warren	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Pache, Suzie	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Parini, Nicholas	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Paul, Stefanie	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Petronsky, Sherry	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Pignatora, Keith	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Plummer, Frank	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Price, Danielle	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Price, David	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Pulley, Shauna	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Quigley, David	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rafferty, Tammy	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Redenbach, Diane	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Repertorio, Nicole	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rickert, Eric	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rickert, Lori	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rodoski, Steven	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Ruhlmann, Suzanne	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rupp, Ricky	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rusch, Danielle	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Stone, Brian	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Stroh, Sandra	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Struebing, Katherine	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Tabak, Christian	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Tonsoline, Peter (\$14.85) (Principal Counselor)	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Toy, Jaclyn	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX

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Urban, James	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wawrowicz, Sherry	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wawrowicz, Timothy	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wilkes, Ahmad	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wilkes, Amber	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wolfe, Nicole	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wyatt, Jason	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Zogaria, Alicia	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Zogaria, Paul	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Zogaria, Mark	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Knorr, Brandon	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Fluellen, Shawn	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 21a Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the National Association of School Resource Officers is holding its annual training conference in Denver, Colorado from July 27 - August 2, 1996, and

Item No. 21a cont'd

WHEREAS, Chief Chamberlin is requesting authorization to send Officer Michael Sisti to this training. This training will provide the Student Resource Officer (SRO) practitioner with a new look at techniques and strategies in motivation, liability of an SRO, as well as how to obtain new resource material for SRO Program. The attendee will be instructed in topics: School Law Update, Gang Awareness Update, Undercover Operations on Campus, Officer Survival in a School Environment, Emergency Management, School Resource Officer Programs, Crime Watch Programs, Time Management, and Contemporary Issues. Training in this program will enhance the program Officer Sisti currently runs at Maryvale Schools, and

WHEREAS, the Police Department will be responsible for registration, travel and lodging not to exceed \$1,300.00, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send Officer Sisti to this training, and that the time he spends there be authorized as normal duty time. The expense will be charged to lines 0100-3120-4006 and 0600-0880.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 21b Motion by Councilmember Wielinski, seconded by Supervisor Gabryszak

WHEREAS, the New York State Emergency Management Office is hosting Basic Public Information Officer Course from July 23 - 26, 1996, in Albany, New York

WHEREAS, Chief Chamberlin is requesting authorization to send Lt. James Morath and Lt. Cheryl Rucinski to this training course. These officers handle all media relations. At the conclusion of this training course, participants will be able to develop and/or enhance basic skills in writing, public speaking, working with the media and handling interviews, inquiries, and news conferences, to include making based public information choices and decisions that begin to set policy, getting more comfortable with the media and develop and conduct awareness campaigns. There is no registration or lodging expenses. The Police Department will be responsible for meals and travel expenses amounting to approximately \$175.00, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send the above officers to this training, and that the time spent there be authorized as normal duty time. The expense will be charged to 0100-3120-4085.

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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 21c Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the Office of Public Safety, Missing and Exploited Children Clearinghouse in cooperation with the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, will be presenting a Basic Investigative Techniques: Missing/Abducted Children training program on June 25-27, 1996 in Latham, New York, and

WHEREAS, Chief Chamberlin is requesting authorization to send Juvenile Detective Sergeant Kenneth Hycner to this training. The course will include the following topical areas: Missing Children: an Issue Perspective, Initial Response to Missing child Cases, Investigation of Non-Family Abduction/Family Abductions, Investigation of voluntary Missing Children, and Investigative Resources. The Police Department will be responsible for registration, travel and lodging amounting to approximately \$260.00, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send Sgt. Hycner to this training and that the time he spends there be authorized as normal duty time. The expense will be charged to 0100-3120-4093 and 0100-3120-4085.

Item No. 21c cont'd

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 21d Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the International Municipal Signal Association is hosting its annual conference and training school July 19-26, 1996 in Providence, Rhode Island, and

WHEREAS, Chief Chamberlin is requesting authorization to send Christopher Taber to this conference and training. Chris will be attending Level I and Level II Traffic Signal Certification. He will be trained and certified in various aspects of design, configuration and operation of traffic signals. Therefore, with the ultimate goal being to repair and maintain the traffic signals within Town boundaries as opposed to contracting with private repair vendors. The Police Department will be responsible for registration and lodging amounting to approximately \$1,210.00, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send Christopher Taber to this training and that the time he spends there be authorized as normal duty time. The expense will be charged to lines 0100-3310-4093 and 0100-3310-4471.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Minutes of Cheektowaga Traffic Safety Commission - May 21, 1996
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 23a Notice of Claim - Diane Skotarczak vs Town of Cheektowaga
Copies were sent to : Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Allied Claims, Insurance Company, Council Office; Sanitation Department.
Received and Filed.

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- Item No. 23b Notice of Claim - John Bays & Mrs. John Bays vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company, Highway Department.
Received and Filed.
- Item No. 23c Notice of Claim - Nationwide Mutual Ins., subrogee of Ronald G. Gross vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company, Sanitation Department.
Received and Filed.
- Item No. 24 Summons & Complaint - General Accident Ins. as Subrogee of Lawrence Matuszak
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company, Police Department.
Received and Filed.
- Item No. 25 Petition from residents opposing planned Restaurant/Banquet Facility at former Orphanage Property on William Street between St. Felix Ave. and Kennedy Rd.
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members; Sal LaGreca, Planning Board Chairman; Cheektowaga Traffic Safety Commission.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz to suspend the rules to include the following item and the voting was as follows:

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, Buffalo Crushed Stone, Inc. (the "applicant") submitted a Tree Removal Permit application for the removal of 2,325± trees from its property located at 500 Como Park Boulevard, and

WHEREAS, the Town Zoning Inspector, by letter dated March 27, 1996, denied the applicant's Tree Removal Permit application, and

WHEREAS, the applicant's attorney submitted a letter dated April 26, 1996 appealing the Building Inspector's denial of its Tree Removal Permit application, and

WHEREAS, discussions and meetings were had between the Town's and applicant's representatives to resolve this matter and further information was requested by the Town, and

WHEREAS, these meetings and discussions continued until last week when it appeared that no further information would be submitted to the Town, NOW, THEREFORE, BE IT ,

RESOLVED, that this Town Board hereby affirms the decision of the Zoning Inspector to deny the applicant's Tree Removal Permit application based on the following and other reasons:

1. The "appeal" of applicant (or applicant's representative) did not include a copy of all papers filed with the Building Inspector, in contravention of 74-4.c of the Town Code.
2. Many of the trees to be removed are in the area in which the applicant wants to conduct excavation in violation of the provisions of the Zoning Law.

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3. Applicant has not submitted a specific tree survey delineating the location and size of each tree to be removed.
4. Insufficient information was submitted by the applicant.
5. No unreasonable hardship to the applicant has been shown if this application is denied.
6. Increased water runoff could result causing environmental degradation.
7. There is a need to preserve tree cover in this area which is adjacent to residences.
8. There could be a severe environmental effect from the removal of this large quantity of trees.
9. No compensatory planting schedule has been submitted.

Item No. 26 cont'd

and BE IT FURTHER

RESOLVED, that, since discussions and meetings with the applicant or applicant's representative continued during the appeal phase and insufficient documentation was submitted by the applicant, the period of time for which decision by this town Board was extended and the 30-day period is deemed waived by the applicant.



Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz to amend the above resolution, and the voting was as follows:

AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Wielinski and Swiatek
NAYES:	0
ABSENT:	0



Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, Buffalo Crushed Stone, Inc. (the "applicant") submitted a Tree Removal Permit application for the removal of 2,325± trees from its property located at 500 Como Park Boulevard, and

WHEREAS, the Town Zoning Inspector, by letter dated March 27, 1996, denied the applicant's Tree Removal Permit application, and

WHEREAS, the applicant's attorney submitted a letter dated April 26, 1996 appealing the Building Inspector's denial of its Tree Removal Permit application, and

WHEREAS, discussions and meetings were had between the Town's and applicant's representatives to resolve this matter and further information was requested by the Town, and

WHEREAS, these meetings and discussions continued until last week when it appeared that no further information would be submitted to the Town, NOW, THEREFORE, BE IT ,

RESOLVED, that this Town Board hereby affirms the decision of the Zoning Inspector to deny the applicant's Tree Removal Permit application based on the following and other reasons:

1. The "appeal" of applicant (or applicant's representative) did not include a copy of all papers filed with the Building Inspector, in contravention of 74-4.c of the Town Code.

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2. Many of the trees to be removed are in the area in which the applicant wants to conduct excavation in apparent violation of the provisions of the Zoning Laws.
3. Applicant has not submitted a specific tree survey delineating the location and size of each tree to be removed.
4. Insufficient information was submitted by the applicant.
5. No unreasonable hardship to the applicant has been shown if this application is denied.
6. Increased water runoff could result causing environmental degradation.
7. There is a need to preserve tree cover in this area which is adjacent to residences.

Item No. 26 cont'd

8. There could be a severe environmental effect from the removal of this large quantity of trees.
9. Insufficient compensatory planting schedule has been submitted.

and BE IT FURTHER

RESOLVED, that, since discussions and meetings with the applicant or applicant's representative continued during the appeal phase and insufficient documentation was submitted by the applicant, the period of time for which decision by this town Board was extended and the 30-day period is deemed waived by the applicant.

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Wielinski and Swiatek
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilmember Swiatek, Seconded by Councilmember Rogowski to adjourn the meeting. Time adjourned was 8:45 P.M.

RICHARD M. MOLESKI
Town Clerk